

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
 February 24, 2011

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* Proposed Consent Calendar

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WILDLIFE CONSERVATION BOARD

Minutes

February 24, 2011

The Wildlife Conservation Board met on Thursday, February 24, 2011, 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. Jim Kellogg, President of Fish and Game Commission; Assembly Member Michael Allen; Assembly Member Richard Gordon; Ms. Marie Liu, Senator Pavley's representative; Ms. Diane Colborn, Assembly Member Huffman's representative; Mr. John Donnelly, Executive Director of the Wildlife Conservation Board, and Ms. Natalya Kulagina, Mr. Donnelly's Executive Assistant.

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

Jim Kellogg, Member
President, Fish and Game Commission

JOINT LEGISLATIVE ADVISORY COMMITTEE

Marie Liu
Vice, Senator Fran Pavley

Assembly Member Michael Allen

Assembly Member Richard Gordon

Diane Colborn
Vice, Assembly Member Jared Huffman

EXECUTIVE DIRECTOR

John P. Donnelly

Wildlife Conservation Board Staff Present:

John P. Donnelly, Executive Director
Dave Means, Assistant Executive Director
Peter Perrine, Assistant Executive Director
Roxanne Woodward, Budget and Fiscal Officer
Scott McFarlin, Public Land Management Specialist IV
Debbie Townsend, Senior Land Agent (R.A.)
Natalya Kulagina, Executive Assistant
Liz Yokoyama, Senior Land Agent
Colin Mills, Staff Counsel
Nancy Templeton, Staff Counsel
Brian Gibson, Senior Land Agent
William Gallup, Senior Land Agent

Erin Ingenthron, Office Technician
Jasen Yee, Associate Budget Analyst
Terry Roscoe, Public Land Management Specialist IV
Randy Nelson, Senior Land Agent
Chad Fien, Public Land Management Specialist IV
Celestial Baumbach, Office Technician
Mary Westlake, Staff Services Analyst
Teri Muzik, Senior Land Agent
Jon Wilcox, Senior Land Agent
Marilyn Cundiff, Public Land Management Specialist IV
Tony Chappelle, Public Land Management Specialist IV

Others Present:

David Mayer, Department of Fish & Game
Eric Haney, Department of Fish & Game
Kim McKee, Department of Fish & Game
Jennifer Navicky, Department of Fish & Game
Anna Miloy, Department of Fish & Game
Eric Kleinfelter, Department of Fish & Game
Carl Studebaker, Department of Fish & Game (retired)
Paul Willis, Grenada Irrigation District
Jeff Calvert, CAL FIRE
Russ Henly, CAL FIRE
Barry Brewer, Assembly Member's Chesbro Office

Mary Beth Woulfe, US Fish & Wildlife
April McCusker, City of San Diego
Jeanne Krosch, City of San Diego
Lane MacKenzie, City of San Diego
Dave Flynn, County of San Luis Obispo
Mercy Santoro, City of Claremont
Paul Edelman, Mountains Recreation Conservation Authority
Art Harwood, Redwood Forest Foundation, Inc.
Richard Geinger, Redwood Forest Foundation, Inc.
Candace Scarlatos, Redwood Forest Foundation, Inc.
Don Kemp, Redwood Forest Foundation, Inc.
Kathleen Moxon, Redwood Forest Foundation, Inc.
Melinda Marks, San Joaquin River Conservancy
Steve Townley, Townley Brothers
Richard Rock, Piedmont, CA

Senator Noreen Evans
Assembly Member Wesley Chesbro
Secretary John Laird, Natural Resources Agency
Jason Rhine, CA Outdoor Heritage Alliance
Chadd Santerre, CA Waterfowl Association
Fred Neighbor, Northcoast Regional Land Trust
Ryan Wells, Northcoast Regional Land Trust
Jim Whalen, J. Whalen Associates
John Howell, Arroyo Foothills Conservancy
Tim Pricer, Charles Mountain Ranch
Brian Beck, Western Riverside County
Regional Conservation Authority
Chris Kelly, The Conservation Fund
Bob Hammond, Rocky Mountain Elk Foundation
Gage Dayton, UCSC Natural Reserve System
John Ranlett, Ducks Unlimited, Inc.
Chris Micheli, A & M
Joseph Breider, San Mateo, CA
Gary Black, GID
Brady Moss, Trust for Public Land
Riti Dhesi, Trust for Public Land
Dan Martin, Trust for Public Land
Mankey Bavingen, Trust for Public Land
Rebecca Tatum, CNRA
Aicen Wong, GSNT
Stephen Jamieson, SSJ
Anthony Ortiz, Beale Air Force Base

Mr. McCamman congratulated and welcomed Mr. John Laird, Secretary of the Natural Resources Agency. Mr. Laird expressed his strong support and appreciation of the Board's work. Mr. Laird said that because much of the Board's work is bond-driven, it is important to have successful bond sales, but we have to upright the budget first. Mr. Laird commented that he is working hard with the Governor's team on this issue. Mr. Laird stated that he wanted to confirm that he is fully aware and excited about what the Board does and looks forward to working together in any way he can as we move forward.

Mr. McCamman thanked Mr. Laird for his input and commented that this Board is often quiet, but very important to the State. Mr. Kellogg added that Mr. Laird has a history of being one of the brilliant past legislatures and that he brings a brilliance to the Secretary's position to the benefits of this State.

Mr. McCamman commented if someone from the public wishes to speak on an item, they need to fill out a speaker card. Mr. McCamman asked if there were any questions or comments. There were none. Mr. McCamman turned the meeting over to Mr. Donnelly.

Mr. Donnelly welcomed everyone to the Wildlife Conservation Board February 2011 meeting and reported that the first item on the agenda is an information item. Mr. Donnelly commented that this item recaps the Board's funding balances to date, shows the budget amounts as well as the previous Board's allocations, and unallocated balance that remains.

