

DEPARTMENT OF FISH AND GAME

**WILDLIFE CONSERVATION BOARD**

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State of California  
Natural Resources Agency  
Department of Fish and Game  
**WILDLIFE CONSERVATION BOARD**

Minutes  
May 27, 2010

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**WILDLIFE CONSERVATION BOARD**

Minutes

May 27, 2010

The Wildlife Conservation Board met on Thursday, May 27, 2010, at the State Capitol, Room 112, in Sacramento, California. Mr. John McCamman, Director of the Department of Fish and Game, called the meeting to order at 10:00 A.M., introduced himself, Ms. Karen Finn, Program Budget Manager, Department of Finance, Mr. John Donnelly, Executive Director of the Wildlife Conservation Board, and Ms. Natalya Kulagina, Mr. Donnelly's Executive Assistant. Mr. McCamman turned the meeting over to Mr. Donnelly.

## 1. Roll Call

## WILDLIFE CONSERVATION BOARD MEMBERS

John McCamman, Chairman  
Director, Department of Fish and Game

Karen Finn, Program Budget Manager  
Vice, Ana Matosantos, Member  
Director, Department of Finance

## JOINT LEGISLATIVE ADVISORY COMMITTEE

Marie Liu  
Vice, Senator Fran Pavley

Teresa Schilling  
Vice, Senator Patricia Wiggins

Sally Kay  
Vice, Assembly Member Sam Blakeslee

Erin Shaw  
Vice, Assembly Member Ira Ruskin

## EXECUTIVE DIRECTOR

John P. Donnelly

**Wildlife Conservation Board Staff Present:**

John P. Donnelly, Executive Director  
Dave Means, Assistant Executive Director  
Debra Townsend, Assistant Executive Director  
Peter Perrine, Public Land Management Specialist IV  
Roxanne Woodward, Budget and Fiscal Officer  
Natalya Kulagina, Executive Assistant  
Pat Dyas, Senior Land Agent  
Janell Bogue, Staff Counsel  
Nancy Templeton, Staff Counsel  
Brian Gibson, Senior Land Agent  
Robert Kane, Senior Land Agent (R.A.)  
Tony Chappelle, Public Land Management Specialist IV  
Randall Nelson, Senior Land Agent (R.A.)

Erin Ingenthron, Office Technician  
Jasen Yee, Budget Analyst  
Dawn Drowne, Contracts & Grants Coordinator  
Chad Fien, Public Land Management Specialist IV  
Roland Shield, Research Analyst I  
Ashley Lackey, Staff Services Analyst  
Celestial Baumbach, Office Technician  
Mary Westlake, Staff Services Analyst  
Teri Muzik, Senior Land Agent  
Jon Wilcox, Senior Land Agent  
Scott Clemons, Public Land Management Specialist IV (R.A.)  
Bonnie Turner, Public Land Management Specialist IV  
Marilyn Cundiff, Public Land Management Specialist IV

**Others Present:**

Dave Feliz, Department of Fish & Game  
Karen Kovacs, Department of Fish & Game  
Eric Haney, Department of Fish & Game  
Larry Wyckoff, Department of Fish & Game  
Marlice Myers, The Nature Conservancy  
Dawit Zelek, The Nature Conservancy  
Daniel Olster, The Nature Conservancy  
Amy Hoss, The Nature Conservancy  
Gregg Werner, The Nature Conservancy  
Henry Little, The Nature Conservancy  
Megan Wargo, The Pacific Forest Trust  
Jesse Leddick, The Pacific Forest Trust  
Paul Mason, The Pacific Forest Trust  
Tasha Newman, CA Conservation Strategy Group  
Jessica Little, CA Conservation Strategy Group  
Kristen Gilardi, University of CA, Davis  
Bob Kingman, Sierra Nevada Conservancy  
Susan Divine, San Luis Obispo, CA  
Cherie Aispuro, San Luis Obispo, CA  
Holly Dawley, Big Bluff Ranch  
Tyler Dawley, Big Bluff Ranch  
Vicky Dawley, Big Bluff Ranch  
Harrie Whipple, Whipple Ranch  
Keith Whipple, Whipple Ranch  
Rachel Duchak, Member of Public

Jeff McCreary, Ducks Unlimited, Inc.  
Jim Well, Ducks Unlimited, Inc.  
Renee Spenst, Ducks Unlimited, Inc.  
Erik Vink, Trust for Public Land  
Paige Rausser, Trust for Public Land  
Vern Goehring, Tuolumne River Trust  
Kathleen Hitt, Siskiyou Land Trust  
Tristan Behm, Siskiyou Land Trust  
John Brennan, Siskiyou Land Trust  
Robert Stephens, American Land Conservancy  
Kelli Schoenher, American Land Conservancy  
Kathy Longacre, American Land Conservancy  
Daniel Claussen, American Land Conservancy  
Cristina Braby, Western Rivers Conservancy  
Jerry Tone, Hellman Properties  
Carolyn Mofatt, Port Can Luis Harbor District  
Kelly Moroney, U.S. Fish & Wildlife Service  
Jennifer Doyle, San Luis Obispo, CA  
Steve Kohlman, Lassen Land & Trails Trust  
Melinda Plank, Scott River Ranch  
Gareth Plank, Scott River Ranch  
Peter Millar, Millar Ranch  
Spiros Filios, Member of Public  
Lucy Blake, Member of Public

Before moving to the agenda item #2, Mr. Donnelly commented that the bond freeze went into place December of 2008, and at the beginning of the bond freeze the Wildlife Conservation Board's obligation of bond funding was \$105,000,000.00. Through the year of 2009 there had been some bond sales, and the Wildlife Conservation Board (WCB) was a recipient of about \$79,000,000.00 which allowed us (WCB) to pay existing invoices, bills, close escrow and restart existing projects. The amount that we used over this period of time was about \$47,000,000.00. Our current obligation of approved projects to date is approximately \$78,000,000.00. Mr. Donnelly added, as a representation of today's agenda, the WCB also received \$298,000,000.00 in March 2010 bond sale of our identified bond funding, and we are looking forward to carry it out the year.

2. Funding Status — Informational

(a) 2009-10 Wildlife Restoration Fund Capital Outlay Budget

Budget Act.....	\$1,000,000.00
Less Previous Board Allocations .....	(\$195,596.00)
Unallocated Balance .....	\$804,404.00

(b) 2008-09 Wildlife Restoration Fund Capital Outlay Budget

Budget Act (2009-10 Reappropriation) .....	\$1,000,000.00
Less Previous Board Allocations.....	(\$1,000,000.00)
Unallocated Balance .....	\$0.00

(c) 2006-07 General Fund Capital Outlay Budget

Budget Act.....	\$5,000,000.00
Less Previous Board Allocations .....	(\$3,465,000.00)
Less 2009-10 Budget Act Reversion .....	(\$1,535,000.00)
Unallocated Balance .....	\$0.00

(d) 2009-10 Habitat Conservation Fund Capital Outlay Budget

Budget Act.....	\$20,668,000.00
Less Previous Board Allocations .....	(\$25,000.00)
Unallocated Balance.....	\$20,643,000.00

(e) 2008-09 Habitat Conservation Fund Capital Outlay Budget

Budget Act.....	\$20,668,000.00
Less Previous Board Allocations .....	(\$405,000.00)
Unallocated Balance.....	\$20,263,000.00

(f) 2007-08 Habitat Conservation Fund Capital Outlay Budget

Budget Act.....	\$20,674,000.00
Less Previous Board Allocations .....	(\$13,557,017.68)
Unallocated Balance.....	\$7,116,982.32

- (g) 2006-07 Habitat Conservation Fund Capital Outlay Budget
  - Budget Act..... \$20,699,000.00
  - Less Previous Board Allocations ..... (\$9,357,844.32)
  - Unallocated Balance..... \$11,341,155.68
  
- (h) 1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund Capital Outlay Budget
  - Continuously Appropriated [Sec. 5096.350 (a)(1), (2), (4) & (7)] ... \$36,100,000.00
  - Less Previous Board Allocations ..... (\$27,515,085.39)
  - Unallocated Balance..... \$8,584,914.61
  
- (i) 2004-05 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund Capital Outlay Budget (2007-08 Reappropriation)
  - Budget Act (San Joaquin River Conservancy Projects)..... \$11,000,000.00
  - Less Previous Board Allocations ..... (\$434,302.00)
  - Unallocated Balance..... \$10,565,698.00
  
- (j) Chapter 983, Statutes of 2002, Oak Woodlands Conservation Act
  - Budget Act (2009-10 Reappropriation) ..... \$4,800,000.00
  - Less Previous Board Allocations ..... (\$4,610,546.09)
  - Unallocated Balance..... \$189,453.91
  
- (k) 2001-02 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund Capital Outlay Budget
  - Continuously Appropriated (Section 5096.650) ..... \$273,000,000.00
  - Less Previous Board Allocations ..... (\$182,381,363.80)
  - Unallocated Balance..... \$90,618,636.20
  
- (l) 2004-05 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 Capital Outlay Budget (Section 79568)
  - Budget Act (2008-09 Reappropriation) ..... \$13,250,000.00
  - Less Previous Board Allocations ..... (\$13,094,784.38)
  - Unallocated Balance..... \$155,215.62
  
- (m) 2002-03 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 Capital Outlay Budget
  - Continuously Appropriated (Sections 79565 and 79572), including Chapter 81, Statutes of 2005..... \$814,350,000.00
  - Less 2003-04 Budget Act Transfer to HCF from Section 79565.. (\$21,000,000.00)
  - Less 2004-05 Budget Act Transfer to HCF from Section 79565.. (\$21,000,000.00)
  - Less 2005-06 Budget Act Transfer to HCF from Section 79565.... (\$4,000,000.00)
  - Less 2005-06 Budget Act Transfer to HCF from Section 79572.... (\$3,100,000.00)
  - Less 2006-07 Budget Act Transfer to HCF from Section 79572.. (\$17,688,000.00)

	Less 2007-08 Budget Act Transfer to HCF from Section 79572...	(\$5,150,000.00)
	Less 2008-09 Budget Act Transfer to HCF from Section 79572....	(\$1,000,000.00)
	Less Previous Board Allocations .....	(\$654,641,684.48)
	Unallocated Balance.....	\$96,770,315.52
(n)	2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
	Less Previous Board Allocations .....	(\$0.00)
	Unallocated Balance.....	\$10,000,000.00
(o)	2008-09 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
	Less Previous Board Allocations .....	(\$0.00)
	Unallocated Balance.....	\$10,000,000.00
(p)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
	Less Previous Board Allocations .....	(\$75,000.00)
	Unallocated Balance.....	\$9,925,000.00
(q)	2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (NCCP Section 75055c) .....	\$10,000,000.00
	Less Previous Board Allocations .....	(\$0.00)
	Unallocated Balance.....	\$10,000,000.00
(r)	2008-09 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (NCCP Section 75055c).....	\$25,000,000.00
	Less Previous Board Allocations .....	(\$25,000.00)
	Unallocated Balance.....	\$24,975,000.00
(s)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (NCCP Section 75055c).....	\$25,000,000.00
	Less Previous Board Allocations .....	(\$13,901,722.00)
	Unallocated Balance.....	\$11,098,278.00
(t)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (Section 75055(d)(1)) .....	\$14,293,000.00
	Less Previous Board Allocations .....	(\$2,176,768.00)
	Unallocated Balance.....	\$12,116,232.00

- (u) 2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget
  - Budget Act (Section 75055(d)(2)) ..... \$14,293,000.00
  - Less Previous Board Allocations ..... (\$1,298,444.00)
  - Unallocated Balance..... \$12,994,556.00
  
- (v) 2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget
  - Budget Act (Section 75055(d)(4)) ..... \$4,762,000.00
  - Less Previous Board Allocations ..... (\$1,405,600.00)
  - Unallocated Balance..... \$3,356,400.00
  
- (w) 2006-07 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget
  - Continuously Appropriated (Section 75055a) ..... \$164,700,000.00
  - Less Previous Board Allocations ..... (\$14,490,000.00)
  - Unallocated Balance..... \$150,210,000.00
  
  - Continuously Appropriated (Section 75055b) ..... \$123,525,000.00
  - Less Previous Board Allocations ..... (\$21,981,933.50)
  - Unallocated Balance..... \$101,543,066.50

**RECAP OF FUND BALANCES**

Wildlife Restoration Fund (a) and (b).....	\$804,404.00
General Fund (c) .....	\$0.00
Habitat Conservation Fund (d), (e), (f) and (g).....	\$59,364,138.00
Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (h) .....	\$8,584,914.61
California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund (i), (j) and (k) .....	\$101,373,788.11
Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (l) and (m).....	\$96,925,531.14
Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (n), (o), (p), (q), (r), (s), (t), (u), (v) and (w) .....	\$356,218,532.50

**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 .....	\$0.00



3. Proposed Consent Calendar (Items 4—18)

Mr. Donnelly asked if there were any questions about any item on the Consent Calendar.

Ms. Finn had a question about item #8 (Feather River Wildlife Area, (Transfer of Property), Highway 99 Bridge Expansion, Sutter County)). Ms. Finn asked if the amount of funding the Caltrans is reimbursing the Department of Fish and Game is \$12,000.00 for almost 2-acre parcel. Mr. Donnelly confirmed that this is correct. Ms. Finn asked where all this funding goes when received from Caltrans. Mr. Donnelly responded that it comes to the Wildlife Conservation Board (WCB) and goes back into the Wildlife Restoration Fund.

Ms. Finn had a question about item #9 (North Sutter Bypass Ranch Wetland Enhancement (Fund Shift), Sutter County)). Ms. Finn asked if we are switching \$30,000.00 from the originally approved \$45,000.00, and does that mean that \$15,000.00 has been spent. Mr. Donnelly confirmed that this is correct. Ms. Finn asked because this project has not been initiated yet, how \$15,000.00 was spent, and what are the chances of getting an encroachment permit. Mr. Peter Perrine, the WCB's project manager for this project, responded that about half of the \$15,000.00, which is in a different fund and is not reverting on July 1, was spent on planning, design, and project oversight. Ms. Finn asked if it is evident that we can get that permit. Mr. Perrine confirmed that this permit should be approved in the next couple of months

Ms. Finn had a question about item #11 (Napa-Sonoma Marshes Wildlife Area, Napa Site Restoration, Ponds 9, 10, and Wash Pond Construction (Change of Scope), Napa and Solano Counties)), regarding the project savings that are being asked to be redirected to project monitoring. Ms. Finn asked to confirm the amount that needs to be redirected, and how much is being spent on staff time and not on project itself. Ms. Bonnie Turner, the WCB's project manager for this project, responded that this project would cost around \$8,000,000.00 to complete, and we saved almost \$2,500,000.00 to \$3,000,000.00 that we would normally revert. We received a request from Ducks Unlimited, Inc. (DU) to the Department of Fish and Game (DFG) to ask if they (DFG) could take additional funds from a category of this project that had been over-funded and place it into the monitoring category of that project, and then at the same time extend the scope of work across the river to the Napa-Sonoma marshes on the other side, so they can get comparison monitoring of bird population use of those ponds with the Napa plant site. We thought it was a good fit costing only \$97,000.00 to continue another year worth of monitoring, and it was valuable information for the future of the marsh restoration to see how birds responded. Ms. Finn asked if only \$97,000.00 is going to be used for the expanded monitoring. Ms. Turner confirmed that it is, and the rest of the amount will eventually revert at the end of the 2011, when the project will be completed. Ms. Finn asked if she could get some kind of acknowledgment in this item before the Board approves it. Mr. Donnelly confirmed that it will be noted that only \$97,000.00 (up to \$100,000.00) will be allowed for additional monitoring for this project.

Mr. McCamman mentioned that when he happened to be at the project site last weekend, he did not notice any signs indicating DFG or WCB's participation in this project. Mr. McCamman pointed out the importance of such signs, so that the public knows where the bond funds are going to beneficial use. Mr. McCamman asked the Board to make sure that sufficient funding is made available to allow for signing on all such acquisitions. Mr. Donnelly responded that we have done it in the past and that it definitely can be arranged. Mr. Donnelly mentioned that Propositions 12 and 84 require signs to be placed on properties that were purchased, restored or enhanced with those funds. Mr. Donnelly stated that if we are going to participate in providing financial resources for signs, we will note it in the agenda write-ups.

Ms. Finn had a question about item #14 (Elkhorn Slough Ecological Reserve, Expansion 18, Monterey County). Ms. Finn asked to provide more explanation about the owner remaining on the property in relation to life estate. Ms. Teri Muzik, the WCB's project manager for this project, responded that the landowner is staying on the property for the remainder of his life. This is the life estate referred to in the project. Ms. Muzik went on to explain the State will own the underlying fee title and, as a condition of the life estate, the landowner will be responsible for maintenance and upkeep on the property while he lives there. Ms. Finn asked if the State takes on any liability issues. Ms. Muzik responded that the owner is required to carry insurance on the property, so the house and everything that is on the property is covered by insurance. Ms. Muzik mentioned that there are terms in the life estate that determine what the owner can and can not do on the property. Mr. McCamman asked if a discount amount was paid for that property because of the life estate. Ms. Muzik confirmed that it was.