Mr. Donnelly said that he would like to give the attendees an idea of Board's existing cash, and provided each Board member with a chart showing that information. Mr. Donnelly reported that we have a considerable amount of bond proceeds available, but the actual cash that we have to work with is somewhat reduced. Mr. Donnelly explained that the Board has been successful in the last year and a half with the bond sales going back to March and fall of 2009, and again in 2010. Mr. Donnelly reported that under Proposition 12 we received a total of \$7,214,165.15, we expended a total of \$4,831,048.76, we have an existing obligation of \$333,523.06, and the current balance on the books is \$2,499,593.33. Mr. Donnelly reported that under Proposition 40 we received \$52,487,474.69, we expended \$24,758,531.94, we have an additional obligation to expend an additional \$7,497,464.10, and the remaining balance is \$20,231,478.65. Mr. McCamman asked if this information is on the Board's web site. Mr. Donnelly responded that it is not, but certainly could be. Mr. Donnelly reported that under Proposition 50 we received \$99,161,920.79, we expended \$26,608,933.25, and we have an obligation to expend \$43,881,944.43 with the current balance of cash under Proposition 50 at \$28,671,043.11. Mr. Donnelly reported that

under Proposition 84 we received \$185,719,637.97, we have allocated a total of \$85,383,400.63, and we have an obligation to expend \$17,118,211.21 with the remaining current balance of \$83,218,026.13. Mr. Donnelly reported that the overall grand total we received out of the 2009-2010 bond sales was \$357,840,996.82; we have expended \$142,728,587.76; we currently have obligations to expend \$68,831,142.80, and the current remaining balance of that total amount is \$146,281,266.26.

Mr. Donnelly asked if there were any questions about this item. Ms. Finn thanked Mr. Donnelly for the information and commented that the information was presented per her request, so that the Board understand the difference between their appropriation authority and how much cash is actually available. Ms. Finn added that one of the reasons the Governor's budget this year did not propose any bond sales this spring is that there are so many proceeds sitting in the bank that the Department of Finance, in consultation with the Governor's office, felt that they need time for agencies to really analyze what they have. Ms. Finn reported that there is approximately a total of \$13 billion sitting in bond cash accounts that needs to be analyzed by the departments before we sell more bonds.

Mr. McCamman asked if the column named "Encumbrance Obligations" means by the action of the Board. Mr. Donnelly confirmed that this is correct.

2. Funding Status – Informational

(a) 2010-11 Wildlife Restoration Fund Capital Outlay Budget

Budget Act	\$1,000,000.00
Previous Board Allocations	<u>-117,000.00</u>
Unallocated Balance	\$883,000.00

(b) 2010-11 Habitat Conservation Fund Capital Outlay Budget

Budget Act	\$20,668,000.00
Previous Board Allocations	<u>-35,000.00</u>
Unallocated Balance	\$20,633,000.00

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

Budget Act	\$20,668,000.00
Previous Board Allocations	<u>-738,900.00</u>
Unallocated Balance	\$19,929,100.00

(d)	2008-09 Habitat Conservation Fund Capital Outlay Budget	
	Budget Act	\$20,668,000.00
	Previous Board Allocations	<u>-9,883,930.00</u>
	Unallocated Balance	\$10,784,070.00
(e)	2006-07 Habitat Conservation Fund Capital Outlay Budget	
	Budget Act	\$20,699,000.00
	Previous Board Allocations	<u>-9,382,727.30</u>
	Unallocated Balance	\$11,316,272.70
(f)	2006-07 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund Capital Outlay Budget	
	Budget Act (2010-11 Reappropriation)	\$15,224,000.00
	Previous Board Allocations	<u>-12,790,109.00</u>
	Unallocated Balance	\$2,433,891.00
(g)	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
	Previous Board Allocations	<u>-27,515,085.39</u>
	Unallocated Balance	\$8,584,914.61
(h)	2004-05 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund Capital Outlay Budget (2010-11 Reappropriation)	
	Budget Act (San Joaquin River Conservancy Projects)	\$11,000,000.00
	Previous Board Allocations	<u>-2,416,815.00</u>
	Unallocated Balance	\$8,583,185.00
(i)	Chapter 983, Statutes of 2002, Oak Woodlands Conservation Act	
	Budget Act (2009-10 Reappropriation)	\$4,800,000.00
	Previous Board Allocations	<u>-4,586,689.51</u>
	Unallocated Balance	\$213,310.49
(j)	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
	Previous Board Allocations	<u>-191,319,667.83</u>
	Unallocated Balance	\$81,680,332.17

(k)	2003-04 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 Capital Outlay Budget (Section 79568)	
	Budget Act (2010-11 Reappropriation)	\$32,500,000.00
	Previous Board Allocations	<u>-21,681,299.35</u>
	Unallocated Balance	\$10,818,700.65
(l)	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
	2003-04 Budget Act Transfer to HCF from Section 79565	-21,000,000.00
	2004-05 Budget Act Transfer to HCF from Section 79565	-21,000,000.00
	2005-06 Budget Act Transfer to HCF from Section 79565	-4,000,000.00
	2005-06 Budget Act Transfer to HCF from Section 79572	-3,100,000.00
	2006-07 Budget Act Transfer to HCF from Section 79572	-17,688,000.00
	2007-08 Budget Act Transfer to HCF from Section 79572	-5,150,000.00
	2008-09 Budget Act Transfer to HCF from Section 79572	-1,000,000.00
	Previous Board Allocations	<u>-660,430,078.61</u>
	Unallocated Balance	\$80,981,921.39
(m)	2010-11 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)	\$3,380,000.00
	Previous Board Allocations	<u>-0.00</u>
	Unallocated Balance	\$3,380,000.00
(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
	Previous Board Allocations	<u>-0.00</u>
	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
	Previous Board Allocations	<u>-0.00</u>
	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 (2010-11 Reappropriation)	
	Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
	Previous Board Allocations	<u>-75,000.00</u>
	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 75055(c))	\$10,000,000.00
	Previous Board Allocations	-0.00
	2010-11 Budget Act Reversion	<u>-3,000,000.00</u>
	Unallocated Balance	\$7,000,000.00
(r)	2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Chapter 2, Statutes of 2009 (SB 8)	\$24,000,000.00
	Previous Board Allocations	<u>-0.00</u>
	Unallocated Balance	\$24,000,000.00
(s)	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 75055(c))	\$25,000,000.00
	Previous Board Allocations	<u>-4,747,900.00</u>
	Unallocated Balance	\$20,252,100.00
(t)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget (2010-11 Reappropriation)	
	Budget Act (NCCP Section 75055(c))	\$25,000,000.00
	Previous Board Allocations	<u>-13,887,872.00</u>
	Unallocated Balance	\$11,112,128.00
(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)(1)), (2010-11 Reappropriation)	\$14,293,000.00
	Previous Board Allocations	<u>-8,464,968.00</u>
	Unallocated Balance	\$5,828,032.00
(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)(2)), (2010-11 Reappropriation)	\$14,293,000.00
	Previous Board Allocations	<u>-11,654,444.00</u>
	Unallocated Balance	\$2,638,556.00
(w)	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)), (2010-11 Reappropriation)	\$4,762,000.00
	Previous Board Allocations	<u>-1,795,600.00</u>
	Unallocated Balance	\$2,966,400.00
(x)	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
	Previous Board Allocations	<u>-14,490,000.00</u>
	Unallocated Balance	\$150,210,000.00
	Continuously Appropriated (Section 75055(b))	\$123,525,000.00
	Previous Board Allocations	<u>-68,150,633.50</u>
	Unallocated Balance	\$55,374,366.50

RECAP OF FUND BALANCES

Wildlife Restoration Fund (a)	\$883,000.00
Habitat Conservation Fund (b), (c), (d) and (e)	\$62,662,442.70
Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (f) and (g)	\$11,018,805.61
California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund (h), (i) and (j)	\$90,476,827.66
Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (k) and (l)	\$91,891,576.81
Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w) and (x)	\$312,686,582.50

**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

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

3. Proposed Consent Calendar (Items 4—19)

Mr. Donnelly requested item #13 (Ramona Conservation Easement, Riverside County) be withdrawn from Consent Calendar and be presented by staff at the appropriate time.

Mr. Donnelly reported that several letters of support were received for the following projects presented in Consent Calendar:

- **Item #*6** (Yuba Highlands, Phase I Yuba County)
Letters of support received from: Mr. Dan L. Steinmetz, Asset Optimization Element Chief, Department of the Air Force, Headquarters 9th Reconnaissance Wing (ACC), Beal Air Force Base, California; Mr. Gregory S. Capra, Deputy Base Civil Engineer, Department of Air Force, Headquarters 9th Reconnaissance Wing (ACC), Beal Air Force Base, California; Mr. Glenn Nader, University of California Cooperative Extension, Livestock & Natural Resources Advisor, Yuba, Shatter and Butte Counties, University of California; Mr. Gary B. Gallelli, Yuba Foothills Associates, LLC
- **Item #*14** (Upper Mission Creek/Big Morongo Canyon Conservation Area, Riverside County)
Letter of support received from: Mr. Dan Silver, Executive Director, Endangered Habitat League
- **Item #*15** (Western Riverside County MSHCP (2006), Expansion 5, Riverside County)
Letter of support received from: Mr. Dan Silver, Executive Director, Endangered Habitat League
- **Item #*16** (Arroyo Toad, Long Potrero (2006 RLA), San Diego County)
Letter of support received from: Mr. Dan Silver, Executive Director, Endangered Habitat League
- **Item #*17** (East Elliot and Otay Mesa, Multiple Properties, San Diego County)
Letter of support received from: Mr. Dan Silver, Executive Director, Endangered Habitat League

- **Item #*18** (Jacumba Peak, San Diego County)
Letter of support received from: Mr. Dan Silver, Executive Director,
Endangered Habitat League

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

Ms. Finn had a question about item #11 (Big Creek Reserve CEQA and Planning, Monterey County). Ms. Finn said that in this item it says that the funding is for design and planning for possible future facilities and asked if there is any requirement in our grant that they (University of California) actually fund themselves the constructions of those future facilities that the design money won't go to waste. Mr. Donnelly responded that there is no obligation and explained that the majority of the funding would probably go toward CEQA work, planning, construction and engineering designing of whatever facilities are being proposed. Mr. Donnelly added that without actually having CEQA completed, and then having the Board have the ability to consider those CEQA findings that were completed, we probably legally can't go forward and require somebody to confirm that they are going to build this project because the project may never happen but they are not going to know that until they go through the planning necessary to propose the project. Ms. Finn expressed her concern authorizing expenditures in a planning effort that may not come to fruition. Ms. Finn asked if maybe we could have some future consideration of some type of acknowledgement that the grantees will maybe required to pay back the funding if a possible future project does not take place for some reason. Ms. Finn added that if there is nothing going to come out of a bunch of blueprints and CEQA, she will be concerned with this type of project. Mr. McCamman commented that WCB attorneys are the experts on CEQA process and asked Mr. Donnelly to provide some review on that process. Mr. Donnelly clarified if that is in relation to the bonds themselves. Ms. Finn confirmed that this is in relation to the Proposition 84 money.

Mr. McCamman asked if there were any additional questions about items on the Consent Calendar. There were none.

- *4. Approval of Minutes — November 18, 2010

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve the minutes the minutes of the November 18, 2010 meeting.

Motion carried.

*5. Recovery of Funds

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

\$0.00 to the **Habitat Conservation Fund**
\$12,815.00 to the **Inland Wetlands Conservation Fund**
\$51,621.77 to the **Wildlife Restoration Fund**
\$317,326.50 to the **California Clean Water, Clean Air, Safe
 Neighborhood Parks, and Coastal
 Protection Fund**
\$29,960.00 to the **Safe Drinking Water, Water Quality and
 Supply, Flood Control, River and Coastal
 Protection Fund of 2006**

HABITAT CONSERVATION FUND

Elkhorn Slough Ecological Reserve, Expansion 17, Monterey County

Allocated	\$2,638,377.00
Expended	<u>-2,638,377.00</u>
Balance for Recovery	\$0.00

Wetland Conservation Easement Program, Holmestead Farms #4, Yuba County

Allocated	\$269,449.00
Expended	<u>-269,449.00</u>
Balance for Recovery	\$0.00

Total Habitat Conservation Fund **\$0.00**

INLAND WETLANDS CONSERVATION FUND

Wetland Conservation Easement Program, Holmestead Farms #4, Yuba County

Allocated	\$370,551.00
Expended	<u>-357,736.00</u>
Balance for Recovery	\$12,815.00