**Ms. Finn moved that the Board approve Consent Calendar items 4 through 18, with the requested amendment for item #11 (Napa-Sonoma Marshes Wildlife Area, Napa Site Restoration, Ponds 9, 10, and Wash Pond Construction (Change of Scope), Napa and Solano Counties), which limits the monitoring on this project to up to \$100,000.00, as proposed in the individual agenda explanations, including the funding therein.**

**Motion carried.**

- \*4. Approval of Minutes — February 25, 2010 Meeting

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve the minutes of the February 25, 2010 meeting.**

**Motion carried.**

- \*5. Recovery of Funds

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

**\$11,030.00** to the **Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund**

**\$22,106.00** to the **Habitat Conservation Fund**

**\$0.00** to the **Wildlife Restoration Fund**

**\$0.00** to the **California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund**

**\$13,850.00** to the **Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protect Fund of 2006**

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

Willow Canyon, Santa Cruz County

Allocated	\$2,985,000.00
Expended	<u>-2,973,970.00</u>
Balance for Recovery	\$11,030.00

**Total Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund \$11,030.00**

**HABITAT CONSERVATION FUND**

Cow Creek Conservation Area, Expansion 1, Shasta County

Allocated	\$1,731,503.00
Expended	<u>-1,730,481.00</u>
Balance for Recovery	\$1,022.00

North Grasslands Wildlife Area, Gadwall Unit, Merced County

Allocated	\$560,000.00
Expended	<u>-538,916.00</u>
Balance for Recovery	\$21,084.00

**Total Habitat Conservation Fund \$22,106.00**

**WILDLIFE RESTORATION FUND**

Lower Klamath River Fishing Access, Del Norte County

Allocated	\$101,000.00
Expended	<u>-101,000.00</u>
Balance for Recovery	\$0.00

Morelli Park Boat Ramp, San Joaquin County

Allocated	\$325,252.00
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Expended	<u>-325,252.00</u>
Balance for Recovery	\$0.00

**Total Wildlife Restoration Fund** **\$0.00**

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

Seal Beach Pier Deck Rehabilitation, Orange County

Allocated	\$200,316.00
Expended	<u>-200,316.00</u>
Balance for Recovery	\$0.00

**Total California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund** **\$0.00**

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

Willow Hole Conservation Area, Riverside County

Allocated	\$10,000.00
Expended	<u>-1,150.00</u>
Balance for Recovery	\$8,850.00

Willow Hole Conservation Area, Expansion 1, Riverside County

Allocated	\$5,000.00
Expended	<u>-0.00</u>
Balance for Recovery	\$5,000.00

**Total Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protect Fund of 2006** **\$13,850.00**

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve the Recovery of Funds for the projects listed on pages 6 through 7 of the agenda and close the project accounts. Recovery totals include \$11,030.00 to the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund; \$22,106.00 to the Habitat Conservation Fund; \$0.00 to the Wildlife Restoration Fund; \$0.00 to the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund; and \$13,850.00 to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006.

Motion carried.

- \*6. California Lost Fishing Gear Recovery Project \$0.00  
(Change of Scope)  
Various Counties

This proposal was to consider a change of scope for a grant to the Regents of the University of California, on behalf of the University of California, Davis and the SeaDoc Society (Grantee) for a cooperative project with the National Oceanic and Atmospheric Administration to restore seafloor habitat and reduce risk to coastal marine life by retrieving lost fishing gear. The change of scope will expand the northern and southern limits of the project area to include all Marine Protected Areas (MPAs) located between Point Arena in Mendocino County and the border of Mexico.

Over the last century California coastal areas have been fished intensively, both commercially and recreationally. As a result, large amounts of fishing debris and gear have accumulated on the sea floor, without any comprehensive plan to remove or mitigate this accumulation. Although out of sight, gear such as lobster traps continue to trap lobsters, fishing nets continue to ensnare fish as well as large marine mammals and most of California's public access fishing piers are now surrounded by forests of monofilament that pose hazards to both humans and marine wildlife.

On August 28, 2008 the Board approved a grant of \$400,000.00 to the Grantee focused on the removal of lost and discarded fishing gear from the ocean.

The major project tasks were to:

- 1) Retrieve lost gear from Central Coast Marine Protected Areas;
- 2) Promote voluntary recreational gear waste prevention;
- 3) Retrieve high priority lost gear (including continued efforts in the Channel Island National Marine Sanctuary); and
- 4) Promote Public Awareness.

Despite the recent bond freeze and stop order that occurred in December 2008, the Grantee has been able to perform 34 days of gear removal and recover more than 8 tons of derelict gear; as well as conduct a number of outreach sessions with port and harbor offices, fuel docks, marine supply stores and fishing groups up and down the coast.

During this period one of the primary areas of focus has been MPAs located within the Department of Fish and Game's (DFG) designated Central Coast region. As work progressed it became apparent that because of the amount of activity and the density of gear located in areas north and south of the Central Coast region it would be more cost-effective to focus future work on MPAs located in coastal waters north and south of the Central Coast region. By focusing work on these MPAs, which have higher densities of lost gear and are more accessible, the cost per ton to retrieve gear will be reduced, providing a greater return to the state in terms of dollars spent and the amount of ocean floor freed of derelict gear.

The proposed change of scope will expand the work area in the north from Pigeon Point, located in San Mateo County, to Point Arena, located in Mendocino County, and referred to as the North Central Coast MPA (adopted in 2007). To the south the work area will be expanded from Point Conception located in Santa Barbara County, to the border of Mexico. The expanded work area in the south will encompass the South Coast marine region, which includes the Channel Island MPAs (adopted in 2003) that are a subcomponent of the South Coast MPAs and other South Coast MPAs currently under consideration for adoption in late 2010 or early 2011.

In addition to the scope change the Grantee is also seeking an extension of time for the expiration of the term of the approved grant agreement from January 1, 2011 to January 1, 2012. The extension is needed as a result of the bond freeze that occurred in December 2008 and the resulting work-stoppage during the first half of 2009. The freeze has since been lifted. The time extension will be incorporated in the Grant Amendment that will include the proposed change of scope if approved by the Board.

DFG's Marine Region has reviewed this proposal and recommends it for approval by the Board. The University of California, Davis, Office of Resource Management and Planning, prepared a Mitigated Negative Declaration for the project, including the areas proposed under the scope change, pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Mitigated Negative Declaration and has prepared proposed, written findings documenting the Board's compliance with CEQA as a responsible agency.

The previously approved 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), Section 75055(b)(1). This funding source allows for protection and restoration of significant ecosystems and implementation of the California Wildlife Strategy, particularly as it pertains to DFG's Marine Region. Both of these allowed uses are consistent with the objectives of the approved project and the proposed scope change.

The project has the support of a number of federal, state and local organizations involved in the protection and conservation of the state's marine resources. In addition to the partners noted above, the original Board action received support from the California Coastal Commission, the Channel Island and Monterey National Marine Sanctuaries and a number of local fishing groups.

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve the change of scope as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board adopt the written findings and approve the change of scope as proposed; authorize staff to**

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

**Motion carried.**

- \*7. South Bonnyview \$360,000.00  
Fishing Access Improvements (Construction)  
Shasta County

This proposal was to consider the allocation for a grant to the City of Redding (City) for a cooperative project with the Department of Fish and Game (DFG) and the Department of Boating and Waterways (Boating and Waterways) to refurbish an existing parking lot and restroom, and construct a barrier-free path and fishing platform, located on the west bank of the Sacramento River on land owned by the DFG and managed by the City under a long-term agreement, in Shasta County. The proposed funding source for this project allows for the construction of public access facilities for hunting, fishing and other wildlife-oriented recreational uses.

The Wildlife Conservation Board (WCB) acquired this six acre parcel for DFG in 1986 to provide public fishing access to the Sacramento River. In 1988 and 1992 the WCB helped fund improvements to the site including a parking area, boat ramp and restroom. At the time, this public access site was considered important because this part of the river was not easily accessible due to shallows and riffles blocking access from other boat ramps in the area. The project area has been managed the City since 1988. As part of the proposed project the City has agreed to continue with the long-term management of the site as well as the improvements funded under this proposal for twenty-five years.

In May 2009 the Board approved a \$45,000.00 grant to the City for a partnership project with DFG and Boating and Waterways to initiate project engineering, design and pre-environmental documentation, to improve fishing access and use of the site. The preliminary plan and design and archeological review has been completed and the City is now prepared to complete the engineering and proceed with construction.

This proposed improvements include repaving and re-striping the parking area, replacing construction of a barrier-free fishing platform on the bank of the Sacramento River, refurbishing the restroom, and installing light poles, a security camera system, landscaping, drinking fountain, canoe launch, picnic area and access trail. All of the improvements will be on DFG land except for the access trail and the canoe launch, which will be on City property. Neither of the improvements located off of State land will be funded by WCB. A new project sign will be put in place acknowledging the participation of WCB and other partners.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$360,000.00</b>
Department of Fish and Game	\$143,500.00

Department of Boating and Waterways	\$161,000.00
City of Redding	\$10,000.00
<b>Prior WCB Allocation</b>	<b>\$45,000.00</b>
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$719,500.00</u></b>

Project costs will be for improvements to the parking area, restroom, lighting, fishing platform, drinking fountains, signs, permits, inspections and construction management. The City will cover the cost of all local permits and inspections and will manage the project according to applicable state law, with all contract work competitively bid.

The project qualifies for a Federal Sport Fish Restoration Act grant that will reimburse the WCB seventy five (75%) percent of the eligible project costs. Part of the prior grant allocation was used to conduct an archeological review needed to obtain the federal funds.

The proposed funding source for this project is the WCB's Wildlife Restoration Fund which provides funding for the development and construction of public access facilities for hunting, fishing and other wildlife-oriented recreational uses and is consistent with the objectives of this project.

The DFG has reviewed this proposal and recommends it for funding by the WCB. This project is categorically exempt from the California Environmental Quality Act (CEQA) under California Code of Regulations, Article 19, Section 15302, Class 2, as the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure being replaced and will have substantially the same purpose and capacity as the structure replaced; Section 15303, Class 3, as the construction and location of limited numbers of new, small facilities or structures; and Section 15304, Class 4, as minor public alterations in the condition of land, water or vegetation which do not involve the removal of healthy, mature, scenic trees, including new landscaping. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

The City has agreed to manage and maintain the project site for twenty-five years pursuant to the terms and conditions of the Grant Agreement. If at any time during the life of the project, the City is unable to manage and maintain the project improvements and keep the facilities open to the public, it will be required to refund to the State of California an amortized amount of funds based on the number of years left on the project life.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$360,000.00 from the Wildlife Restoration Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve**



**this project as proposed; allocate \$360,000.00 from the Wildlife Restoration Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*8. Feather River Wildlife Area, (Transfer of Property) \$0.00  
Highway 99 Bridge Expansion  
Sutter County

This proposal was to consider the transfer of a ±1.8 acre portion of the Department of Fish and Game's Feather River Wildlife Area to the California Department of Transportation (DOT) to facilitate a bridge expansion over the Feather River at Highway 99, near the town of Nicolaus, in Sutter County.

The DOT will pay fair market value, based on a DOT appraisal approved by the Department of General Services (DGS), for both the fee acquisition and the temporary access area needed during the construction period. In addition, the DOT will fund the Revegetation Plan after the bridge has been completed. The plan's goal is to restore and revegetate areas adjacent to the Feather River and Nelson Slough impacted by construction activities and to replace riparian trees removed by construction activities. The DOT will also reimburse the Department of Fish and Game (Department) for the review of the appraisal by the DGS.

The Department approved a Right of Entry Agreement with the DOT in April 2009 that covered access to the construction area, the details of the new bridge construction and restoration of the temporary access area within 58 months of the property transfer. A Transfer of Jurisdiction of State-Owned Real Property will be recorded if the project is approved by the Board.

The DOT will be responsible for the following costs:

Real estate acquisition and temporary access to the area:	\$12,400.00
Restoration of the temporary access area:	15,100.00
Reimbursement to the Board for already paid	
DGS expenses:	<u>1,404.00</u>
<b><u>TOTAL AVAILABLE FUNDING:</u></b>	<b><u>\$28,904.00</u></b>

The DOT, as lead agency, certified the Final EIR for the Sutter 99 Safety and Operational Improvement Project in accordance with CEQA and the CEQA Guidelines. Staff has considered the Final EIR and has prepared written findings documenting the Board's compliance with CEQA as a responsible agency. Subject to the approval by the Board, the appropriate Notice of Determination will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; accept payment of \$28,904.00 from the Department of Transportation;

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

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; accept payment of \$28,904.00 from the Department of Transportation; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*9. North Sutter Bypass Ranch, \$30,000.00  
Wetland Enhancement (Fund Shift)  
Sutter County

This proposal was to consider a fund shift for a previously approved grant to Ducks Unlimited, Inc. (Grantee), for a cooperative project with the landowner, the Department of Fish and Game (DFG) the North American Wetlands Conservation Council and the U.S. Fish and Wildlife Service to enhance 177 ± acres of seasonal wetlands and associated uplands. The project is located on privately owned property in the Sutter Bypass (Bypass) at the western terminus of Lincoln Road, approximately eight miles west of the City of Yuba City in Sutter County.

On May 24, 2007, the Wildlife Conservation Board (WCB) approved a project to enhance 177 ± acres of seasonal wetlands and associated uplands on private lands in the Bypass. This included an allocation of \$45,000 from the Habitat Conservation Fund, (Proposition 117) Section 2786 (d) Inland Wetland Conservation Program (IWCP). The Grantee has encountered significant delays in obtaining an encroachment permit from the Central Valley Flood Protection Board, based on that board's concerns that the construction might affect flood elevations in the Bypass. An application has been submitted, a hydraulic study is soon to be prepared, and approval is anticipated this summer, however, construction cannot begin before June 30, 2010, the date the funds allocated on May 24, 2007 are scheduled to revert. As a result, it is necessary to provide an alternate fund source to carry out the remaining work.

This item is to request a fund shift of up to \$30,000.00 from unallocated Habitat Conservation Fund (Proposition 117), Section 2786 (d) IWCP funds to complete the restoration work as part of Grant Agreement No. WC-6081PP between the WCB and Ducks Unlimited, Inc. These funds are for the protection, restoration or enhancement of wetland habitat, which is consistent with the objectives of this project and will allow for completion of the project, currently anticipated for the fall of 2010.

Staff recommended that the Wildlife Conservation Board approve this fund shift as proposed; allocate \$30,000 from the Habitat Conservation Fund (Proposition 117), Section 2786 (d) Inland Wetlands Conservation Program to fund Grant Agreement

No. WC-6081PP between the Wildlife Conservation Board and Ducks Unlimited, Inc. to cover the remaining obligations of the Grant Agreement; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this fund shift as proposed; allocate \$30,000 from the Habitat Conservation Fund (Proposition 117), Section 2786 (d) Inland Wetlands Conservation Program to fund Grant Agreement No. WC-6081PP between the Wildlife Conservation Board and Ducks Unlimited, Inc. to cover the remaining obligations of the Grant Agreement; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*10. Laguna de Santa Rosa Middle Reach, \$49,867.00  
Restoration (Fund Shift)  
Sonoma County

This proposal was to consider a fund shift for a previously approved grant to the Laguna de Santa Rosa Foundation (Grantee) for a cooperative project with the Department of Fish and Game (DFG), the State Coastal Conservancy, U.S. Fish and Wildlife Service, and the City of Sebastopol to restore riparian and wetland habitats located on public and private land. The project is located along the middle reach of the Laguna de Santa Rosa, near the City of Sebastopol, in Sonoma County.

On August 23, 2007, the Wildlife Conservation Board approved a \$200,000 allocation of funding from the Habitat Conservation Fund (Proposition 117) Section 2786 (e/f) (P50) for this project. The funds are scheduled to revert on June 30, 2010. Although the majority of the project has been completed, including new planting, additional follow-up and monitoring work is needed to ensure the new plants and other completed work can be sustained. Unfortunately, over the course of the project there have been a number of delays due to in part to access issues, unanticipated problems with invasive plants and the state bond freeze that temporarily placed a hold on the project. As a result the final portions of the project cannot be completed by June 30, 2010. The Grantee currently anticipates the project will be completed on October 1, 2011.

In order to allow time for the project to be completed it is necessary to extend the term of the grant agreement another year, and provide an alternative fund source to substitute for the remaining funds that will revert June 30, 2010. This proposal is to request a fund shift in the amount of \$49,867.00 from the unallocated Habitat Conservation Fund (Proposition 117) Section 2786 (d) Outside Wetlands (OW) Inland Wetland Conservation Program (IWCP) to complete the project. The fund shift is appropriate given the length of the delays which have occurred on this

project, and because the proposed alternate funding is appropriate for the restoration of wetlands and adjoining habitat areas located outside the Central Valley.

Staff recommended that the Wildlife Conservation Board approve this fund shift as proposed; allocate \$49,867.00 from the Habitat Conservation Fund (Proposition 117), Section 2786 (d) Wetlands Outside the Central Valley to fund Grant Agreement No. WC-7013SC between the Wildlife Conservation Board and the Laguna de Santa Rosa Foundation to cover the remaining obligations of the Grant Agreement; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this fund shift as proposed; allocate \$49,867.00 from the Habitat Conservation Fund (Proposition 117), Section 2786 (d) Wetlands Outside the Central Valley to fund Grant Agreement No. WC-7013SC between the Wildlife Conservation Board and the Laguna de Santa Rosa Foundation to cover the remaining obligations of the Grant Agreement; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*11. Napa-Sonoma Marshes Wildlife Area, \$0.00  
Napa Plant Site Restoration,  
Ponds 9, 10, and Wash Pond Construction (Change of Scope)  
Napa and Solano Counties

This proposal was to consider a change in scope for a grant to Ducks Unlimited, Inc. to perform additional monitoring on the Department of Fish and Game's (DFG) Napa-Sonoma Marshes Wildlife Area Ponds 1 through 8, to provide additional management guidance for the Napa- Sonoma Marshes Wildlife Area and future restoration projects, located in Napa and Solano County. The original grant for this project was approved by the Board on May 22, 2008, and provided an allocation of \$7,910,850 to fund restoration work on Ponds 9, 10 and Wash Pond areas, located within the Napa-Sonoma Marshes Wildlife Area. A component of this project included project monitoring of the project site. The proposed change of scope expands on the monitoring activities originally approved as part of the grant agreement.