Total Inland Wetlands Conservation Fund **\$12,815.00**

WILDLIFE RESTORATION FUND

Woodbridge Ecological Reserve Crane Viewing Shelter, San Joaquin

County

Allocated	\$170,176.00
Expended	<u>-118,554.23</u>
Balance for Recovery	\$51,621.77

Total Wildlife Restoration Fund **\$51,621.77**

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

Bruin Ranch Phase I, Placer County

Allocated	\$4,515,000.00
Expended	<u>-4,501,368.00</u>
Balance for Recovery	\$13,632.00

Elkhorn Slough Ecological Reserve, Expansion 17, Monterey County

Allocated	\$845,000.00
Expended	<u>-845,000.00</u>
Balance for Recovery	\$0.00

Elkhorn Slough Ecological Reserve, Expansion 17 Augmentation, Monterey County

Allocated	\$1,219,000.00
Expended	<u>\$915,305.50</u>
Balance for Recovery	317,326.50

Total California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund **\$928,937.50**

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

Alamo Creek Conservation Easement, San Luis Obispo County

Allocated	\$2,220,000.00
Expended	<u>-2,219,594.00</u>
Balance for Recovery	\$406.00

Jenner Headlands, Sonoma County

Allocated	\$8,010,000.00
Expended	<u>-8,000,000.00</u>
Balance for Recovery	\$10,000.00

Lemon Canyon Ranch, Sierra County

Allocated	\$1,057,000.00
Expended	<u>-1,052,000.00</u>
Balance for Recovery	\$5,000.00

Millar Ranch Oak Woodlands Conservation Easement, Madera County

Allocated	\$1,860,000.00
Expended	<u>-1,860,000.00</u>
Balance for Recovery	\$0.00

Quail Ridge Reserve, Napa County

Allocated	\$310,000.00
Expended	<u>-305,334.00</u>
Balance for Recovery	\$4,666.00

Santa Cruz Sandhills, Santa Cruz County

Allocated	\$1,510,000.00
Expended	<u>-1,503,042.00</u>
Balance for Recovery	\$6,958.00

Whitewater Floodplain Conservation Area, Riverside County

Allocated	\$5,000.00
Expended	<u>-2,070.00</u>
Balance for Recovery	\$2,930.00

Total Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 **\$29,960.00**

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve the Recovery of Funds for the projects listed on pages 7 through 9 of the agenda and close the project accounts. Recovery totals include \$0.00 to the Habitat Conservation Fund; \$12,815.00 to the Inland Wetlands Conservation Fund; \$51,621.77 to the Wildlife Restoration Fund; \$928,937.50 to the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund; \$29,960.00 to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006.

Motion carried.

- *6. Yuba Highlands, Phase I \$15,000.00
Yuba County

This proposal was to consider the acceptance of a fifty percent (50%) assignment of interest in a conservation easement for the Department of Fish and Game (DFG) over 833± acres from the Trust for Public Land (TPL), as part of a cooperative project between the United States Department of Defense (DOD), Secretary of the Air Force, the California Department of Transportation and the Yuba Foothills Association. The conservation easement will help protect oak woodlands, riparian woodlands and agricultural open space areas in perpetuity and provide an open space buffer for Beale Air Force Base and the DFG Spenceville Wildlife Area.

LOCATION AND SURROUNDING USES

The subject property is located approximately 4 miles southwest of Smartsville. Grass Valley and Penn Valley are located several miles east, and Marysville and Yuba City lie directly west of the site. The property is situated between the DFG's Spenceville Wildlife Area on the east and north and the Beale Air Force Base on the south and west. The property is also located within the DFG's Lower Yuba Watershed Conceptual Area Protection Plan (CAPP) area and identified as a priority site for protection. The CAPP and surrounding area are located in the first series of foothills rising up from the east side of the Sacramento Valley, comprised mainly of grassland and oak savanna areas. Most of the surrounding uses include agricultural grazing, large rural residential development and public open space.

PROJECT DESCRIPTION

The subject property consists of two separate parcels. One is approximately 700 acres and the other is 133 acres. The parcels are separated by an area that is proposed for a future conservation easement referred to as Phase 2. The two parcels are to be connected by trail/access easements conveyed by the property owner as part of this transaction, so that easement holder can monitor both sites. These trail/access easements are not intended for public use between the two parcels. The larger 700 acre portion abuts north western section of the Wildlife Area. The 133 acre portion abuts Beale Air Force Base. The property was zoned for "single family residential" as part of the River Highlands Eastern Community Plan Area which use allows development of up to 2 – 2.3 houses per acre. The property was recently rezoned by the owner to agriculture and lower density rural residential zoning.

This subject sites consists of rolling hills and grasslands with a small dispersion of oak trees. The property is currently used for seasonal cattle grazing, which will continue under the terms of the easement. The

property supports deer and mountain lion, as well as numerous bird species. Both areas separately provide expanded protected wildlife and buffer areas for the Wildlife Area and Beale Air Force Base. The conservation easement will help create a safety area for DOD by increasing the distance between any future residential development, thereby reducing its general liability or incompatibility with respect to any current/future military training and testing on the adjacent Beale Air Force Base property.

WCB PROGRAM

The proposed acquisition of the easement for this project is being carried out under the land acquisition program at WCB. The acquisition program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) to acquire areas that can successfully sustain wildlife and provide for suitable recreation opportunities. Under this program acquisition activities are carried out in conjunction with the DFG, evaluating the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to DFG's Regional Operations Committee (ROC) for review and approval and later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

According to the terms of the conservation easement, DFG will take the primary role in monitoring and enforcing the terms of the conservation easement; however, the DOD shall at all times retain equal rights to monitor and enforce as a Grantee to the easement. DFG has determined that existing staff resources in the amount of approximately \$788 annually will be sufficient to monitor the conservation easement, which will be adjunct with activities on the Spenceville Wildlife Area. Since the conservation easement is on private land, public access will be restricted. Livestock grazing practices will be permitted to continue in perpetuity conserving the property's natural resource values, which includes the protection of native oaks. The conservation easement will also serve in providing a national defense buffer for the Beale Air Force Base.

TERMS

The approved fair market value of the conservation easement being assigned to the State is \$2,103,325.00, based on an independent appraisal of the property, reviewed and approved by the Department of General Services (DGS). Acceptance by the State of a fifty percent (50%) in the conservation easement would result in a joint ownership by the DFG and DOD, subject to the terms of a Conservation Easement Deed. Following the assignment of a fifty percent (50%) interest to the State, DFG will be responsible for monitoring the conservation easement according to the Deed.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

U.S. Department of Defense	\$1,250,000.00
Department of Transportation	350,000.00
Landowner Contribution	<u>503,325.00</u>
Total Value of the Conservation Easement	\$2,103,325.00
Other Project Related Costs	\$15,000.00
TOTAL WCB ALLOCATION	\$15,000.00

It is estimated that \$15,000.00 will be needed for internal project-related expenses, including title insurance, escrow fees, review charges by the DGS, and the Department of Finance.

FUNDING SOURCE

The proposed funding source is the Habitat Conservation Fund (Proposition 117), Section 2786(a) that allows for the acquisition and protection of deer, oak woodland and mountain lion habitat and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$15,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(a) to cover 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; allocate \$15,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(a) to cover 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.

- *7. San Joaquin Multi-Species Conservation Plan (2007) – Barron Contra Costa County \$978,930.00

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Planning Land Acquisition grant and the approval to subgrant these federal funds to the East Contra Costa County Habitat Conservancy (ECCCHC), and to consider a Wildlife Conservation Board grant to ECCCHC for a cooperative project with the East Bay Regional Park District (EBRPD) to acquire 798± acre of land for the protection and preservation of existing regional wildlife linkages, including valley floor and foothill grassland, oak woodland, oak woodland savannah, riparian woodland, emergent wetland, and vernal pool habitat areas within the East Contra Costa County Natural Community Conservation Plan/Habitat Conservation Plan.

LOCATION AND SURROUNDING USES

The property is located south of the City of Pittsburg, in unincorporated Contra Costa County. The area south of Pittsburg consists primarily of rolling hills and grassland areas, with the predominate use being agriculture grazing. Residential subdivision development has been encroaching on the project area from the north and east, as the Bay Area continues to grow in population and geographic size. More recently a number of new wind energy sites have also been developed in the area.

This property is located within the East Contra Costa County Natural Community Conservation Plan/Habitat Conservation Plan. Over the past year the WCB, USFWS, ECCCHC and EBRPD have partnered to acquire just over 5,000 acres within the MSCHP planning area, creating essential habitat and connectivity for multiple species whose populations or habitat span the two counties covered by the two habitat conservation plans.

PROJECT DESCRIPTION

The acquisition of the subject property will provide for the protection and preservation of existing regional wildlife linkages, including valley floor and foothill grassland, oak woodland, oak woodland savannah, riparian woodland, emergent wetland, and vernal pool habitat areas. This acquisition will help establish a northwest-southeast movement corridor for the endangered San Joaquin kit fox and will protect habitat for the conservation of the threatened California red-legged frog. The property

has historically been vacant, with a limited amount of agriculture/grazing occurring.

WCB PROGRAM

The proposed grant and subgrant for this project are being made under the land acquisition program at WCB. The acquisition program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) to acquire areas that can successfully sustain wildlife and provide for suitable recreation opportunities. Under this program acquisition activities are carried out in conjunction with the Department of Fish and Game (DFG), evaluating the biological values of property and whether or not to recommend it for funding. The U.S. Fish and Wildlife Service grant proposed for this project has been reviewed and approved by DFG substantiating the biological values of the project and recommending it for funding.

MANAGEMENT OBJECTIVES AND NEEDS

When acquired, this property will be managed by the EBRPD. Funding of future management activities for this property will be provided by wind turbine and cell tower lease revenue from subsequent acquisitions within the MSHCP area. It is anticipated that the MSHCP area will offer passive recreational uses, as the habitat is maintained in conjunction with other properties to form the East Contra Costa County Natural Community Conservation Plan/Habitat Conservation Plan.

TERMS

ECCCHC proposes to purchase the property from the owner at the appraised fair market value of \$2,952,600.00, as approved by the Department of General Services (DGS) and the USFWS. The non-federal funds requirement will be provided by EBRPD tax revenues and a WCB grant to ECCCHC, in the amount of \$973,930.00. The terms and conditions of the proposed subgrant and grant to the ECCCHC provide that staff of the WCB will review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of breach of the grant terms, the WCB can require the Grantee to encumber the property with a conservation easement and seek reimbursement of the grant funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$ 973,930.00
WCB – Subgrant of USFWS funds	\$1,328,670.00

East Bay Regional Park District	<u>\$ 650,000.00</u>
TOTAL Purchase Price	\$2,952,600.00
Other Project Related Costs:	5,000.00
Total WCB Allocation	978,930.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related expenses, including DGS appraisal review costs.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(c) that allows for the acquisition and protection of habitat that assists in the establishment of Natural Community Conservation Plans and is consistent with the purposes of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 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.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of a Habitat Conservation Planning Land Acquisition Grant from USFWS in the amount of \$1,328,670.00 and approve a subgrant of the federal funds to the East Contra Costa County Habitat Conservancy; allocate \$978,930.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(c)(SB8) 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of a Habitat Conservation Planning Land Acquisition Grant from USFWS in the amount of \$1,328,670.00 and approve a subgrant of the federal funds to the East Contra Costa County Habitat Conservancy; allocate \$978,930.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(Proposition 84), Section 75055(c)(SB8) 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.

- *8. San Joaquin River Parkway, \$180,000.00
River Vista Public Access Planning and Environmental Review
Madera County

This proposal was to consider the allocation for a grant to the San Joaquin River Conservancy (SJRC) to implement environmental review and facilitate public participation pursuant to the California Environmental Quality Act (CEQA) for public access at the SJRC's River Vista property, on the San Joaquin River Parkway (Parkway).