Over 78% of historic salt marshes within the San Francisco Bay estuary have been lost to human development over the past two centuries, resulting in diminished habitat for native marsh species (Goals Project 1999). Commercial salt ponds were constructed around the edge of the bay and have been a major part of the landscape since 1856. In 1994, most of the former Cargill salt evaporation ponds (10,000 acres) along the Napa River near Vallejo were purchased by the Wildlife

Conservation Board (WCB) for their outstanding wildlife value. The DFG became the agency responsible for managing the new Napa-Sonoma Marshes Wildlife Area on the west side of the Napa River.

The Napa-Sonoma Marshes Restoration project was the first of what has become a major restoration effort in the San Francisco Bay area: The areas surrounding the Napa-Sonoma Marshes and the former Napa Plant Site (acquired in 2003) together comprise over 11,500 acres of restorable tidal marsh and wildlife habitat, and thus have become the focus of intense planning efforts to achieve restoration and wildlife management goals. In 1998, the State Coastal Conservancy (SCC) joined with DFG to develop a Napa River Marsh Feasibility Study under the Corps of Engineers restoration program to determine alternatives for maximizing wildlife values. In 2002, Napa-Sonoma Marshes Wildlife Area Pond 3 was initially breached, and in 2006 engineered breaches were implemented in Ponds 3, 4, and 5. An Environmental Impact Report was completed for the Napa Plant Site Restoration Project in 2006, with the primary goal to restore and enhance wetlands and transitional habitats on the Napa River. Ponds 9 & 10 were breached in December 2008, and construction is currently underway at the Napa Plant Site, where more than 1,500 acres of former crystallizer ponds are in the process of transformation to tidal salt marsh.

Monitoring results from the Napa-Sonoma Marshes Wildlife Area Restoration project can provide valuable management guidance within the study area and for other large salt pond restoration efforts in the San Francisco Bay. A research and monitoring program on the ecology of salt ponds in the Napa-Sonoma Marshes was initiated in 1998 through the US Geological Survey (USGS) to assess avian use of salt ponds before and after restoration efforts. The USGS has continued regular project monitoring at the Napa-Sonoma Marshes over the past decade with partial support from various funding agencies.

The overarching goal of the effort is to assess the range of benefits and impacts of salt pond restoration for avian species and guilds, and to contribute these scientific outputs for restoration planning within an adaptive management framework. Because of the range of variation in salt pond characteristics across the Napa-Sonoma Marshes, it is essential to assess how individual site changes may affect habitat quality for marsh and pond species from a long-term, regional perspective including the west side of the Napa River. It is also proposed to study the progression of geomorphic and vegetation changes that occur post-breach to assess the success of early restoration efforts. The results are expected to provide valuable input for management by assessing the success of restoration efforts for particular species and guilds, and for predicting the time required for marsh plain development in this system.

Under the original project scope avian surveys and physical monitoring would occur on the Napa Plant site. Under the proposed change of scope monitoring will be expanded to also include: 1) monthly area counts of birds in all ponds of the west side of the Napa River at high tide, and at breached ponds at low tide, to assess abundance of the avian guilds associated with restoration at the landscape scale; 2) interpretation of aerial photographs to document vegetation cover during

colonization and establishment phases at breached ponds 3, 4, and 5; and 3) interpretation of aerial photographs to document channel development at breached ponds 3, 4, and 5. Work will commence from 1 June through 31 December 2010.

As a result of cost savings that occurred during project implementation, additional funding is now available to expand on project monitoring. The change of scope will be funded entirely under the existing budget. The funding used for this project is the Water Security, Clean Drinking Water, Coastal and Beach Protection Bond Fund of 2002 (Proposition P50), Section 795729(c), which allows for the monitoring and restoration of wetland projects in the San Francisco Bay area. The DFG has reviewed this scope change and recommends the additional monitoring. The DFG, as lead agency, prepared a Final Environmental Impact Report (EIR) for the Napa River Salt Marsh Restoration Project pursuant to the provisions of the California Environmental Quality Act (CEQA). Permitting of the above activities will be covered under existing permits for the Napa River Salt Marsh Restoration Project. Staff considered the Final EIR and has prepared proposed, written findings documenting WCB's compliance with CEQA as a responsible agency.

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this scope change as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the DFG to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board adopt the written findings and approve this scope change as proposed; limit amount of additional monitoring up to \$100,000.00; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the DFG to proceed substantially as planned.**

**Motion carried.**

- \*12. Los Banos Wildlife Area Lift Pumps \$250,000.00  
Merced County

This proposal was to consider the allocation for a grant to Ducks Unlimited, Inc., to install three lift pumps to enhance 2,414± acres of wetlands on the Department of Fish and Game's (DFG) Los Banos Wildlife Area (Wildlife Area). The Wildlife Area is located approximately four miles northeast of the City of Los Banos in Merced County.

In 1929, the Wildlife Area became the first property in the state acquired by DFG specifically to provide habitat for waterfowl. Since that initial acquisition of 3,000 acres, the Wildlife Area has grown, through several Board actions, to its current size of nearly 6,500 acres. Over the decades, the Board has also approved projects on the Wildlife Area to enhance and restore wetlands, ensure reliable water supplies, and expand visitor access and enjoyment of the many wildlife species that inhabit the Area.

The Wildlife Area is located within the Grasslands Ecological Area (Grasslands), which is one of the most important wetland areas in California, representing nearly one third of all the managed wetlands in the State. It has been recognized by the Ramsar Convention as a Wetland of International Importance, one of only 22 sites so recognized in the United States. The Central Valley Joint Venture (CVJV) considers this area to be of critical importance for breeding and wintering waterfowl and other wetland-dependent species. The CVJV implementation plan calls for the protection and enhancement of additional 20,000± acres of restorable lands within the San Joaquin Basin, which includes the Grasslands, and the enhancement of more than 6,700 acres of existing wetland habitats each year.

The Wildlife Area lies in the heart of the Grasslands, and provides critical habitat in the narrow corridor between the north and south Grassland areas. These wetlands provide ideal habitat for a number of species such as mallards, northern pintails and green-winged teal. Shorebirds that will benefit from the wetlands include greater yellowlegs, black-necked stilts and long-billed curlews. A host of other species will also benefit, from swallows and garter snakes to river otters and beavers.

Nearly all the wetlands in the Central Valley are highly managed to provide the highest valued wetland habitats, including the Wildlife Area. Water is delivered to the Wildlife Area via canals and deep wells. Each year, the water gets more expensive and more difficult to acquire, requiring DFG staff to be as efficient as possible with all available water.

DFG staff identified this portion of the Wildlife Area as one location where water losses occur each year when the wetland units are drained for management purposes and reuse of the drain water is lost. In addition, this is an area where water could be stored during extreme spring flood events, but only if it can be moved from lower areas to higher storage lakes, canals and wetlands. The installation of three lift pumps will solve these problems. Two of the pumps will allow reuse of water on the Wildlife Area, saving water that would otherwise be lost when the wetlands are drained. The third will allow water deliveries to the San Luis Canal, which would serve wetlands on the north end of the Wildlife Area and would be able to serve other wetlands in the area as well. All three pumps could be used to capture spring flood waters when it is available, reducing downstream flood elevations.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$250,000.00</b>
Ducks Unlimited, Inc.	<u>12,367.00</u>
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$262,367.00</u></b>

Project costs will be for the installation of 3 low-lift pump stations, including discharge pipes, electrical connections; and project design, construction supervision and administration.

This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration in land, water and vegetation on an existing officially designated wildlife area which results in improvement of habitat for wildlife. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$250,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786 (d), Inland Wetlands Conservation Program); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$250,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786 (d), Inland Wetlands Conservation Program); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*13. Merced River Riparian Habitat Restoration \$317,000.00  
Merced County

This proposal was to consider the allocation for a grant to Ducks Unlimited, Inc. to restore riparian and wetland habitat and replace a low-lift pump to help improve habitat for wildlife and agricultural operations by providing vegetation that attracts pollinators, suppresses non-native weeds and improves water quality through slope stabilization. The project site is located on a private farm, along the Merced River, upstream of the McConnell State Park, near the town of Livingston, in Merced County.

The restoration will provide connectivity and expansion of habitat from McConnell State Park, complementing local ecosystem efforts including the Merced River Corridor Restoration Plan. The landowner hosts an annual Merced River day in which the public visits the property and can learn everything from organic and environmentally friendly farming practices, to habitat restoration, native wildlife, water quality practices and craft making using natural vegetation.

The project site will provide habitat for several species of birds, amphibians, reptiles, and mammals; create and enhance wildlife corridors, improve soil stabilization and water quality, and improve habitat for aquatic invertebrates. Specifically, some of the wildlife species and habitats that will benefit include: Swainson's hawk, Lewis's woodpecker, yellow warbler, Cooper's hawk, Nuttall's woodpecker, sharp-shinned hawk, yellow-billed magpie, western pond turtle, blue oak, valley oak, live oak, and valley elderberry longhorn beetle.



The project involves one private landowner. The existing and adjoining land uses include orchards, fallowed ground, and a State Park. The landowner has agreed to manage and maintain the property for 25 years, pursuant to the terms and conditions of a habitat management plan. If at any time during the life of the project, the landowner is unable to manage and maintain the project improvements, the landowner will be required to refund to the State of California an amortized amount of grant funds based on the number of years left on the project life.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$317,000.00</b>
DFG's Landowner Incentive Program	40,000.00
Ducks Unlimited	15,886.00
Landowner	5,000.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$377,886.00</u></b>

Project costs will be for riverbank and riparian restoration; wetland restoration; low-lift pump replacement; and project design, construction supervision, and administration. Funding for some of the long-term maintenance of the property will be provided by DFG's Landowner Incentive Program, a program that provides annual payment to private landowners to help cover the costs of maintaining habitat areas on their properties.

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund, (Proposition 84), Section 75055(d)(4). This funding allows for assisting farmers in integrating agricultural activities with ecosystem restoration and wildlife protection, and is consistent with the objectives of this project. The DFG has reviewed this proposal and recommends it for funding by the Wildlife Conservation Board.

This project is exempt from the California Environmental Quality Act (CEQA) under Class 2 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15302, as replacement or reconstruction of existing facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, and Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration to land, water and/or vegetation which does not include removal of healthy, mature, scenic trees. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$317,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055 (d)(4); authorize staff to enter into appropriate agreements

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

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$317,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055 (d)(4); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*14. Elkhorn Slough Ecological Reserve, \$220,000.00  
Expansion 18  
Monterey County

This proposal was to consider the fee title acquisition of a 1± acre parcel of land from the Elkhorn Slough Foundation (Foundation), as an addition to the Department of Fish and Game's Elkhorn Slough Ecological Reserve (Reserve) for the protection of critical tidal wetlands and grassland habitat. The subject property is located near the town of Moss Landing in Monterey County.

Elkhorn Slough is a shallow estuary located in northern Monterey County. The Wildlife Conservation Board (Board) approved the first acquisition in the Elkhorn Slough in 1979 and to date, has acquired more than 1,300± acres there. In addition, the Foundation has protected nearly 2,700± acres in the slough area. The Foundation is a community-supported land trust that works with local landowners as well as public and private partners to insure that the natural heritage and health of Elkhorn Slough is secure.

Elkhorn Slough is an integral part of the coastal arm of the Pacific Flyway and provides habitat for a large number of migratory and resident water-associated birds. Over 90 species have been identified from this area. The waters of the slough also provide an important nursery and feeding area for many sport and commercial fishes, in addition to supporting a rich fauna of bottom and mud-dwelling organisms.

Elkhorn Slough is one of the few coastal estuaries in California and harbors a remarkable diversity of wildlife, including southern sea otters, harbor seals, over 340 species of birds, 100 species of fish and many unusual plants. These include, but are not limited to, Hooker's manzanita, Monterey ceanothus, Pajaro manzanita, Monterey spineflower, western snowy plover, the California red-legged frog, the tidewater goby and the California tiger salamander. The Reserve is part of the larger Elkhorn Slough National Estuarine Research Reserve, one of 27 National Estuarine Research Reserves established in the coastal zone of the United States, and has been designated a State Ecological Reserve by the Fish and Game Commission and a Globally Important Bird Area by the National Audubon Society.

The subject parcel is very valuable as part of the overall Elkhorn Slough ecosystem. The property is adjacent to the waters of the slough and lies between the slough and other property owned by the Department of Fish and Game (Department).

Over the past few years, the Department purchased two of three contiguous parcels from the original landowner. The subject property is the third, remaining parcel. It has always been the desire of the Department to own the entire property but with the fiscal crisis in the State, the State was unable to acquire the third parcel. In the interim the Foundation was able to purchase the remaining parcel to ensure its protection. However, the original landowner wanted to remain on the property. In order to accommodate him, the Foundation negotiated a life estate which was considered when the property was appraised. The property will be acquired subject to the life estate.

The Department currently manages the Reserve and will include the subject property as part of the Reserve. The Foundation and the Department work cooperatively to monitor and manage the lands surrounding the Elkhorn Slough.

The Foundation has agreed to sell the property for the appraised fair market value of \$200,000.00, as approved by the Department of General Services. It is estimated that an additional \$20,000 will be needed to cover project costs including Department of General Services' appraisal and transaction review, escrow fees, etc., bringing the total proposed allocation to \$220,000.00.

The proposed acquisition is categorically exempt from the California Environmental Quality Act under Section 15313, Class 13, as the acquisition of lands for fish and wildlife conservation purposes and under Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space. The appropriate Notice of Exemption will be filed with the State Clearinghouse upon approval by the Wildlife Conservation Board.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$220,000.00 from the California Clean Water, Clean Air, Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650 for the acquisition and related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$220,000.00 from the California Clean Water, Clean Air, Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650 for the acquisition and related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*15. Tulare Basin Wetland Enhancement, \$0.00  
(Change of Scope)  
Kern County

This proposal was to consider a change of scope for a grant and cooperative project with the California Waterfowl Association and the landowner to allow for the installation of a new well to replace an existing irreparable well. The project is located on privately-owned property immediately south of Highway 46, approximately 12 miles west of the City of Wasco in Kern County.

On May 28, 2009, the Wildlife Conservation Board (WCB) approved \$451,000 in grant funding for a project to enhance wetland habitats on three separate privately-owned wetlands in Kern County. Two of the three wetland sites were completed as designed and under budget. The third project, on the La Cienega de Chicca property, included the renovation of an existing well to allow for the flooding of the existing wetlands. During the implementation of the project it was determined the well was inoperable and irreparable. The California Waterfowl Association and the landowner requested that existing funds remaining in the grant be used to drill a new well immediately adjacent to the existing well to provide the needed water for the wetlands. The landowner has agreed to put additional funds toward the estimated cost of the new well, and to cover any cost overruns that may occur.

The DFG has reviewed this proposal and recommends it for funding by the WCB. This project is exempt from the California Environmental Quality Act (CEQA) under Class 2 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15302, as a replacement or reconstruction of an existing structure where the new structure will be located on the same site as the structure being replaced and will have substantially the same purpose and capacity as the structure being replaced. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this change of scope as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this change of scope as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

- \*16. Whitewater Floodplain Conservation Area \$5,000.00  
Riverside County

This proposal was to consider a cooperative project with the United States Fish and Wildlife Service (USFWS), Coachella Valley Conservation Commission (CVCC), Wildlife Conservation Board (WCB), and the Department of Fish and Game, to acquire 217± acres of private land within the Whitewater Floodplain Conservation Area in Riverside County. The acquisition will allow for the protection of blowsand habitat which is essential for recovery of the fringe-toed lizard and protection from development that is occurring in the southern and western reaches of the Coachella Valley. This acquisition is part of the Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan approved for the Coachella Valley portion of Riverside County.

The project involves six different land owners; all of the properties are located just west of the City of Palm Springs. Highway 10 is approximately one mile to the north of these properties.

The acquisition of the subject parcels will provide core habitat, linkages, and fluvial and aeolian sand transport corridors which are important for the Coachella Valley fringe-toed lizard (CVFTL). Although the CVFTL is the only federally-listed species covered under the section 6 grant, the land conserved provides habitat for several listed or rare endemic species. These species include the Palm Springs pocket mouse, Coachella Valley round-tailed ground squirrel, Flat-tailed horned lizard, Barrow's dune beetle, Coachella giant sand-treader cricket, Coachella Valley grasshopper, Coachella Valley Jerusalem cricket, and the Coachella Valley milk-vetch.

This vital CVFTL habitat continues to be threatened by ongoing urban development, off-road vehicle use, invasive species, and the loss of sand source. The majority of the lizard's historic habitat has been eliminated or degraded by the direct and indirect effects of development. The inclusion of structures and non-native plant species restrict what were once free-moving sand deposits, thus preventing replenishment of the blowsand habitat on which the lizard relies. This acquisition would place over 217 acres of blowsand habitat under permanent protection. Placement of this area into public ownership will help add a protective buffer from the developing residential and agriculture lands surrounding this project.