LOCATION AND SURROUNDING USES

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

The 105± acre River Vista property, acquired by the WCB and transferred to SJCR in 2007, is located on the Parkway immediately downstream of the Road 206 crossing in Madera County. The site runs parallel to the river for approximately one mile.

PROJECT DESCRIPTION

The site-specific environmental studies will include public participation and coordination with partners, responsible and trustee agencies, such as State Parks, the County of Madera, State Lands Commission, and Department of Fish and Game (DFG). The environmental review will include the evaluation of special site conditions, such as safeguarding the public near the old broken bridge at the Road 206 crossing and protecting cultural resources that may be present. It is anticipated the site is large enough and potential improvements minimal enough to avoid significant impacts to protected species or cultural resources, if any.

WCB PROGRAM

The WCB's Habitat Enhancement and Restoration Program and Public Access Program provide the basis for WCB's ability to fund habitat

restoration and fund public access projects State-wide. In addition, funds were allocated to the WCB within the California' Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40) to be provided to the SJRC for the acquisition, development, rehabilitation, restoration and protection of land and water resources.

MANAGEMENT OBJECTIVES AND NEEDS

Once constructed, it is expected that the River Vista public access being evaluated by this project will be operated and maintained by the California Department of Parks and Recreation, Millerton Lake State Recreation Area (MLSRA), by supplementing an existing agreement for their services at the nearby Friant Cove. The Conservancy uses lease revenues in the San Joaquin River Conservancy Fund to contract with MLSRA for services to keep Friant Cove open seven days a week. MLSRA fully supports completing the necessary environmental review for public access at River Vista, with the intention of providing operations, maintenance, and patrol services for an incremental cost increase in the services agreement.

The proposed project is intended to meet the objectives of both the SJRC and State Parks in expanding recreational opportunities and providing water-based recreation in immediate proximity to existing facilities and services.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board \$180,000.00

Project costs will be for resources assessment, public participation, CEQA initial study/environmental review, and project management.

FUNDING SOURCE

The proposed funding source for this project is the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650(b)(5). This funding provides for the acquisition, development, rehabilitation, restoration and protection of land and water resources consistent with the SJRC's mission and the Parkway Master Plan and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

There is no possibility that this project, which involves feasibility and planning studies for possible future actions which have not been approved, adopted or funded, may have a significant effect on the environment. It is therefore exempt from CEQA under CEQA Guidelines Sections 15061(b)(3). The proposed project is included among the high priority projects recommended by the Interagency Project Development

Committee, whose role is to evaluate projects to be considered by the SJRC Board, and the project was accepted by the SJRC Board.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$180,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; allocate \$180,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

Motion carried.

- *9. San Joaquin River Parkway \$350,000.00
Master Plan Update and EIR
Madera and Fresno Counties

This proposal was to consider the allocation for a grant to the San Joaquin River Conservancy (SJRC) to update the San Joaquin River Parkway (Parkway) Master Plan and implement environmental review and facilitate public participation pursuant to the California Environmental Quality Act (CEQA) for the entire Parkway in Fresno and Madera Counties.

LOCATION AND SURROUNDING USES

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

PROJECT DESCRIPTION

The goal of the project is to prepare a comprehensive, updated San Joaquin River Parkway Master Plan (Master Plan), including environmental review and public participation pursuant to CEQA.

The SJRC Board adopted the Master Plan and certified the San Joaquin River Parkway Interim Master Plan Environmental Impact Report in December 1997. The Master Plan sets forth goals, objectives and policies for developing the Parkway. Very little land had been secured for the Parkway at the time; therefore, the Master Plan is very conceptual in nature and includes very little site-specific information or analyses.

Approximately two-thirds of the 5,900 acres planned to be acquired to build the Parkway is now in public ownership by the Conservancy and its many partners. Many habitat enhancement projects and public access and recreation facilities are realities, included in approved plans, or are presented in conceptual plans. The Master Plan can now be more specific about many of the proposed trails facilities and features. Further, the partner agencies can develop a common vision for Parkway projects, without undue duplication of visitor centers, staging areas, etc.

Although the Master Plan's foundation is established in the 1997 version, the project will still require a large investment in funds, staff time, agency involvement, and public participation. Since the time of Master Plan adoption, significant changes in regulations, land use policies, and natural resources management plans have occurred. Many of these changes present the need or opportunity to review and revise concepts and policies included in the Master Plan.

WCB PROGRAM

The WCB's Habitat Enhancement and Restoration Program and Public Access Program provide the basis for WCB's ability to fund habitat restoration and public access projects State-wide. In addition, funds were allocated to the WCB within the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Act (Proposition 40) to be provided to the SJRC for the acquisition, development, rehabilitation, restoration and protection of land and water resources.

MANAGEMENT OBJECTIVES AND NEEDS

The project will allow for environmental studies, public participation, and coordination with partners and responsible and trustee agencies, such as State Parks, the County of Madera, the County of Fresno, the City of Fresno, State Lands Commission, and Department of Fish and Game (DFG). The updated Master Plan will identify management responsibilities for all existing protected lands within the Parkway and will make management recommendations for future acquisitions and developments.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$350,000.00
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Project costs will be for resources assessment, public participation, CEQA document, and project management.

FUNDING SOURCE

The proposed funding source for this project is the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650(b). This funding provides for the acquisition, development, rehabilitation, restoration and protection of land and water resources consistent with the SJRC's mission and the Parkway Master Plan and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

There is no possibility that this project, which involves feasibility and planning studies for possible future actions which have not been approved, adopted or funded, may have a significant effect on the environment. It is therefore exempt from CEQA under CEQA Guidelines Sections 15061(b)(3). The proposed project is included among the high priority projects recommended by the Interagency Project Development Committee, whose role is to evaluate projects to be considered by the SJRC Board. The project was accepted by the SJRC Board June 9, 2010.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$350,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; allocate \$350,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

Motion carried.

- *10. San Joaquin River Parkway, \$563,970.00
Jensen River Ranch Phase II Habitat Restoration
Fresno County

This proposal was to consider the allocation for a grant to the San Joaquin River Parkway and Conservation Trust (River Parkway Trust) for a cooperative project with the San Joaquin River Conservancy (SJRC) to restore 67± acres of wetland and riparian habitat on the San Joaquin River Parkway (Parkway) just east of Highway 41 in the City of Fresno, Fresno County.