The properties will be acquired and managed by the CVCC. It is anticipated that the area will offer passive recreational uses, as the habitat is maintained in conjunction with other properties to form a preserve under the Coachella Valley Multiple Species Conservation Plan/Natural Community Conservation Plan.

CVCC proposes to purchase the property from the various owners at the appraised fair market value of \$2,207,000.00, as approved by the State's Department of General Services (DGS). This proposal is to subgrant federal funds provided by the USFWS Habitat Conservation Planning Land Acquisition Grant to provide the entire purchase price. The matching funds requirement will be met by the CVCC through the encumbrance of a \$1,155,000.00 bargain sale that occurred last

summer. CVCC will cover all escrow related expenses including title insurance and escrow fees. It is estimated that \$5,000.00 will be needed for WCB administrative expenses, which includes DGS appraisal review costs. The recommended allocation for this proposal is \$5,000.00. The proposed funding source allows for grants to implement or assist in the establishment of Natural Community Conservation Plans.

The proposed 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 under Section 15325, Class 25, as the transfer of an ownership interest in land to preserve open space. Subject to approval by the WCB, a notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve the project as proposed; approve the acceptance of a Habitat Conservation Planning Land Acquisition Grant from USFWS in the amount of \$2,207,000.00 and approve the Agreement to Subgrant of the federal funds to the CVCC; allocate \$5,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(c) for internal project-related expenses; authorize staff to enter into agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve the project as proposed; approve the acceptance of a Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$2,207,000.00 and approve the Agreement to Subgrant the federal funds to the Coachella Valley Conservation Commission; allocate \$5,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(c) for internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

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| *17. Imperial Wildlife Area Wetland Enhancement<br>Imperial County | \$438,000.00 |
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This proposal was to consider the allocation for a grant to the California Waterfowl Association to enhance 225± acres of wetlands and to install pipeline to provide efficient water delivery to an additional 315± acres of wetlands on the Wister Unit of the Department of Fish and Game's (DFG) Imperial Wildlife Area (Wildlife Area). The Wildlife Area is located on the east side of the Salton Sea, five miles northwest from the town of Niland, in Imperial County.

The Wister Unit of the Imperial Wildlife Area was acquired by the Wildlife Conservation Board (WCB) in 1953 to provide more than 6,000 acres of wetland and short grass habitats to attract waterfowl away from surrounding agricultural lands. In addition, the area has been an extremely popular destination for waterfowl hunters. Over the years, the Wildlife Area has evolved to provide a wide range of habitats, from permanent wetlands for the endangered Yuma clapper rail, to seasonal wetlands for waterfowl and shorebirds and uplands to provide nesting habitat and forage for geese.

The Wildlife Area is remarkable in that it is an island of freshwater marsh in a desert that receives less than three inches of rain a year. Lying on the eastern shore of the Salton Sea, the range of habitats in this small area results in an amazing diversity of wildlife with more than 300 species of birds recorded on the area, from pelicans, both brown and white, to colorful vermilion flycatchers, common yellowthroats and hooded orioles. Waterfowl by the tens of thousands, including green-winged teal, northern shovelers and snow geese, visit the area every winter. Thousands of shorebirds search the mudflats for invertebrates and yellow-headed blackbirds nest in large colonies in the tules. One of the largest populations of the endangered Yuma clapper rail is found here all year long. Many species of mammals make their home here, including mink, bobcats and river otters.

To provide these habitats, the area is highly managed, with water delivered by canals, seasonal wetlands are disked every year, and uplands are mowed and irrigated to maintain the grasses needed for many different species. The infrastructure that allows for this intensive management requires yearly maintenance. Delivery canals and ditches become overgrown with plants and need to be dredged constantly. Wetlands and surrounding levees are invaded by the non-native tamarisk, a tree that provides little habitat value and depletes large amounts of water from the wetland areas, including water demand and costs. Staff, already stretched thin by budget issues, must constantly deal with this aggressive weed in addition to their normal maintenance activities.

The proposed project will help improve the management of the Wildlife Area and the efficiency of the Wildlife Area staff. Approximately 225 acres of seasonal wetlands will be enhanced, including eliminating all existing tamarisk on the levees and within the wetlands themselves. More importantly, the wetland bottoms, swales, delivery ditches and levees will all be designed, re-contoured and constructed specifically to allow staff to use existing discs and mowers to more efficiently maintain the site and keep tamarisk from re-invading. The proposal will also replace an existing water delivery canal with an underground pipeline, which will simplify water delivery, eliminate ditch maintenance, and save water. All these measures will allow the DFG to provide better quality habitats with less water and at reduced cost.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$438,000.00</b>
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$438,000.00</u></b>

Project costs will be for earthmoving; water control structures; 6,600 linear feet of pipeline with valves and a trashrack; rye grass seed; installation of a sign; and project design, construction supervision and administration.

The proposed funding source is the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Sections 79565 (SB 71) and 79568 and allows for the restoration of wetland habitats and other activities that help restore the Salton Sea and its watersheds, and is consistent with the objectives of this project. The DFG has reviewed this proposal and recommends it for funding by the WCB.

This project is exempt from the California Environmental Quality Act (CEQA) under Class 1 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15301, as the repair, maintenance, or minor alteration of existing public structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of an existing use; Class 2 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15302, as a replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; and Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration in the condition of land, water and/or vegetation on an existing officially designated wildlife area which will result in improvement of habitat for wildlife. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate a total of \$438,000.00 consisting of \$282,785.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Section 79565 (SB 71) and \$155,215.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Section 79568; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate a total of \$438,000.00 consisting of \$282,785.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Section 79565 (SB 71) and \$155,215.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Section 79568; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**



- \*18. Imperial Wildlife Area Public Access \$152,000.00  
Imperial County

This proposal was to consider the allocation for a cooperative project with the Department of Fish and Game (DFG) for the construction of a vault toilet and the purchase and installation of gravel for a check station and hunter campsites on the Wister Unit of the Department of Fish and Game's Imperial Wildlife Area (Wildlife Area). The Wildlife Area is located on the east side of the Salton Sea, five miles northwest from the town of Niland, in Imperial County.

The Wister Unit of the Wildlife Area was acquired by the Wildlife Conservation Board (WCB) in 1953 to provide more than 6,000 acres of wetland and short grass habitats to attract waterfowl away from surrounding agricultural lands. The plan was successful; every winter tens of thousands of ducks and geese arrive to take advantage of the rich food supplies in the seasonal wetlands and grasslands of the Wildlife Area.

As a result of the success of the acquisition by the Board and habitat management by the DFG, the area has been an extremely popular destination for waterfowl hunters. The popularity of the area is due to two factors: first the large wetlands attract many thousands of ducks and geese every year, and second, the Wildlife Area is one of the few places in the Imperial Valley open to the general public for hunting.

As a result of this popularity, the campground can become very crowded, and a dirt area designed to handle overflow parking has been increasingly used. The DFG has graveled a portion of the main lot where the check station is located, to help keep the dust and mud to a minimum, but the overflow parking area has never been graveled. As a result of this increased use the overflow area is in need of a new gravel surface, and portions of the main parking lot also need re-graveling. Finally, when the parking lot is full the one small vault toilet that services the entire area, is inadequate and a second vault toilet is needed.

The proposed project will gravel the entire parking area, as needed, including the places in the existing parking lot where the gravel is thin, and the entire overflow parking area. In addition, a second two-room vault toilet will be installed.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$152,000.00</b>
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$152,000.00</u></b>

Project costs will be for gravel, delivered and placed on the site, and delivery and installation of a two-room vault toilet. Project design, solicitation, construction supervision and administration will be handled by DFG engineering staff.

The proposed funding source is the Wildlife Restoration Fund and allows for the construction of access improvements for hunting, fishing and other wildlife-oriented

recreational uses and is consistent with the objectives of this project. The DFG has reviewed this proposal and recommends it for funding by the WCB. This project is exempt from the California Environmental Quality Act (CEQA) under Class 1 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15301, as the repair, maintenance or minor alteration of existing private structures, facilities or topographical features, involving negligible or no expansion of use; and Class 3 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15303, as the construction and location of a limited number of new, small facilities or structures. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$152,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$152,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

19. Shasta Big Springs Ranch \$10,330,000.00  
Siskiyou County

This proposal was to consider the acquisition of a conservation easement in favor of the Department of Fish and Game over the 5,834-acre Shasta Big Springs Ranch. The Shasta Big Springs Ranch (formerly known as the Busk and Nelson Ranches) is owned by The Nature Conservancy and located in Siskiyou County, approximately 10 miles north of Weed and east of I-5 in the Shasta River Valley. Mr. Randall Nelson of the Wildlife Conservation Board briefly described the project and its location.

The Klamath River once produced the third largest salmon run on the Pacific Coast of the continental United States, after the Columbia and Sacramento-San Joaquin River Basins. The Shasta River, a small meandering stream at the base of Mount Shasta, once was and could again become a critical salmon producing tributary of the Klamath. Prior to the development of the Shasta Valley, the average annual number of all species of salmon spawning in the Shasta River was estimated to be between 50,000 and 100,000. Today, only about 5,000 Chinook salmon return to spawn in the Shasta each year. For the threatened coho salmon, annual runs in the Shasta constitute less than one percent of estimated historic run size of 6,000 spawning adults. Resource experts working in the Klamath River watershed

believe the Shasta River is crucial to the restoration of the Klamath Basin salmon populations.

The cold water springs which feed Big Springs Creek on The Nature Conservancy's Shasta Big Springs Ranch and which provide on average 70% of the summer flows in the Shasta River are still largely intact, and if restored could again provide good quality salmon spawning and rearing habitat, and essential cold water flows to the Shasta River. The Shasta Big Springs Ranch encompasses roughly 16 miles of restorable anadromous fishery habitat and 18.11 cfs in adjudicated water rights. To date approximately \$1,750,000 has been raised by The Nature Conservancy to design and implement restoration efforts on the Ranch, including:

- Riparian fences already or soon-to-be constructed on the key reaches of Big Springs Creek
- Stream corridor plantings underway
- Off-stream cattle watering stations designed and being built
- Tailwater abatement measures implemented on an ongoing basis
- Instream cold water flows augmented at critical times for fish survival and migration

In 2005 a Shasta River Science Consortium was convened, bringing together scientists from the Conservancy, the Department of Fish and Game, the University of California's Center for Watershed Sciences, California Trout, the Shasta Valley RCD, and Watercourse Engineering (a private consulting firm). The Consortium has coordinated and conducted extensive research and monitoring on the factors affecting fish populations in upper Shasta River, particularly in the Big Springs Creek complex, and in so doing has ensured that the restoration activities are underpinned by the best available science.

The Nature Conservancy, at its expense and in collaboration with DFG, will manage the Ranch and may implement the above-mentioned restoration measures. DFG has numerous management rights, but no management obligations. For example, DFG may, but is not obligated to, undertake additional restoration measures on the Ranch. The Ranch's grazing rights will continue to be leased to local ranchers to the extent that grazing is deemed compatible with the fisheries restoration efforts. Moreover, after 5 years DFG will have the sole right to determine how all water surface and groundwater resources are utilized on the Ranch.

Key rights conveyed by the easement to DFG include: research and restoration rights, public access, control of all water usage (after 5 years), prohibition of subdivision and development (except 1 new house), and assurance that the landowner will maintain essential riparian fencing in perpetuity. The conservation easement will preserve open space and valuable fish and wildlife habitat in perpetuity.

DFG will have unlimited rights of access for scientific research and restoration. Moreover, annually DFG will have the right to sponsor ten public interpretive, or

apprentice hunting or angling trips on the Ranch, for 30 individuals each trip (except for one trip, when up to 50 individuals may participate).

Simultaneously with the easement purchase, the Conservancy will donate to DFG a 35-year right of first refusal, which will entitle DFG to acquire the fee title to the Ranch at appraised fair market value should the Conservancy decide to sell the Ranch.

The owner has agreed to sell a conservation easement over Shasta Big Springs Ranch for the approved appraised value of \$10,300,000.00. In addition to the \$10,300,000.00 purchase price, an estimated \$30,000.00 will be needed for escrow fees, Department of General Service fees, and other related costs.

This acquisition is exempt from the California Environmental Quality Act under Section 15313 as an acquisition of land for wildlife conservation purposes, and Section 15325 as the transfer of ownership of an interest in land in order to preserve existing natural conditions and allow restoration of natural conditions. A Notice of Exemption will be filed upon approval of the acquisition by the Board.

Mr. Nelson introduced Mr. Dawit Zeleke, Regional Director of The Nature Conservancy; Mr. Henry Little of The Nature Conservancy; Mr. Mark Stopher, Acting Regional Manager, and Ms. Karen Kovacs, both from Region 1, Department of Fish and Game (DFG), who were in the audience and available to answer questions.

Mr. McCamman acknowledged that he has seen this property and described it as a spectacular fish-producing property, with cold springs coming up from underground and producing a hatchery opportunity that you just don't find anywhere else.

Mr. McCamman asked if there were any questions or comments about this item. Ms. Finn asked if The Nature Conservancy is managing the whole restoration project at their expense. Mr. Nelson responded that the current restoration is being handled by The Nature Conservancy, and over the last five years they have done a tremendous job.

Mr. McCamman invited Ms. Karen Kovacs to speak before the Board to give more explanation how this project fits in with the fishery production requirements that DFG has in the Shasta Valley. Ms. Kovacs stated that this particular piece of property, as well as the surrounding area, with its cold, clear, bubbling water, will provide great fisheries restorations opportunities. Ms. Kovacs also said that this is a great opportunity for the DFG to partner with The Nature Conservancy and others to look at restoration opportunities within these particular watersheds.

Mr. McCamman asked if there were any questions or comments about this item. There were none.

At this moment, Mr. McCamman welcomed Ms. Sally Kay, Assembly Member's Blakeslee representative, who joined the meeting.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$10,330,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b) for the purchase price and related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$10,330,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b) for the purchase price and related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

20. Scott Valley \$3,237,700.00  
Siskiyou County

This proposal was to consider an allocation for a grant to the Siskiyou Land Trust (SLT) for a cooperative project with the Wildlife Conservation Board (WCB) and the Department of Conservation (DOC) to acquire five conservation easements on approximately 5,683 acres in the vicinity of Mt. Shasta in Siskiyou County. Of the latter acreage, 947± acres would be protected under DOC's California Farmland Conservancy Program. The remaining 4,736± acres would be protected under WCB's Rangeland, Grazing Land and Grassland Protection Program. Mr. Randall Nelson of the Wildlife Conservation Board briefly described the project and its location.

The purposes of this project, from WCB's standpoint, are to prevent the conversion of rangeland, grazing land and grassland to nonagricultural uses, to protect the property from encroaching residential development, and to sustain the open space benefits that occur from continued livestock grazing use, including wildlife habitat preservation and watershed and water quality preservation, all of which are consistent with the proposed funding for the Rangeland, Grazing Land and Grassland Protection Program.

The specific objective of this project is to permanently protect five individually, family-owned ranches under conservation easements that will provide for an efficient and economically viable ranching operation while preserving the land in its current state in perpetuity. The five easements are designed to preserve the open space, rangelands and agricultural lands in a manner that further enhances the environment and ecosystem for all extant species. Presently, the ranches are operated as a hay ranch and commercial cattle and grass finished beef operation. The landowners are transitioning into the production of organic hay and organic grass finished beef.

The Scott Valley ranches are located in the heart of Siskiyou County. Representing distinct land types, the ranches are comprised of grasslands, chaparral and woodlands, undeveloped steep semi-arid pine and oak forested hillsides, managed range and agricultural lands and riparian-wetlands, including about 2.5 miles of contiguous river frontage along the Scott River. The diversity of the ranches, coupled with the river frontage provides a diverse habitat for numerous native species.

The proposed project would be the first ranching/farming easements within the Scott Valley. The valley contains more than 30,000 acres of active commercial ranching and agricultural operations. The area is subject to substantial economic pressure to subdivide and convert these lands to residential estates, ranchettes and more intensified agricultural operations. The proposed project will be viewed as a model by many other ranching owners. Successful implementation of the project will produce further opportunities to preserve working ranches with associated wildlife and open space benefits.

The ranch owners have a long history of resource conservation and enhancement on these lands including cooperative projects with DFG staff and federal wildlife management agencies. Current ranch conservation efforts include the thinning and removal of non-native invasive species and noxious weeds. To reduce water temperatures in the Scott River, riparian corridors have been planted and fenced to prevent the cattle from entering the restored areas. To encourage nesting of indigenous migratory bird and wildlife species, numerous bird boxes have been constructed and upland water guzzlers installed to provide adequate water for smaller species of wildlife.

The conservation easements are further designed to benefit riparian species in and along the Scott River and terrestrial species in the rangelands and upper reaches of the ranches. The ranch owners and staff from wildlife management agencies have reported numerous wildlife observations including the black bear, black-tail deer, Roosevelt elk, mountain lions and bald eagles. Moreover, the ranches all provide a critical migratory corridor for the Roosevelt elk.

The Scott River has been identified as critical habitat for the endangered coho salmon. As such, the Scott Valley Irrigation Diversion, Young's Dam and fish ladder are located on the subject property. To ensure the dam and fish ladder are properly maintained, the conservation easement provides the DFG staff with the explicit right to enter the Property two days per week during high flow periods of March, April and May and then one day a week thereafter. The easements provide additional access for routine maintenance and replacement of diversions. In addition, the easements provide DFG staff with explicit access to conduct fish surveys during the fall/winter salmon migration season.