LOCATION AND SURROUNDING USES

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

The 167± acre Jensen River Ranch, acquired by the WCB in 1997 and subsequently transferred to the SJRC, is located on the Parkway near the junction of Highway 41, northeast of the City of Fresno, in Fresno County. Phase I was restored by the Department of Water Resources in the fall of 2007 and consisted of the 100± acres south of the D/K storm water channel, which roughly divides the property into north and south halves. Planning and design for the restoration of the remainder of the property lying north of the D/K storm water channel was approved by the WCB in May 2008. A project to construct the underlying infrastructure for the northern portion was approved by the WCB in November 2010.

PROJECT DESCRIPTION

Completing the Jensen River Ranch Project is the SJRC and the Interagency Project Development Committee's (IPDC) highest priority restoration project. The IPDC serves to provide recommendations to the San Joaquin River Conservancy staff and Board on priorities for bond funds for both land acquisitions and projects. The recommended action will enable the River Parkway Trust to restore habitat in the fall and winter of 2011 and maintain it for three years until the habitat is self-sustaining. This is the final element for completing the Jensen River Project. The scope of work includes the following:

1. Weed eradication, which includes mowing, spraying, spot treatment, and manual methods to eliminate bull thistle, and star thistle, and reduce pasture grasses to allow the new native plants to thrive;

2. The development of a revegetation plan, which includes preparing a planting plan and securing appropriate trees and shrubs. The River Parkway Trust has developed expertise in the selection, purchasing, placement, and cultivation of native plants for the project site. The revegetation design will include soil testing, developing a plant layout utilizing the DWR-installed irrigation system, and GIS mapping to track plant success and plant replacement needs. Plants are secured from sources that propagate stock from San Joaquin River sources;
3. Revegetation includes disking and ripping to prepare the cells within the site as necessary, planting irrigated cells with thousands of trees and shrubs, and seeding the site with native grasses. Habitat restoration seeding and planting will be initiated with the onset of 2011-12 rainy season; and
4. Plant establishment maintenance includes providing irrigation and maintenance to optimize native plant establishment for a three-year period and will include operating and maintaining the riparian pump and drip irrigation system, weeding, monitoring and replacing plants as necessary. The goal of the project is to have self sustaining habitat once the plants are weaned from irrigation.

WCB PROGRAM

The WCB's Habitat Enhancement and Restoration Program provide the basis for WCB's ability to fund habitat restoration State-wide. In addition, funds were allocated to the WCB within California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40) to be provided to the SJRC for the acquisition, development, rehabilitation, restoration and protection of land and water resources.

MANAGEMENT OBJECTIVES AND NEEDS

The 167± acre Jensen River Ranch is owned by SJRC. The SJRC, as the landowner, will be responsible for managing the property after the project is complete, as it does at present. As it does for all of its properties, the SJRC maintains fences and gates, maintains grazing and other leases, removes illegal dumping and nuisances, addresses citizen complaints, coordinates with the local mosquito abatement districts, performs fire prevention activities, and maintains access licenses with stewardship and educational groups. The proposed project will not significantly increase current management demands and should even lower them as native vegetation will reduce the need for weed and fire management.

The River Parkway Trust has been a partner in the overall Jensen Ranch project, and received from the California Natural Resources Agency a River Parkways Grant to plant, irrigate, and maintain the habitat

restoration component of Phase 1. The River Parkway Trust's work on that project is on-going. Funding for habitat restoration planting and maintenance for Phase II was brought to and approved by the SJRC Board in November 2010.

Existing recreational access has been and will continue to be managed by the City of Fresno and will not change with this proposed habitat restoration project.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$563,970.00
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Project costs funded by the WCB will include the development and finalization of a restoration plan, the eradication of weeds, planting, irrigating, and maintaining the site over a three-year period.

FUNDING SOURCE

The proposed funding source for this project is the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Section 5096.650(b)(5). This funding provides for the acquisition, development, rehabilitation, restoration and protection of land and water resources consistent with the SJRC's mission and the Parkway Master Plan and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The SJRC has approved this proposal and recommends it for funding by the WCB. As lead agency, the SJRC adopted a Mitigated Negative Declaration for the project pursuant to the provisions of the California Environmental Quality Act (CEQA) in March 2002. Staff considered the Negative Declaration and has prepared proposed written findings documenting WCB's compliance with CEQA. Subject to approval by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt written findings and approve this project as proposed; allocate \$563,970.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board adopt written findings and approve this project as proposed; allocate \$563,970.00 from the California Clean Water, Clean Air, Safe

Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

Motion carried.

- *11. Big Creek Reserve CEQA and Planning \$450,000.00
Monterey County

This proposal was to consider the allocation for a grant to the Regents of the University of California, on behalf of UC Santa Cruz, to complete design, planning, and California Environmental Quality Act (CEQA) review and documents for possible future facility improvements at the Landels-Hill Big Creek Reserve, located approximately 16 miles south of the community of Big Sur in Monterey County.

LOCATION AND SURROUNDING USES

Landels-Hill Big Creek Natural Reserve (Big Creek) is a 4,200-acre ecological reserve located along the Big Sur coast of Central California. The reserve was established in 1978 as an off-campus field station that supports biological research and education in a natural setting. Big Creek is bordered to the north and east by federally designated wilderness, to the south by 5,500 private acres, and to the west by the Pacific Ocean. Big Creek protects a 24 square mile watershed that harbors steep gradients and diverse vegetation and geology, resulting in high biodiversity. Big Creek's terrestrial reserve is directly adjacent to the no-take Big Creek State Marine Protected Area (SMPA), providing marine research opportunities there and in the Monterey Bay National Marine Sanctuary.