To preserve the more intensified agricultural areas of the ranches, using funds from the California Farmland Conservation Program, the DOC has agreed to purchase agricultural easements on approximately 947 acres at a cost of approximately \$1,898,800.00. This agricultural easement is designed to ensure the State's most valuable farmland is preserved. Through this portion of the

easement, designated lands will remain in productive agricultural use by preventing uses of the property that will impair or interfere with the land's agricultural productive capacity, its soils and its agricultural character, value and utility. Further, such efforts will continue while preserving the open space character and scenic, natural and historic values of the property.

The property owners have agreed to sell the conservation easements to the SLT for the Department of General Services approved fair market value of \$5,136,500.00. The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$3,237,700.00</b>
Department of Conservation	<u>\$1,898,800.00</u>
<b><u>TOTAL AVAILABLE FUNDING:</u></b>	<b><u>\$5,136,500.00</u></b>

The values and sizes the WCB Conservation Easements associated with the five ownerships are as follows:

Ownership A	\$ 169,600.00	258± acres
Ownership B	1,952,700.00	3,258± acres
Ownership C	315,400.00	353± acres
Ownership D	470,300.00	360± acres
Ownership E	<u>329,700.00</u>	<u>507± acres</u>
TOTAL WCB Contribution:	\$3,237,700.00	Protecting: 4,736± acres

The conservation easements involving WCB and the five different owners are substantially the same in that the protections afforded the various lands in perpetuity are virtually identical.

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

Mr. Nelson introduced Mr. John Brennan and Ms. Kathleen Hitt, both from the Siskiyou Land Trust, and Mr. Gareth Plank, the property owner, who were in the audience and available to answer questions.

Mr. Donnelly reported that we (WCB) have a potential evaluation problem with Ownership A. Each of the individual ownerships was appraised and, subsequently, this appraisal was reviewed and approved by the Department of General Services. The value of the property may have changed based upon actual GPS activities that were undertaken to identify the actual agricultural intensified areas on Ownership A. Mr. Donnelly proposed that the Board allocate the funding as proposed, but then also require, or condition, that approval for Ownership A only on reevaluation of the appraisal and subsequent approval of that appraisal by the Department of General Services. Mr. McCamman asked if no

additional allocation dollars will be required. Mr. Donnelly confirmed that no additional money will be involved. Mr. McCamman asked if, for example, the new appraisal shows an additional \$20,000.00, how that would be funded. Mr. Donnelly replied that we will work with the Siskiyou Land Trust, Department of Conservation, and the owners to come up with that shortfall, if necessary.

At this moment, Mr. McCamman welcomed Ms. Erin Shaw, Assembly Member's Ruskin representative, who joined the meeting.

Mr. Gareth Plank, the property owner, spoke in support of this project. Mr. Plank also added that he and other property owners have received a huge support from the Siskiyou County Board of Supervisors.

Mr. McCamman asked if there were any questions or comments about this project. There were none.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$3,237,700.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(d)(1); authorize staff to enter into appropriate agreements necessary to accomplish the project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board approve this allocation as proposed; allocate \$3,237,700.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(d)(1); funding allowed for Ownership A, covering 258 acres, is conditioned upon a reevaluation by the appraiser and approval of that reevaluation by the Department of General Services; authorize staff to enter into appropriate agreements necessary to accomplish the project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

21. Red Bank Creek Riparian Habitat Restoration \$565,000.00  
Tehama County

This proposal was to consider the allocation for a grant to California Association of Resource Conservation Districts for a cooperative project with the Department of Fish and Game (DFG), U.S. Fish and Wildlife Service, Audubon Society, and the landowners to restore riparian habitat and replace an irrigation line to help improve habitat for wildlife and agricultural operations by restoring native vegetation, reduce sedimentation and streambank erosion, and improve water quality on two private farms, located along Red Bank Creek, 25 miles west of Red Bluff, in Tehama County. Mr. Chad Fien of the Wildlife Conservation Board briefly described the project and this location.



Red Bank Creek originates in the Interior Coast Range, within the Mendocino National Forest and flows 26 miles in an easterly direction to its confluence with the Sacramento River near Red Bluff. Both project sites have similar grazing management philosophies, which includes the Holistic Management model. This management model includes a careful year-round grazing technique and integrates the management of goats, sheep, and cattle that has resulted in the improved condition of the rangeland. Success can be seen in the large and growing number of native perennials and oak seedlings found on the properties.

The project sites will provide habitat for several species of birds, amphibians, reptiles, and mammals; create and enhance wildlife corridors, improve soil stabilization and water quality, and improve habitat for aquatic invertebrates. Specifically, Red Bank Creek has been identified as a potential enhancement site for Central Valley steelhead, as well as contains several other federally listed species (either known to occur, or at minimum, have habitat for the species), including California red-legged frog, valley elderberry longhorn beetle, as well as species of special concern, such as the western pond turtle, western spadefoot toad, and foothill yellow-legged frog.

The existing and adjoining land uses to the project sites include grazing and fee hunting operations. The landowners have agreed to manage and maintain the properties for 25 years, pursuant to the terms and conditions of a habitat management plan. If at any time during the life of the project, the landowner is unable to manage and maintain the project improvements, they will refund to the State of California an amortized amount of funds based on the number of years left on the project life.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$565,000.00</b>
DFG's Landowner Incentive Program	84,000.00
USFWS Partners Program	25,000.00
Audubon Society	1,000.00
Landowners	104,300.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$779,300.00</u></b>

Project costs will be for riparian plantings, fencing, livestock watering system, noxious weed removal, streambank stabilization, irrigation improvements; and project design, construction supervision, and administration. Funding for some of the long-term maintenance of the property will be provided by DFG's Landowner Incentive Program, a program that provides annual payment to private landowners to help cover the costs of maintaining habitat areas on their properties.

The proposed funding source for this project is the Habitat Conservation Fund, Section 2786(e/f), (1E). This funding allows for the enhancement or restoration of riparian habitat, located in floodplains and on areas within or adjacent to compatible agricultural uses, and is consistent with the objectives of this project. The DFG has reviewed this proposal and recommends it for funding by the

Wildlife Conservation Board (Board). This project is exempt from the California Environmental Quality Act (CEQA) under Class 2 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15302, as replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, and Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration to the condition of land, water, and/or vegetation which does not involve the removal of healthy, mature, scenic trees. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Mr. Fien introduced Mr. Tyler Dawley, Ms. Holly Dawley, and Ms. Vicky Dawley, the landowners, who were in the audience and available to answer questions.

Mr. McCamman asked how the improvements construction, such as fencing, is going to be financed. Mr. Fien responded that it will be financed in part by the Wildlife Conservation Board, and also by the U.S. Fish and Wildlife Service. Mr. Fien mentioned that the U.S. Fish and Wildlife Service has already installed some fencing, which is wildlife-friendly fencing for deer to get through, but it is also going to be able to keep pigs out. Ms. Finn commented that it looks like the landowners are contributing the money as well, and asked what the money are going to be used for. Mr. Fien responded that the money will be mostly used for management and labor.

Mr. McCamman asked if there were any questions or comments about this item. There were none.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$565,000.00 from the Habitat Conservation Fund, (Proposition 117), Section 2786 (e/f), (1E); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$565,000.00 from the Habitat Conservation Fund, (Proposition 117), Section 2786 (e/f), (1E); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

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| 22. Sacramento River National Wildlife Refuge,<br>Codora Unit, Riparian Restoration<br>Glenn County | \$972,490.00 |
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This proposal was to consider the allocation for a grant to The Nature Conservancy (TNC) for a partnership project with the U.S. Fish and Wildlife Service (USFWS) to

restore 274 ± acres of riparian habitat on the Codora Unit of the Sacramento River National Wildlife Refuge owned by the USFWS. The project is located in Glenn County on the right bank of the Sacramento River at River Mile 168 immediately south of Highway 162 and north of the Princeton North Unit of DFG's Sacramento River Wildlife Area. Mr. Tony Chappelle of the Wildlife Conservation Board briefly described the project and its location.

The restoration of this site will complement 820 acres of previously restored habitat for a total of 1,094 restored acres between river miles 171 and 161.5. Much of this previously restored habitat was funded by Wildlife Conservation Board (WCB) including projects at Beehive Bend, Princeton, and Drumheller Slough. When restored, this project will link existing remnant and restored habitats creating a nearly 2,736 acre riparian habitat corridor between river miles 171 and 161.5 including Department of Fish and Games (DFG's) Beehive Bend Unit, Womble South Unit, Princeton North, East and South Units and US Fish and Wildlife Services' (USFWS) Sul Norte, Packer Island and Drumheller Slough. This would amount to one of the largest contiguous patches of riparian habitat on the entire Sacramento River system, and in the entire state.

This project will accomplish the following three goals: 1) restore 274 ± acres of riparian floodplain habitats to complement adjacent existing remnant and restored forests, 2) promote the recovery of neotropical migrant and resident birds and other terrestrial species, and 3) improve floodplain and in-channel conditions for anadromous fish. The project will also provide numerous benefits for the growing human population of the Central Valley including improved water quality, flood damage reduction, increased recreational opportunities, and improved aesthetics.

Specifically the project will restore 208 acres of valley oak savanna, 30 acres of cottonwood riparian forest, 28 acres of mixed riparian forest, and 8 acres of open grassland. Over time, the area will dynamically evolve in complexity through the processes of erosion, scour, overbank flooding and sediment deposition. These processes and the inherent characteristics of the site will drive the pattern of plant succession that ultimately dictates wildlife use. Several recently published papers provide clear evidence that Sacramento River restoration sites provide positive benefits to neotropical landbirds as well as resident birds and other species. This project will provide or improve much needed habitat for and promote the recovery of special status species such as Chinook salmon, Western Yellow-billed Cuckoo, and valley elderberry longhorn beetle and is consistent with the California Bay-Delta Authority's Ecosystem Restoration Program.

The proposed work will entail removing an existing walnut orchard, preparing the field for planting by disking and landplaning, modifying the existing irrigation system, hand planting over 39,000 native riparian plants, and maintaining the plants for three years via selective herbicide application, mowing, hand weeding and irrigation. Restoration plantings will be watered for three years after planting using an efficient microdrip system. After the initial four-year WCB-funded phase is completed, the USFWS will assume long-term monitoring and maintenance responsibilities for the Codora Unit as outlined in their Comprehensive Conservation Plan (CCP) for the Sacramento River National Wildlife Refuge. In

addition, as stated in the CCP, the USFWS will open the site to appropriate public recreation opportunities upon completion of the restoration implementation.

Immediately following site planting, TNC will begin a monitoring and maintenance program which will include an assessment to determine the composition and survival of plants within the first month of planting. This will provide baseline information for comparing the progress of the native plants in three subsequent end of growing season monitoring efforts. Two metrics will be monitored during the end of growing season: plant survival and height. An 80% survival rate will be required for all potted stock trees and shrubs and cuttings and an 80% frequency for understory forb and grass species. These 80% survival and frequency requirements must be met by the final monitoring phase in Fall 2013.

Annual reports will be prepared by TNC summarizing restoration activities for each year. These reports will summarize the previous year's work activities and the results of the survivorship and height monitoring effort. TNC will plant where necessary to ensure achieving a minimum 80% survival rate for each community by end of the project. A final report will be prepared by TNC after the four year implementation summarizing all restoration activities and end of season plant survivorships and heights.

The USFWS has agreed to manage and maintain the property for twenty-five years pursuant to the terms and conditions of the Management Plan in the Grant Agreement and will submit annual reports for their monitoring and maintenance activities through 2035.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$972,490.00</b>
Grantee (TNC)	\$210,172.00
Landowner (USFWS)	\$50,000.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$1,232,662.00</u></b>

Project costs will be for project management and monitoring; project planning and design; administrative costs; other materials (grass seed, cartons, stakes); plant propagation; site preparation, cutting collection, planting, vegetation maintenance (irrigation, labor and supplies, weeding, disking, spraying, mowing, predator control, herbicides); and installation of a project sign.

The proposed funding source for this project is the Habitat Conservation Fund (Proposition 117), Section 2786 (e/f), (1E). This funding source allows for the protection, restoration or enhancement of riparian habitat located in floodplains and is consistent with the objectives of this project. The DFG has reviewed this proposal and recommends it for funding by the WCB.

As Lead Agency, the Wildlife Conservation Board prepared an Initial Study and Mitigated Negative Declaration for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). No comments were received during

the comment period. Staff considered the Mitigated Negative Declaration and prepared proposed, written findings documenting WCB's compliance with CEQA. With the Board's approval, staff will file a Notice of Determination with the State Clearinghouse.

Ms. Finn asked about the 25 year management portion of the grant agreement. Mr. Chappelle responded that this is WCB policy on grant agreements. Ms. Finn asked what will happen after this agreement expires. Mr. Donnelly replied that the term of a basic grant agreement is based on the useful life of the infrastructure it contemplates and that the first five years are the most important for riparian habitat establishment. Ms. Finn mentioned the walnut trees that are going to be taken out and asked if there is any value in that wood. Mr. Chappelle replied that he is not sure if the trees are big enough for timber. Mr. Donnelly added that he is assuming that the U.S. Fish and Wildlife Service would like to capitalize on any revenue that could be generated in taking out the walnut trees. Mr. McCamman asked if all this land is on the inside of the levee. Mr. Chappelle responded that the project is on the floodplain and that there are no levees on this stretch of river. Mr. McCamman asked if this project requires a Central Valley Flood Protection Board permit. Mr. Chappelle responded that because it is on federal property, it is exempt from Central Valley Flood Protection Board.

Mr. Chappell introduced Mr. Gregg Werner, Sacramento River Project Director of The Nature Conservancy, and Ms. Kelly Moroney, U.S. Fish and Wildlife Service Assistant Refuge Manager, Sacramento River National Wildlife Refuge, who were in the audience and available to answer questions.

Mr. McCamman asked if there were any questions or comments about this item. There were none.

Staff recommended that the Wildlife Conservation Board adopt the Mitigated Negative Declaration and the written findings and approve this project as proposed; allocate \$972,490.00 from the Habitat Conservation Fund (Proposition 117), Section 2786 (e/f), (1E); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board adopt the Mitigated Negative Declaration and the written findings and approve this project as proposed; allocate \$972,490.00 from the Habitat Conservation Fund (Proposition 117), Section 2786 (e/f), (1E); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

23. Lemon Canyon Ranch \$1,057,000.00  
Sierra County

This proposal was to consider the allocation for a grant to The Pacific Forest Trust (PFT) to assist in a cooperative project with the California Department of Fish and Game and the Sierra Nevada Conservancy to acquire a conservation easement on 1,455± acres of forest and rangeland for the protection of ranching and forestry operations, protection and enhancement of riparian and wet meadow habitats, and conservation of critical wildlife migration corridors between upland forests and valley meadows. Mr. Brian Gibson of the Wildlife Conservation Board briefly described the project and its location.

The property is situated in the northern Sierra Nevada mountain range, and more specifically, within the Sierra Valley's "Southern Corridor of Working Lands." The property is located along State Highway 49 and Lemon Canyon Road approximately one mile east of the town of Sierraville and twenty-five miles north of Truckee. It is bordered on three sides by the Tahoe National Forest.

The purpose of this grant is the protection of rangeland, grazing land and forestry operations, protect and enhance riparian and wet meadow habitats, conserve critical wildlife migration corridors between upland forests and valley meadows as well as prevent the subdivision and development of the property. The conservation easement will protect and preserve riparian habitat along nearly three miles of Lemon Canyon Creek. Lemon Canyon Creek is one of the headwater streams feeding into the Sierra Valley wetland system, which supports the greatest concentration and diversity of waterfowl, shorebirds, and raptors in the Sierra Nevada Eco-region.

The Lemon Canyon Ranch is an interface of multiple habitat types including: eastside pine forest, Sierran Mixed conifer forest, sagebrush, wet meadow, montane riparian, and juniper. Protection of the property's natural resources will protect habitat for a number of special status species including the greater sandhill crane, Ferruginous Hawk, Prairie Falcon, bald eagle, and the willow flycatcher.

This proposed acquisition reflects a multi-year effort to protect a scenic and economically productive conservation and wildlife corridor in the Sierra Valley. More broadly, the project builds upon over a decade of private and public investments to protect this working lands corridor in the Sierra Valley. Specifically, the Wildlife Conservation Board (WCB) has supported significant area fee and conservation easement acquisitions such as the 5,640± Antelope Valley Wildlife Area and 13,000 acres Bar I Ranch conservation easement. The property will continue to be managed as a working forest and ranch, and will ensure that residential development is never allowed outside of a limited, pre-defined development envelope. PFT will hold the conservation easement and will monitor the property for compliance with the purposes, terms and conditions of the easement. The landowner will continue grazing and forestry operations while conserving and enhancing wildlife habitat, biodiversity and water quality.

The approved fair market value of the conservation easement is \$1,940,000.00 as determined by an appraisal and as approved by DGS. The property owner has agreed to sell the conservation easement to PFT for a bargain sale of \$1,552,000.00. The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$1,052,000.00</b>
Sierra Nevada Conservancy	<u>\$ 500,000.00</u>
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$1,552,000.00</u></b>

It is estimated that an additional \$5,000.00 will be needed to cover internal project-related costs by the WCB, including the DGS appraisal review fees, bringing the total proposed allocation for this project to \$1,057,000.00. The purpose of this project, the protection of rangeland, grazing land and water quality, is consistent with the purposes of the proposed funding source.

The terms and conditions of the proposed grant require that the WCB staff review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition.

The proposed 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 a conservation easement for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of ownership of an interest in land to preserve open space and habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Mr. Gibson introduced Mr. Jesse Leddick, Conservation Associate, Ms. Megan Wargo, Program Director, Mr. Paul Mason, Director of CA Policy, from The Pacific Forest Trust; Mr. Bob Kingman, Mt. Lassen Area Manager from the Sierra Nevada Conservancy; and Ms. Lucy Blake, the property owner, who were in the audience and available to answer questions.

Mr. Donnelly reported that a couple letters of support for this project were received from the following people: Mr. Tim Beals, Director of Planning, Sierra County Department of Planning and Building Inspection; and Mr. Dan Z. Martynn, District Conservationist, Plumas/Sierra Counties, Natural Resources Conservation Service California State Office.

Mr. McCamman commented about the importance of local support.

Mr. McCamman asked if there were any questions or comments about this project. There were none.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,057,000.00 from the Safe Drinking Water, Water Quality and

Supply, Flood Control, River and Coastal Protection Fund of 2006 [Proposition 84, Section 75055(d)(1)] for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and, authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$1,057,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 [Proposition 84, Section 75055(d)(1)] for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and, authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

24. Cullinan Ranch Tidal Restoration \$6,650,000.00  
Solano and Napa Counties

This proposal was to consider the allocation for a grant to Ducks Unlimited, Inc. to restore 1,575 acres of tidal marsh and uplands at the Cullinan Ranch Unit of the San Pablo Bay National Wildlife Refuge, and accept delegation from the Natural Resources Agency and an advance of \$1,576,853.00 from the Castro Cove Mitigation Fund to assist in the funding of the project. The project site is located approximately two miles west of the City of Vallejo and west of the Napa River, just north of Highway 37, in Solano and Napa Counties. Ms. Bonnie Turner of the Wildlife Conservation Board briefly described the project and its location.

Cullinan Ranch was acquired in 1992 by the U.S. Fish and Wildlife Service (USFWS) as unit within the San Pablo Bay National Wildlife Refuge (Refuge). Department of Fish and Game (DFG) lands, namely the Napa-Sonoma Marshes Wildlife Area, border Cullinan Ranch on the north and western edges. The goal of the project is to restore tidal influence to Cullinan Ranch, allowing a return to its historic state of tidal marsh. A main objective of the project is to provide additional habitat to support endangered species such as the salt marsh harvest mouse and the California clapper rail in the larger San Francisco Bay ecosystem.

San Pablo Bay is one of the three large bays that comprise San Francisco Bay Estuary and is located in the northernmost reach, about 20 miles north of the City of San Francisco. The baylands are comprised of approximately 40,000 acres of mudflats, estuarine and palustrine wetlands, salt ponds, riparian corridors, and vast expanses reclaimed for agriculture and development. The baylands provide essential habitat and through tributaries and connected land corridors, important linkages to wetland-dependent plants, wildlife species, and resident and diadromous fishes.

Over the past 150 years, the baylands have experienced significant changes in landscape and natural processes through manipulations for agriculture, urban development, and salt production. Reclamation and conversion led to the loss of



approximately 82% of the historic baylands, including Cullinan Ranch, the proposed project site. Cullinan Ranch was diked and reclaimed for agriculture in the late 1800s and was farmed primarily for oats and hay into the 1980s. Diking and reclamation on the adjacent ponds continued into the early 1900s. In the 1950s, approximately 9,000 acres were converted to salt ponds by Leslie Salt Company, including the lands immediately to the north and west of Cullinan Ranch. In addition to direct habitat loss, these changes have led to a decrease in water quality and dramatic reductions in native wetland-dependent fish and wildlife species.

Restoration actions are being taken to reverse these trends. The Cullinan Ranch Restoration Project (CRRP) is the next large tidal restoration project slated for completion in the baylands region, and implementation will result in measurable habitat improvements and will restore conditions similar to those which were historically present. USF&WS acquired Cullinan Ranch with the intent to restore tidal marsh habitat to benefit endangered species, particularly salt marsh harvest mouse and California clapper rail.

Cullinan Ranch is located near the mouth of the Napa River, close to the terminus of the Sacramento and San Joaquin River systems, uniquely situated to benefit multiple threatened and endangered fish and wildlife species, particularly chinook salmon, steelhead, green sturgeon, longfin smelt, and Delta smelt. The Napa River provides designated critical habitat for Central California coast steelhead, and still supports the largest steelhead run in the San Francisco Bay Estuary. It also provides habitat for several other important native fishes, including Delta smelt, Pacific lamprey, California roach, tule perch, Sacramento sucker, threespine stickleback, and riffle sculpin.

Restoration of Cullinan Ranch will result in the creation of suitable rearing habitat for these special status fish. The project will lead to reformation of channels on site, expected to occur along historic patterns. This will restore an estimated 8.8 stream miles for fish passage connected to surrounding sloughs and the Napa River. The project will also enhance spawning and rearing grounds for longfin and Delta smelt, among others.

Restoration of Cullinan Ranch will improve the ecologic health, habitat connectivity, and water quality of the Napa River and San Pablo Bay watersheds and will create connectivity neighboring Ponds 1 and 3 of the Napa Sonoma Marshes Wildlife Area. Specific project actions include excavating historic channels, lowering levees to marsh plain elevation, protecting highway infrastructure along State Route (SR) 37 against future flooding, and constructing breaches in selected locations to optimize hydrology and circulation patterns within the restored marsh. Project implementation will restore a total of 1,575 acres of vital estuarine tidal marsh and associated uplands.

One important requirement of the project is to ensure flood protection to SR 37. If an unplanned breach occurred in the project area, tidal inundation of the Cullinan Ranch site could cause flooding and erosion along SR 37. In contrast, construction of controlled breaches and additional levee protection will maximize habitat value

as well as ensure protection to SR 37.

The project's design and construction elements incorporate practices and methods that have proven to be successful and cost-effective for the proposed outcomes. Breaching levees along with historic channel excavations have proven to be successful tidal marsh restoration practices on other San Francisco Bay region projects including Napa-Sonoma Marshes Wildlife Area Restoration Project, Tubbs Island Levee Set-Back Project, Eden Landing Wildlife Area, Napa-Sonoma Marshes Plant Site, and Guadalcanal Village as well as with salt pond restorations at Moss Landing and Bair Island, California.

Long-term management and maintenance on Cullinan Ranch will be minimal since most of the area will be restored to tidal marsh. Potential long-term management needs include vegetation management along levees and control of invasive species. Some mowing and periodic weed control may be required. Refuge staff that manages the property will be responsible for performing or coordinating the efforts. Monitoring will be conducted in accordance with all regulatory permit conditions by Refuge biologists.

The project is scheduled to begin construction between September 2010 and December 2012. Construction within salt marsh areas within the site, along South and Dutchman Sloughs, and on the northern levees along South and Dutchman Sloughs, will take place between September 1 and December 15 in order to comply with permit conditions for California clapper rails, and within allowable work windows for minimization of impacts to listed salmonids.

Overall project funding sources are:

<b>Wildlife Conservation Board</b>	<b>\$6,650,000.00</b>
U.S. Fish and Wildlife Service North American Wetlands Conservation Act (NAWCA)	651,600.00
NOAA Partnership Grant	650,000.00
NOAA Partnership Grant (yrs 2 & 3)	782,674.00
NOAA American Recovery & Reinvestment Act	1,657,267.00
CA Castro Cove Mitigation Fund (NRDAR)	<u>1,576,853.00</u>
<b><u>TOTAL AVAILABLE FUNDING:</u></b>	<b><u>\$11,968,394.00</u></b>

Project costs will be for mobilization, site preparation, traffic and access control, levee buttressing and armoring for Highway 37, 30-acre salt marsh harvest mouse habitat construction, Dutchman and South Slough breaches, Guadalcanal breach, monitoring, construction management and project administration.

The proposed funding source is the Water Security, Clean Drinking Water, Coastal and Beach Protection Bond Fund of 2002 (Proposition 50), Section 795729(c), and allows for the restoration of wetland habitats in the San Francisco Bay area. The DFG has reviewed this proposal and recommends it for funding by the WCB. The DFG, as lead agency, prepared a Final Environmental Impact Report (EIR) for the project pursuant to the provisions of the California Environmental Quality Act

(CEQA). Staff considered the Final EIR and has prepared proposed written findings documenting WCB's compliance with CEQA as a responsible agency.

In addition to the Boards allocation, the WCB will be accepting an advance of \$1,576,853.00 from the Castro Cove Mitigation Fund, established based on natural resource damages resulting from historic releases of contaminants into Castro Cove from the Chevron refinery in Richmond. The settlement funds have been deposited into the Department of the Interior Natural Resource Damage and Restoration Fund (NRDAR Fund). Once these funds are disbursed from the NRDAR Fund to the WCB, they become State funds for purposes of a non-federal cost share match. Funds in the NRDAR will be disbursed to a State entity that has been delegated Trustee authority for purposes of the Oil Pollution Act of 1990 (OPA) and/or the Comprehensive, Environmental Response, Compensation and Liability Act (CERCLA). 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. Through an executed agreement, the Natural Resource Agency Secretary agrees to delegate State Natural Resource Trustee authority to the Wildlife Conservation Board, for resources within the purview of the Board, pursuant to OPA and CERCLA. This will allow the NRDAR funds to be advanced to the Board, for direct expenditure on the proposed project.

Mr. Donnelly clarified that even though we received the delegation, we are not going to be the Trustee until the Board authorizes us to do so.

As part of this project the WCB will also receive \$1,000,000.00 in reimbursement from the U.S. Fish and Wildlife Service through an approved \$1,000,000.00 National Coastal Wetland Conservation Fund grant for the project.

Other environmental documentation including permits from the Bay Conservation and Development Commission, the Army Corps of Engineers, the Regional Water Quality Control Board and the National Marine Fisheries Service will be completed before the beginning of construction.

Ms. Turner introduced Ms. Renee Spent, Bay Area Project Manager, Mr. Jeff McCreary, Biologist, and Mr. Jim Wells, Director of Conservation Programs, all of them from Ducks Unlimited, Inc., who were in the audience and available to answer questions.

Ms. Finn asked if there are any other discretionary approvals needed by any other agencies. Ms. Turner responded that we are still waiting on Army Corp permit which should be completed within a month. Ms. Turner said that construction will not begin until September of this year, and in order to protect listed species, it will only take place between three month – September through December, and the project will be phased with highest priority items being completed first. Ms. Finn asked if any Caltrans authorization permit is required. Ms. Turner responded that the negotiation and MOU agreement are being done soon. Ms. Turner mentioned that there will be a deceleration and acceleration lane created at the mouth of the

entrance to DFG's property to create a safer exit and entrance to the public access road. Mr. McCamman asked for more information on public access. Ms. Turner responded that the DFG maintains hunting program there, and fishermen use the area continuously coming in from the Napa River, and there is also wildlife viewing activities in this area. Ms. Finn asked what percentage of this area will be restored after the project is completed. Ms. Turner responded that 100% will be restored when the project is completed. Ms. Finn asked if, with the Board's approval of all of the projects in this area (that are listed on today's agenda), there is enough funding to fully restore this area. Ms. Turner confirmed that there is enough funding to restore this area.

Mr. McCamman asked if there are any questions or comments about this project. There were none.

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; accept the delegation of natural resource trustee authority from the Natural Resources Agency authorizing the WCB to act on behalf of the public as a trustee for natural resources pursuant to Section 107 (f) (2) (B) of CERCLA, and Section 1006 (b) (3) of OPA, for the purpose of implementing the Castro Cove/Chevron Richmond Refinery Restoration Plan and approve the acceptance of \$1,576,853.00 from the Natural Resource Damage and Restoration Fund (including administrative costs); approve the acceptance of \$1,000,000.00 from the National Coastal Wetland Conservation Fund for reimbursement; allocate \$6,650,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Bond Fund of 2002 (Proposition 50), Section 79572(c); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the DFG to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board (WCB) adopt the written findings and approve this project as proposed; accept the delegation of natural resource trustee authority from the Natural Resources Agency authorizing the WCB to act on behalf of the public as a trustee for natural resources pursuant to Section 107 (f) (2) (B) of CERCLA, and Section 1006 (b) (3) of OPA, for the purpose of implementing the Castro Cove/Chevron Richmond Refinery Restoration Plan and approve the acceptance of \$1,576,853.00 from the Natural Resource Damage and Restoration Fund (including administrative costs) and apply those funds to the project; approve the acceptance of \$1,000,000.00 from the National Coastal Wetland Conservation Fund for reimbursement; allocate \$6,650,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Section 79572(c); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

25. Napa-Sonoma Marshes Wildlife Area, \$1,550,000.00  
Ponds 1 and 3 Enhancement  
Solano County

This proposal was to consider an allocation for a grant to Ducks Unlimited, Inc. to enhance Ponds 1 and 3 of the Department of Fish and Games (DFG) Napa-Sonoma Marshes Wildlife Area, consisting of 1,688 acres of managed and tidal marshes accept delegation from the Natural Resources Agency for an advance of \$73,147.00 from the Castro Cove Mitigation Fund. The project site is located approximately two miles west of the City of Vallejo, along Highway 37, north of San Pablo Bay, in Solano County. Ms. Bonnie Turner of the Wildlife Conservation Board briefly described the project and its location.

The purpose of this project is to enhance wildlife habitat value and circulation patterns within Pond 1 and Pond 3 and to improve levee integrity between Pond 1 and the adjoining property. Project implementation will enhance 354 acres of managed pond habitat within Pond 1 and 1,314 acres of tidal marsh habitat within Pond 3. Improved circulation will also benefit the 1,549 acres of the soon to be restored tidal marsh habitat within Cullinan Ranch, previously discussed in Agenda Item No. 24. Pond 1 is currently used extensively by shorebirds. Pond 3 is rapidly accreting to tidal marsh plain elevation, interspersed with open water channels, and will provide habitat for wetland-dependent species such as Central Valley steelhead, Central California coastal steelhead, winter-run and Central Valley spring-run Chinook salmon, and green sturgeon.

In order to enhance Ponds 1 and 3 and to prepare the levee for the restoration of tidal action to the adjoining property, the following elements must be completed: strengthen the Pond 1 levee and install two water control structures to improve circulation; excavate a channel between the existing inlet structure on the south side of Pond 1 and the two newly installed water control structures in the Pond 1 levee, and breach Pond 3 levee in 3 locations.

The three breaches along the Pond 3 levee are planned to increase circulation within Pond 3 and to minimize the potential impacts on downstream properties from increased tidal flows within Dutchman Slough. These breaches were initially delayed to minimize potential stress to the Cullinan Ranch levee along Dutchman Slough. At that time, it was determined that they would be completed in conjunction with the restoration of Cullinan Ranch. Across and in the same vicinity of these three breaches, three other breaches will be made on the Cullinan Ranch levee as part of the Cullinan Restoration project.

The Pond 1 levee was originally constructed by borrowing material from within the Cullinan Ranch site, next to the levee. The project will also fill the borrow ditch, flatten the levee side slope to provide protection from erosion, install two water control structures in the Pond 1 levee, increase the height of the levee, and excavate an intake channel in Pond 1 to connect existing and proposed water control structures. The purpose of placing the water control structures in the Pond 1 levee is to encourage formation of more heterogeneous habitat within Pond 1 and allow for improved water circulation between Pond 1 and Cullinan prior to

breaching, in order to slowly displace mammals from the project area prior to restoration. The water control structures would also allow greater flexibility in management of water levels in Pond 1 in the future.

Public access will be provided along Pond 1 levee. The current access to the public access area on Pond 1 requires a sharp (90°) right turn from State Route (SR) 37 into the Pond 1 parking area, and a similar sharp right turn from the parking area back onto SR 37. To improve public access and safety, a deceleration and an acceleration lane are proposed. The Pond 1 levee will be resurfaced to improve trail access. A kayak launch site and fishing pier will be placed on the Cullinan Ranch side of the Pond 1 levee, on DFG property. Near the existing parking lot on Pond 1 levee, public educational opportunities will be improved by constructing graded intertidal benches with *Salicornia* and other native marsh vegetation. Overlooking the intertidal benches, a viewing platform with interpretive signs and park benches will be constructed.

The project will be carried forward with highest priority items completed first. The project is expected to be constructed between September 2010 and December 2012. Timing of construction for project elements in salt marsh within the site, in perimeter tidal marsh along South and Dutchman Sloughs, and on the Pond 3 southern levees along South and Dutchman Sloughs, will be constructed between September 1 and December 15 in order to comply with permit conditions for California clapper rails, and within allowable work windows for minimization of impacts to listed salmonids. Monitoring activities would be conducted to document changes in tidal hydraulics, geomorphology, habitat types, and functions as restoration progresses.

Overall project funding sources are:

<b>Wildlife Conservation Board</b>	<b>\$1,550,000.00</b>
NOAA American Recovery & Reinvestment Act	31,460.00
CA Castro Cove Mitigation Fund (NRDAR)	<u>73,147.00</u>
<b><u>TOTAL AVAILABLE FUNDING:</u></b>	<b><u>\$1,654,607.00</u></b>

Project costs will be for mobilization, Pond 1 excavation and placement, Pond 1 levee improvements, Pond 3 breaches, public access projects including a fishing pier and kayak launch site, monitoring, construction management and project administration. Permitting of the above activities will be covered under existing permits for the Napa Sonoma Marshes Restoration Project and amendment requests to existing permits and a USFWS Biological Opinion will be completed before construction begins.

The proposed funding source is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b) and allows for the restoration of wetland habitat. The DFG has reviewed this proposal and recommends it for funding by the WCB. The DFG, as lead agency, prepared a Final Environmental Impact Report (EIR) for the Napa River Salt Marsh Restoration Project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Final EIR and has

prepared proposed, written findings documenting WCB's compliance with CEQA. Staff considered the Final EIR and has prepared proposed written findings documenting WCB's compliance with CEQA as a responsible agency.

In addition to the Boards allocation, the WCB will be accepting an advance of \$73,147.00 from the Castro Cove Mitigation Fund, established based on natural resource damages resulting from historic releases of contaminants into Castro Cove from the Chevron refinery in Richmond. The settlement funds have been deposited into the Department of the Interior Natural Resource Damage and Restoration Fund (NRDAR Fund). Once these funds are disbursed from the NRDAR Fund to the WCB they become State funds for purposes of a non-federal cost share match. Funds in the NRDAR will be disbursed to a State entity that has been delegated Trustee authority for purposes of the Oil Pollution Act of 1990 (OPA) and/or the Comprehensive, Environmental Response, Compensation and Liability Act (CERCLA). 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. Through an executed agreement, the Natural Resource Agency Secretary agrees to delegate State Natural Resource Trustee authority to the Wildlife Conservation Board, for resources within the purview of the Board, pursuant to OPA and CERCLA. This will allow the NRDAR funds to be advanced to the Board, for direct expenditure on the proposed project.

Mr. McCamman commented that signage is important for this project, as well as for the other projects. Ms. Turner agreed and said that we will work on that to make sure that the signage will be there by the end of the project. Ms. Finn asked if the cost of signage is included in the funding for this project. Ms. Turner confirmed that it is included.

Ms. Turner introduced Ms. Renee Spenst, Bay Area Project Manager from Ducks Unlimited, Inc. (DU) and Mr. Larry Wyckoff from the Department of Fish and Game, who were in the audience. Ms. Spenst thanked the Board for considering this project.

Mr. McCamman asked if there were any questions or comments about this item. There were none.

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; accept the delegation of natural resource trustee authority from the Natural Resources Agency authorizing the WCB to act on behalf of the public as a trustee for natural resources pursuant to Section 107 (f) (2) (B) of CERCLA, and Section 1006 (b) (3) of OPA, for the purpose of implementing the Castro Cove/Chevron Richmond Refinery Restoration Plan and approve the acceptance of \$73,147.00; allocate \$1,550,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Bond Fund of 2002; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the DFG to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; accept the delegation of natural resource trustee authority from the Natural Resources Agency authorizing the WCB to act on behalf of the public as a trustee for natural resources pursuant to Section 107 (f) (2) (B) of CERCLA, and Section 1006 (b) (3) of OPA, for the purpose of implementing the Castro Cove/Chevron Richmond Refinery Restoration Plan and approve the acceptance of \$73,147.00; allocate \$1,550,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Bond Fund of 2002; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the DFG to proceed substantially as planned.**

**Motion carried.**

26. Canada de los Osos Ecological Reserve, \$1,908,200.00  
Expansion 1  
Santa Clara County

This proposal was to consider the acquisition of fee title to two contiguous parcels of land totaling \$1,557+/- acres to expand connectivity to other public lands and to protect valuable grassland, oak woodland and riparian habitat. The Nature Conservancy (TNC) purchased one of the parcels (800+/- acres) in July 2009 and has an option to purchase the second (757+/-) by July 2010. The Department of Fish and Game (DFG) would like to add these properties to the existing Canada de los Osos Ecological Reserve. Ms. Teri Muzik of the Wildlife Conservation Board briefly described the project and its location.

The properties are located in a geographical area known as the Mt. Hamilton Range, and are bordered on three sides by public lands including Henry Coe State Park and the Stevenson Ranch. The properties are located approximately 15 miles east of Gilroy in southern Santa Clara County. The properties range in elevation from approximately 1,200 feet to 2,000 feet.

The subject properties are adjacent to the Canada de los Osos Ecological Reserve (Ecological Reserve) and contain valuable habitat similar in species and structure to the Ecological Reserve. Acquisition of these properties will also expand connectivity to other public lands in the area. The California Deer Association (CDA) currently manages the Ecological Reserve. The DFG will work with CDA to restructure the management agreement to include the subject properties. CDA has already received a substantial endowment to be used specifically for youth outdoor education and has agreed to provide ongoing funding to manage the property and conduct management programs. The DFG will develop management goals for the property with CDA. Outdoor education programs may include providing hands-on experience to youth and adult volunteers in the implementation of management and monitoring projects, junior deer, pig and turkey hunts, hunter education, youth fishing programs and other youth outdoor recreational activities.

The properties have a mix of annual grasslands, oak and montane woodland, chaparral, riparian and wetland habitats, with numerous creeks and ponds that



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

TNC has agreed to sell both parcels to DFG at the Department of General Services' (DGS) approved appraised value of \$1,868,200.00. It is estimated that an additional \$40,000.00 will be needed for WCB administrative expenses, which includes DGS review charges, title and escrow company fees. The proposed funding source for this project allows for the acquisition of habitat that provides corridors linking separate habitat areas to prevent fragmentation, and that protects significant landscapes and ecosystems.

The proposed 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 under Section 15325, Class 25, as the transfer of ownership of an interest in land to preserve open space and habitats. Subject to approval by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Ms. Muzik introduced Mr. Daniel Olstein, Project Director from The Nature Conservancy, who was in the audience and available to answer questions.

At this moment, Mr. McCamman acknowledged that Assembly Member Ira Ruskin and Ms. Teresa Schilling, Senator's Wiggins representative, joined the meeting.

Ms. Finn asked if The Nature Conservancy used State funds to buy this property originally. Ms. Muzik responded that they did not. Mr. Donnelly pointed out we (WCB) funded the original ecological reserve acquisition area and later made a grant to the California Deer Association to restore the valley floor. Mr. Donnelly added that this is a great riparian area with a lot of public use, such as youth education, hunting and fishing.

Mr. McCamman asked if there were any questions or comments about this item. There were none.

Staff recommended that the Wildlife Conservation Board approve the project as proposed; allocate \$1,908,200.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b) for the acquisition and project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board approve the project as proposed; allocate \$1,908,200.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b) for the acquisition and project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

27. Millar Ranch Oak Woodlands \$1,860,000.00  
Madera County

This proposal was to consider the allocation for a grant to Sierra Foothill Conservancy (Conservancy) to acquire a conservation easement over approximately 2990± acres to protect and preserve oak woodland habitat in Madera County. The proposed funding source allows for the conservation of the integrity and diversity of oak woodlands across California's working landscapes. Mr. Brian Gibson of the Wildlife Conservation Board briefly described the project and its location.

The Millar Ranch is a privately owned, working cattle ranch situated off Veater Ranch Road in the foothills of the western range of the Sierra Nevada Mountains. The community of O'Neals is approximately five miles southwest. The City of Madera and State Highway 99 are located approximately 35 miles southwest.

The ranch is situated in the transition zone between the coniferous forest and the Sierra Nevada foothills at elevations ranging from 1,400 to 3,300 feet. Topography varies from gently sloping hills to steeply sloping mountainsides. The ranch's transition zone landscape consists primarily of a diverse forest of native California oaks including blue oak, valley oak, interior live oak, black oak, and canyon live oak, associated shrub and tree species, and scattered conifers including ponderosa pine, white fir, and incense cedar. The property includes approximately 2,740± acres of mixed oak woodland, 286± acres of blue oak woodland, 4.6± acres of valley oak woodland, and 19.5± acres of foothill riparian woodland. The property possesses a diversity of wildlife including golden eagle, prairie falcon, Cooper's hawk, bear, mountain lion, bobcat, numerous small bird, mammal, and reptile species, and five species of owl. The ranch is crossed by nine miles of various branches of Fine Gold Creek which supports several riparian woodland areas of valley oaks, white alder, buttonbush, and Oregon ash and provides habitat for California pond turtles, California newts, and foothill yellow-legged frog.

The WCB has supported significant fee and conservation easement acquisitions in the immediate area such as the 1,000± acre Ecker Ranch conservation easement acquired in 2008 and the 2,305± acre Van Alen property conservation easement acquired in 2007. In addition, the Conservancy has protected 589± acres at the Topping Ranch, 718± acres at Fine Gold Preserve, and 2,960± acres at Table Mountain Preserve, all to the south of the Millar Ranch.

This conservation easement will prevent oak loss due to development, firewood harvesting, and agricultural conversions. Protection of the ranch's extensive oak woodlands will benefit the numerous wildlife species that are dependent on this habitat type.

The property owners have agreed to sell the conservation easement to the Conservancy for the Department of General Services (DGS) approved appraised value of \$1,850,000.00. It is estimated that an additional \$10,000.00 will be needed to cover project-related costs by the WCB, including the DGS' appraisal review fees, bringing the total proposed allocation for this project to \$1,860,000.00. The terms and conditions of the proposed grant agreement provide that staff of the WCB will review and approve all proposed title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions, and the instruments of conveyance prior to disbursement of funds directly into an escrow established for the property.

The proposed 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 ownership of an interest in land to preserve open space and habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Mr. Gibson introduced Mr. Erik Vink, Great Central Valley Project Director from The Trust for Public Land, Mr. Chuck Peck, Land Protection Director from the Sierra Foothill Conservancy, and Mr. Peter Millar, the property owner, who were in the audience and available to answer questions.

At this moment, Mr. McCamman acknowledged that Assembly Member Sam Blakeslee joined the meeting.

Ms. Finn asked if there is any opportunity for public access. Mr. Gibson responded that there will be access for monitoring but not for public access. Mr. McCamman asked if the ranching operations include grazing. Mr. Gibson confirmed that they do.

Mr. Donnelly commented that Oak Woodlands Conservation Program (Program) was established in 2002. In addition to establishing the Program, there was also funding supplied through Proposition 12. One of the requirements of this Program is that before program funding can be extended, the county where the project resides has to have adopted an Oak Woodland Management Plan. Mr. Donnelly reported that there are about 16 counties state-wide that have adopted the Oak Woodland Management Plans. Mr. Donnelly also said that the Wildlife Conservation Board can accept mitigation funding into the Program Fund and apply it to projects. Mr. McCamman asked if Madera County is in one of these 16 counties that have adopted a management plan. Mr. Donnelly replied that it is.

Mr. McCamman asked if there were any questions or comments about this item. There were none.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,860,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(d)(2) for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and, authorize staff to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$1,860,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(d)(2) for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and, authorize staff to proceed substantially as planned.**

**Motion carried.**

28. Moss Landing Wildlife Area Public Access \$408,100.00  
Monterey County

This proposal was to consider the allocation for a grant to Ducks Unlimited, Inc. to improve public access at the Department of Fish and Game's (DFG) Moss Landing Wildlife Area, adjacent to Highway 1, in Monterey County. Planned improvements include upgrading the existing access road, parking lot and levee, installing a new pedestrian crossing, avian monitoring blinds and observation platforms, and upgrading existing structures to meet Americans with Disabilities Act (ADA) requirements. The project will be done in coordination with, and conducted concurrently with, a second phase habitat improvement project funded through the David and Lucille Packard Foundation. Mr. Peter Perrine of the Wildlife Conservation Board briefly described the project and its location.

The Wildlife Conservation Board (WCB) acquired the Moss Landing Wildlife Area (Wildlife Area) for DFG in 1984 for the purpose of maintaining shorebird and waterfowl habitat. At one time the property had been used as salt ponds, but this use had stopped for a number of years prior to WCB acquiring the site. In 1982 one of the levees on the site was breached and in 1989 and 1992 the WCB funded wetland restoration work which restored the levee and the interior pond system.

The ponds are the most productive snowy plover habitat in the Monterey Bay region. Brown pelicans also frequent the ponds and they have been observed roosting in the ponds, usually in shallow water. In addition to these species, the ponds provide various habitat functions for numerous shorebirds, seabirds and waterfowl. American avocets and black-necked stilts both nest on the levees and rear their young in the ponds. Currently the Point Reyes Bird Observatory (PRBO) assists DFG in providing water management for the ponds.

The proposed project will enhance wildlife observation opportunities by installing new and upgrading existing public access facilities to meet ADA standards. A new earthen access ramp will be installed to replace the current deteriorating wooden

walkway which leads from the parking lot to the interior ponds. The ramp and path on top of the levee will be surfaced with approximately six inches of gravel and will have a gate that facilitates pedestrian traffic but restricts vehicular traffic to only DFG maintenance vehicles only. This access is necessary as the current maintenance access is through an adjacent private property. A new ADA compliant observation platform will be constructed at the southwestern tip of the project site near the parking area, and an existing platform will be modified to comply with ADA requirements. The southern levee along Elkhorn Slough will be graveled to approximately eight feet wide creating all weather access to the existing observation platform. Nine (three new and six replaced) avian monitoring blinds will be installed on existing levees throughout the project site to facilitate observation by DFG and PRBO staff of snowy plovers during nesting season. The main parking lot and access road will be raised with four inches of gravel to prevent periodic flooding on access points and a new access gate will be installed off Highway 1. Interpretative signs and an overall Wildlife Area project funding partnership sign will be installed.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$408,100.00</b>
David and Lucille Packard Foundation	\$300,000.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$708,100.00</u></b>

Project costs will be for permitting, mobilization, compacted fill and gravel, removal and replacement of access crossing, new ADA viewing platform, modification of existing platform, Wheelchair Compliance Standards handrails, gates, interpretative signs and monitoring blinds.

The proposed funding source for this project is the Wildlife Restoration Fund, which allows for the construction of public access facilities for hunting, fishing and other wildlife-oriented recreational uses. DFG, as lead agency, prepared a Negative Declaration for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Negative Declaration and has prepared proposed, written findings documenting WCB's compliance with CEQA as responsible agency.

Mr. Perrine introduced Mr. Jeff McCreary, Ducks Unlimited Inc. Biologist, who was in the audience and available to answer questions.

Mr. McCreary thanked the Board for considering this project. Mr. McCreary spoke about the benefits of this project, such as public access and habitat restoration.

Mr. McCamman asked if there were any questions or comments about this project. There were none.

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$408,100.00 from the Wildlife Restoration Fund; authorize staff to enter into appropriate agreements necessary to

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

**It was moved by Ms. Finn that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$408,100.00 from the Wildlife Restoration Fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

29. Wild Cherry Canyon \$6,735,000.00  
San Luis Obispo County

This proposal was to consider the allocation for a grant and acceptance of a Land and Water Conservation Fund grant from the National Park Service as a reimbursement for a cooperative project with the American Land Conservancy, CA State Parks, State Coastal Conservancy, the Wildlife Conservation Board and others to acquire a leasehold interest in 2,355± acres near the community of Avila Beach, in San Luis Obispo County. The proposed funding source allows for the acquisition and protection of habitat that promotes the recovery of threatened and endangered species, provides corridors linking separate habitat areas to prevent fragmentation, and protects significant landscapes and ecosystems such as old growth redwoods, mixed conifer forests and oak woodlands, riparian and wetland areas, and other significant habitat areas. Mr. Pat Dyas of the Wildlife Conservation Board briefly described the project and its location.

Mr. Dyas introduced Mr. Robert Stevens, Board Member of the American Land Conservancy, Mr. Russell Austin, Attorney, Murphy Austin Adams Schoenfeld, LLP, who were in the audience and available to answer questions. Mr. Dyas also mentioned that there was a group of private citizens from San Luis Obispo in the audience, who came in support of this project. Mr. Dyas also stated that this project is very popular in the local area and that a large amount of support letters was received from local citizens.

The Property is owned in fee by Eureka Energy, an affiliate of Pacific Gas & Electric (PG&E). Eureka Energy acquired the underlying fee to the Property, subject to a pre-existing lease. The lease, held by the San Luis Bay and Pacho Limited Partnerships (Partnership), runs for another 57 years, with an option to extend it for an additional 99 years. The lease purchase will effectively transfer the use of the Property for the next 156 years. The terms of the lease will be modified to include habitat preservation, open space protection and public access. Additionally, the lease will be amended to allow PG&E and Eureka Energy access to Diablo Canyon Power Plant and other retained improvements.

While the acquisition of the leasehold runs a maximum of 156 years, ALC is negotiating the terms of a Donation Agreement and an Irrevocable Offer to Dedicate with Eureka Energy that will assure the complete transfer of all remaining interests in the property by 2035.

The subject property, overlooking San Luis Bay and the Pacific Ocean, lies in the largely undeveloped Irish Hills, a unique coastal ecosystem that is just minutes west of Highway 101. The property was historically used for cattle grazing. It was once owned by the Avila family as a part of the 14,198 acre Mexican era Rancho San Miguelito. It is now zoned for rural residential development. A caretaker's residence is the only improvement on the property. A number of public and private conservation properties are located nearby, including Montana de Oro State Park to the north.

The acquisition conforms to the Irish Hills Coastal Watershed Conservation Plan (Plan), developed under the auspices of the State Coastal Conservancy in 2001 to identify conservation strategies and priorities in the area. The Wildlife Conservation Board (WCB) has been active for a number of years in making grants and subgrants in the area; from Morro Bay to the Nipomo Dunes, to preserve habitat and enrich educational and recreational opportunities on the Central Coast.

Rolling hills, knolls and narrow valleys characterize the Wild Cherry Canyon property. Steep coastal bluffs rise from Avila Beach and the open oceanfront. Bald Knob (1186 ft.) is the high point on the property. Pecho Creek forms a portion of the western property boundary. Rattlesnake Canyon, Mine Canyon and Wild Cherry Canyon all traverse the property. Between the canyons is a rolling, hilly landscape that grows increasingly steep and rugged as it recedes from the coast.

Dense coast live oak woodlands with massive specimen oaks, grasslands, coastal scrub, coastal chaparral and riparian forest habitats are all found on the property. Mr. McCamman asked if the PG&E acquired this property as a part of a buffer against Diablo County. Mr. Dyas responded that the property was acquired because it was available and there was no mitigation involved. Habitat on the property may support special status species including the California red-legged frog, western pond turtle, two-striped garter snake, Coast Range newt, and pallid and Townsend's big-eared bats. Numerous bird species occupy some of the types of habitats found on the Property. These include the Cooper's hawk, sharp-shinned hawk, ferruginous hawk, merlin, golden eagle, Bell's sage sparrow, California horned lark, tricolored blackbird, burrowing owl, long-eared owl, yellow warbler, and yellow-breasted chat. Special status plants include La Cruz, Edna and Pecho Manzanita, and Hoover's bentgrass.

The subject property is one of the largest unprotected parcels in the area. The acquisition will significantly contribute to wildlife connectivity, conservation of wildlife corridors, and will be a significant step towards solidifying a large assemblage of protected habitat in the Irish Hills. This project is consistent with, and has relevance to many regional, county, and State planning goals and priorities for resource protection. Water on the property is available from wells, developed springs and several perennial and intermittent streams.

The subject property is appropriate for public use for educational and low impact recreational activities, such as hiking, horseback riding, photography, bird watching and other wildlife-friendly uses consistent with protection of the landscape and habitat. An extension of the California Coastal Trail may be constructed from Los

Osos and Montana de Oro State Park located north of the subject property to Avila Beach, possibly adding a full twenty (20) miles to this unique treasure.

The primary threat to this property is its proximity to the ocean and public roadways, thus increasing the desirability of development. Spectacular views, beach frontage, a community golf course, and a growing coastal residential community are located a short distance south of the property. Although the real estate market is currently depressed, the ease of access and beauty of the area make subdivision almost inevitable if the property is not preserved while the opportunity exists.

This project is a partnership of many federal, State and local public agencies, non-profit conservation groups, charitable foundations, and enthusiastic private groups and individuals. Partners include the National Park Service, State Parks, State Coastal Conservancy, California Transportation Commission, the Central Coast Regional Water Quality Control Board, the San Luis Obispo Council of Governments, the County of San Luis Obispo, the American Land Conservancy, and the Hind Foundation.

It is contemplated that, if approved, the project will be owned and managed by DPR as a part of Montana de Oro, thereby expanding its ability to fulfill its mission of providing for the "health, inspiration and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation."

ALC has an option to purchase the long-term leasehold and single fee simple parcel from the current owner, which has agreed to sell at the Department of General Services (DGS) approved appraised Fair Market Value of \$21,400,000.00. The appraisal meets the Uniform Appraisal Standards for Federal Land acquisitions, as required by the conditions of the LWCF grant. The buyers have secured or applied for sufficient funds to cover the purchase price, as detailed below:

<u>SOURCE</u>	<u>AMOUNT</u>
<u>Public Agency Funding</u>	
State Parks Bond Funding (PWB)	\$6,645,548.00
WCB Bond Funding	6,000,000.00
WCB LWCF Funding	729,740.00
CSCC Bond Funding	5,000,000.00
CA Transportation Commission/EEMP	1,030,389.00
SLOCOG	350,000.00
Regional Water Board	950,000.00
County of San Luis Obispo	500,000.00
<u>Private Funding</u>	
Hind Foundation	150,000.00



Individual Grants (pre-campaign)	17,978.00
Community Campaign	27,345.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$21,400,000.00</u></b>

It is proposed that WCB's contribution will come from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84) with \$729,740.00 being refunded through a National Park Service's Land and Water Conservation Fund reimbursable grant. An additional \$5,260.00 is the estimated for WCB project-related costs. The proposed funding source allows for the acquisition and protection of habitat that promotes the recovery of threatened and endangered species, provides corridors linking separate habitat areas to prevent fragmentation, and protects significant landscapes and ecosystems such as old growth redwoods, mixed conifer forests and oak woodlands, riparian and wetland areas, and other significant habitat areas.

The terms and conditions of the proposed Grant Agreement provide that staff of the WCB will review and approve all documents related to the acquisition including appraisals, 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 established for acquisition of the property. Staff of the WCB will also ensure all conditions imposed by other funding sources are met before closing. Closing and funding of the project will be conditioned on the approval by all funding sources of the Donation Agreement and Irrevocable Offer to Dedicate.

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. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse. The property is not covered by Williamson Act contracts.

Assembly Member Sam Blakeslee spoke in support of this project saying the project is the result of many years of hard work. Mr. Blakeslee stated that within the project area are critically important flora and fauna which, when preserved intact, will have the ability to support very healthy, intact eco-systems that are difficult to recreate once lost. Mr. Blakeslee said that with that acquisition, combined with prior purchases, which have occurred in some cases over a decade ago, allows Montano de Oro to extend all the way from the Morro Bay to the north all the way down the coast through the Irish Hills and back down to the coast connecting to Avila Beach, providing access for public use and recreation.

Mr. Robert Stevens of the American Land Conservancy spoke in the support of this project. Mr. Stevens also thanked the members of San Luis Obispo community for coming to the Board meeting today and for their continuous support for this project.

Mr. Donnelly reported that numerous letters of support were received for this project from a number of private landowners in that area as well as from the following people: Ms. Jan Howell Marx, San Luis Obispo City Council Member; Mr. Gregory J. Bettencourt, President, Cayucos Land Conservancy/Director, Central Coast Concerned Mountain Bikers.

Mr. McCamman asked if this property is going to be managed as a unit of the park. Mr. Dyas responded that is correct. Mr. Donnelly commented that before that would happen, State Parks would need to take this project to the Public Works Board for approval of the acquisition and additional funding. Mr. Donnelly stated that the goal of this proposal is to help move the project forward for State Parks consideration.

Mr. Finn asked because this project adds over 2,400 acres to already existing acquisitions, would State Parks have sufficient resources to manage this project. Mr. Donnelly responded that he does not know if State Parks have specifically acknowledged that they have the resources to take this on, but he knows that the Director of State Parks, Ms. Ruth Coleman, as well as their senior staff at State Parks, are highly favorable of this project and has supported and recommended that the Board move forward on this project. Ms. Finn asked what happens if they are not able to open it up for public access, and are there any problems, limitations or time frames if they determine they do not have the resources or do they (State Parks) have to come later to get resources from Legislature for expansion. Mr. Donnelly responded that he is unaware of any restrictions to opening the project up to public access. Ms. Finn acknowledged that there is \$20 million of State funding for this project and only \$1 million of other funding.

Mr. McCamman asked if there were any other questions or comments about this project. There were none.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$6,735,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b) to cover the grant amount and internal project-related expenses; accept the Land and Water Conservation Fund grant from the U.S. National Park Service in the amount of \$729,740.00 as reimbursement; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$6,735,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b) to cover the grant amount and internal project-related expenses; accept the Land and Water Conservation Fund grant from the U.S. National Park Service in the amount of \$729,740.00 as reimbursement; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

30. Cahuenga Peak \$705,000.00  
Los Angeles County

This proposal was to consider the allocation for a grant to the City of Los Angeles (City) for a cooperative project with the Santa Monica Mountains Conservancy (SMMC), the Department of Fish and Game (DFG) and the Trust for Public Land (TPL) to assist in the acquisition of the 138-acre Cahuenga Peak property. The property will be protected for its plant and wildlife habitat and recreational opportunities. Mr. Brian Gibson of the Wildlife Conservation Board briefly described the project and its location.

The subject property is the last privately owned undeveloped ridgeline in the eastern range of the Santa Monica Mountains. The property is nearly surrounded by Griffith Park, one of the largest and most visited urban parks in the country. Legal access is provided from the existing terminus of Wonder View Drive by an easement across a 100 foot wide parcel owned in fee by the City of Los Angeles Department of Water and Power.

The property's ridgeline supports an extensive stand of intact chamise-manzanita chaparral, a habitat type that is extremely rare in the eastern Santa Monica Mountains. The chaparral provides refuge for rare native species including a relict population of the coast horned lizard, thought to be extirpated in the region, and the Plummer's mariposa lily. There are also several species of native butterflies that forage and breed on the property, including those known to require intact habitat. The property has remained relatively pristine because of its high ridges and steep canyons, and is resilient to nonnative and invasive species. The Cahuenga peak (1,820 feet) is the highest peak eastern Santa Monica Mountains. Protecting the property will ensure that these native plants and wildlife continue to find refuge on this ecologically robust property.

The property is situated in both the LA River and Ballona Creek watersheds. Both drainages feature seasonal surface water at lower elevations on neighboring properties that often persists into spring, as well as foothill riparian vegetation, including oak-sycamore woodland.

The property's location, adjacent to Griffith Park, expands recreational opportunities across a network of open space land, giving Angelenos an opportunity to experience nature close to home. In addition, the property provides the backdrop for the world famous "Hollywood" sign.

In April 2009, TPL secured a 12-month option to purchase the property for the Department of General Services (DGS) approved appraised fair market value of \$11,700,000.00.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board (WCB)</b>	<b>\$700,000.00</b>
City of Los Angeles	4,320,576.00
Private and foundation donations to date	5,979,424.00

Santa Monica Mountains Conservancy (SMMC)	700,000.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$11,700,000</u></b>

It is estimated that an additional \$5,000.00 will be needed to cover internal project-related costs by the WCB, bringing the total proposed allocation for this project to \$705,000.00. The purposes of this project are consistent with the proposed funding source, which allows for the acquisition of habitat that promotes the recovery of threatened and endangered species, that provides corridors linking separate habitat areas to prevent habitat fragmentation, and that protects significant natural landscapes and ecosystems.

The terms and conditions of the proposed grant require that the WCB staff review and approve all proposed title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition.

The DFG has reviewed the project and recommends it for funding by WCB. The proposed 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. Subject to authorization by the WCB, a notice of Exemption will be filed with the State Clearinghouse.

Mr. Gibson introduced Ms. Paige Rausser, Senior Project Manager from The Trust for Public Land, who was in the audience and available to answer questions.

Mr. McCamman asked if there were any questions or comments about this project. There were none.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$705,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650 for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish the project; and, authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$705,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650 for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish the project; and, authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

At this moment, Mr. McCamman introduced Mr. Donnelly's mother, Ms. Irene Donnelly, and Mr. Donnelly's sister, Ms. Pat Robison, who were in the audience.

31. Stunt Ranch Reserve \$967,500.00  
Research and Education Center  
Los Angeles County

This proposal was to consider the allocation for a grant to the Regents of the University of California to reconstruct facilities that were destroyed by fire, including a classroom/nature center and workroom building at the Stunt Ranch Reserve (Reserve), located in the Santa Monica mountain range approximately two miles south of the community of Calabasas, in Los Angeles County. Mr. Chad Fien of the Wildlife Conservation Board briefly described the project and its location.

Under Proposition 84, the Wildlife Conservation Board (Board) received funding to provide matching grant dollars to the University of California for the Natural Reserve System for the construction and development of facilities that will be used for research and training to improve the management of natural lands and the preservation of California's wildlife resources. The mission of the University of California, Natural Reserve System (NRS) is to contribute to the understanding and wise management of the earth and its natural systems by supporting university-level teaching, research, and public service at protected areas throughout California.

The Reserve offers 310 acres of relatively pristine chaparral, live oak woodland, and riparian habitat in the Cold Creek watershed. In addition, the Reserve is also an archeological site with rich evidence of Chumash inhabitants dating back thousands of years. The research facilities that were on the property were destroyed in a 1993 fire.

The project will install a classroom/nature center building, a workroom building, and a restroom unit. These buildings will be connected to each other and secured upon a large deck. The replacement structures will be located over the footprints of some of the preexisting structures destroyed in the 1993 fire. The project will be designed in accordance with requirements of the American with Disabilities Act.

The grantee has agreed to manage and maintain the facilities for 25 years, pursuant to the terms and conditions of the grant. If at any time during the life of the project, the grantee is unable to manage and maintain the project improvements, it will be required to refund an amortized amount of grant funds based on the number of years left on the project life.

The proposed funding breakdown for the project is as follows:

<b>Wildlife Conservation Board</b>	<b>\$967,500.00</b>
University of California Los Angeles	967,500.00
<b><u>TOTAL AVAILABLE FUNDING</u></b>	<b><u>\$1,935,000.00</u></b>

Project costs will be for construction and installation of structures/infrastructure, deck, utilities, roof canopy, solar and road upgrades; and project design, construction supervision, and administration.

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund, (Proposition 84), Section 75055(b)(3). This funding may be granted to the University of California for the Natural Reserve System for the construction and development of facilities that will be used for research and training to improve the management of natural lands and the preservation of California's wildlife resources and is consistent with the objectives of this project. The project is exempt from the California Environmental Quality Act (CEQA) under Class 2, Section 15302, and Class 3, Section 15303, of Categorical Exemptions, California Code of Regulations, Title 14, as replacement or reconstruction of existing structures and facilities involving negligible or no expansion of use and construction and location of a limited number of new, small facilities or structures. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Mr. McCamman asked if there were any questions or comments about this project. Mr. Donnelly pointed out that within Proposition 84, we may spend up to \$25 million to match with UC funding for the benefit of refurbishing facilities, building or rebuilding facilities. Mr. McCamman asked if it has to be consistent with our conservation goals or do we just use it as a mechanism to provide matching funding. Mr. Donnelly replied that we try to get both. Ms. Finn asked if the facilities were destroyed by a wild fire. Mr. Fien confirmed that it was because of a wild fire and not the result of faulty facilities. Mr. Donnelly acknowledged that a letter of support for this project was received from Senator Fran Pavley.

Mr. McCamman asked if there were any additional questions or comments about this item. There were none.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$967,500.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b)(3); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$967,500.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b)(3); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.**

**Motion carried.**

32. Los Cerritos Wetlands \$6,180,000.00  
Orange County

This project has been withdrawn from consideration at this time.

Mr. Donnelly reported that the Wildlife Conservation Board was selected in 2009 as a recipient of J. Martin Conservationist of the Year Award.

Mr. Donnelly acknowledged that we have two significant retirements coming up. Ms. Bonnie Turner of our staff is retiring after 23 years of State service, the last eight of them with the Wildlife Conservation Board (WCB); and Ms. Debbie Townsend is retiring after 34 years of State service, the last nineteen of them with the WCB. Mr. Donnelly expressed his appreciation for Ms. Turner and Ms. Townsend extraordinary service to the Board.

With no further business to discuss, the meeting was adjourned at 11:57 A.M.

Respectfully submitted,

John Donnelly  
Executive Director

## PROGRAM STATEMENT

At the close of the meeting on May 27, 2010, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$2,167,885,726.06. 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 .....	\$16,006,219.06
B. Fish Habitat Preservation, Development & Improvement .....	43,777,760.90
Reservoir Construction or Improvement .....	\$ 5,605,699.00
Stream Clearance and Improvement.....	30,358,422.68
Stream Flow Maintenance Dams.....	542,719.86
Marine Habitat .....	3,046,619.07
Fish Screens, Ladders and Weir Projects .....	4,224,300.29
C. Fishing Access Projects.....	53,460,123.95
Coastal and Bay .....	\$ 4,612,013.11
River and Aqueduct Access .....	17,600,441.93
Lake and Reservoir Access.....	10,494,815.87
Piers .....	20,752,853.04
D. Game Farm Projects.....	146,894.49
E. Wildlife Habitat Acquisition, Development and Improvement.....	1,991,790,112.09
Wildlife Areas (General) .....	405,795,721.74
Miscellaneous Wildlife Habitat Development.....	21,897,787.32
Wildlife Areas/Ecological Reserves, (Threatened, Endangered or Unique Habitat) .....	712,478,829.89
Land Conservation Area .....	12,987,940.18
Inland Wetlands Conser. Grants & Easements ....	25,727,132.11



Riparian Habitat Conser. Grants & Easements ....	64,070,149.73
Other Wildlife Habitat Grants .....	748,832,551.12
F. Hunting Access Projects .....	636,898.57
G. Miscellaneous Projects (including leases) .....	20,664,382.65
H. Special Project Allocations.....	1,712,294.13
I. Miscellaneous Public Access Projects .....	39,167,585.15
State Owned .....	2,221,506.19
Grants .....	36,946,078.96
J. Sales and/or exchanges .....	523,455.07
K. Natural Heritage Preservation Tax Credit Act (tax credits awarded)...	(48,598,734.00)
Statutory plans .....	(0.00)
Corridors, wetlands, wildlife habitat, streams and riparian habitat .....	(6,234,658.00)
Agricultural lands .....	(13,775,640.07)
Water and water rights.....	(0.00)
State and local parks, open space and archaeological resources .....	(28,588,435.93)
 Total Allocated to Projects	 \$2,167,885,726.06