PROJECT DESCRIPTION

The project will consist of the planning and design phase for three separate areas for possible future facilities on Big Creek: at the Coyote Creek site (Director's residence and workshop on the lower floor with additional steward residence above), a new bunkhouse for researchers at the Entrance Area, and modifications to facilities at Whale Point. Planning for these projects will be managed by UC Santa Cruz Physical Planning and Construction in collaboration with Big Creek staff and independent contractors. This project will cover all required and necessary feasibility and planning studies, including design (architectural, structural, construction, etc.), environmental review, feasibility studies (alternatives etc.), technical studies (e.g. structural engineering, storm water, traffic analysis, biological and cultural resources, visual simulations, etc.), and review for fire safety and accessibility in accordance with the Americans with Disabilities Act.

WCB PROGRAM

Under Proposition 84, the Wildlife Conservation Board (WCB) received funding to provide matching grant dollars to the University of California for the Natural Reserve System (UCNRS) for land acquisitions, 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 UCNRS 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. To implement this funding, the WCB and the UCNRS developed guidelines for selecting eligible projects. This also included establishment of a UCNRS Ad Hoc Advisory Subcommittee to review and set priorities for project proposals prior to submittal to the WCB.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$450,000.00
University of California Santa Cruz	450,000.00
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$900,000.00</u>

Project costs will be for design, planning, feasibility studies and CEQA review and documents.

FUNDING SOURCE

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

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The purpose of this project, in part, is to determine the level of environmental review needed for possible future improvements and to prepare the appropriate environmental documents. There is no possibility that this project, which involves feasibility and planning studies for possible future actions which have not been approved, adopted or funded, may have a significant effect on the environment. It is therefore exempt from CEQA under CEQA Guidelines Sections 15061(b)(1) and (3) and 15262. The project was vetted through the UCNRS's Ad Hoc Subcommittee and recommended for funding.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$450,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b)(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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; allocate \$450,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b)(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.

- *12. DFG Land Management Plans, \$69,000.00
Central Coast Region, Phase II Augmentation
San Luis Obispo

This proposal was to consider the allocation for an amendment to an existing grant to the California Wildlife Foundation (CWF) to develop appropriate environmental documentation pursuant to the California Environmental Quality Act for the Land Management Plan for the Carrizo Plain Ecological Reserve located in San Luis Obispo County.

LOCATION AND SURROUNDING USES

The Carrizo Plain Ecological Reserve (CPER) in San Luis Obispo County is over 39,500 acres in size, comprised of the Chimineas Unit (30,196 acres); the Panorama Unit (2,897 acres); the American Unit (6,341 acres); and the Elkhorn Unit (160 acres). The CPER is located in eastern San Luis Obispo County, approximately halfway between the Cities of San Luis Obispo to the west and Bakersfield to the east. The nearest community to the area is the small town of McKittrick, approximately 20 miles to the east.

The Wildlife Conservation Board (WCB), the Department of Fish and Game (DFG), and The Nature Conservancy (TNC) have partnered for many years to acquire the various units of the Carrizo Plain Ecological Reserve. The Elkhorn Unit was the founding parcel, 160 acres on the Elkhorn Plain, acquired by DFG in 1971. In the late 1980s, the WCB, TNC and DFG collaborated on acquisition of both the Panorama and American

Units (2,897 and 6,341 acres respectively). These three units are within the boundaries of what used to be known as Carrizo Plain Natural Area, largely owned by the U.S. Bureau of Land Management (BLM) and managed by a partnership of TNC, DFG and BLM. The Carrizo Plain Natural Area was designated as the Carrizo Plain National Monument in January, 2000. The three units are now within the boundaries of the National Monument.

These three original units are comprised of annual grassland, with some perennial grasses, and a shrub savannah type which is endemic to the southern San Joaquin valley and inner coast ranges, locally termed "Upper Sonoran sub-shrub scrub". These vegetation types are typical of the Carrizo Plain National Monument, and provide habitat for a number of State and federally listed species such as San Joaquin kit fox (CA Threatened and Federally Endangered); giant kangaroo rat (CA and Federally Endangered), blunt-nosed leopard lizard (CA and Federally Endangered), San Joaquin antelope squirrel (California Threatened), California jewel flower (CA and Federally Endangered), and San Joaquin woolly-threads (Federally Endangered). Other sensitive species associated with these habitats include American badger, short-eared owl, burrowing owl and grasshopper sparrow, as well as species of interest to DFG such as pronghorn antelope and Tule elk.

In 2002 and 2004, the Chimineas Unit was acquired by the WCB, adding another 30,196 acres to the property and linking the Carrizo Plain National Monument to the Los Padres National Forest. The property features a diverse mosaic of native plant communities, including oak woodlands, native and non-native grasslands, coastal scrub, chaparral and juniper woodland. Historically used for dryland farming and cattle grazing, the Chimineas Unit is managed by the DFG as an ecological reserve to maintain and enhance the native species and communities it was acquired in order to protect. The vegetation of the unit is very diverse, including annual grassland, oak woodland, juniper woodland, Upper Sonoran sub-shrub scrub, sage scrub and riparian associated with streams, seeps and ponds. This diversity of habitats support a wide array of animal species, including several special status species such as southwestern pond turtle, California red-legged frog, grasshopper sparrow, short eared owl, tri-colored blackbird, giant kangaroo rat and San Joaquin kit fox, as well as important ungulates such as pronghorn and tule elk. An inventory of the plant life is on-going, and it is expected that a number of sensitive plant species will also be encountered on the Chimineas Unit.

PROJECT DESCRIPTION

The DFG is the steward of properties acquired throughout the State by the WCB for various purposes, and as such, follows policies relating to management and enhancement of wildlife and the habitats on which they

depend, while providing appropriate public use on those lands. Many of these areas are managed pursuant to existing Land Management Plans (LMP), but some areas either have never had LMPs developed for them, or are managed under plans that are out of date. As such, in 2002, the WCB was granted the authority to provide funding to prepare LMPs for those areas acquired in fee by the WCB. In 2006, under this program, the WCB granted funds to the CWF to prepare a LMP for the CPER.

Once the grant was underway, a number of unforeseen situations arose that resulted in delays and increased costs. First, the state bond freeze in December 2008 resulted in a six month delay in work and the necessity to remobilize workforce. Second, the unexpected closure of the Center for Archaeological Research meant that a second contract for archaeological assessment needed to be developed and finalized. Third, property boundary discrepancies were identified, which led the DFG to change the reserve boundary used for planning purposes, necessitating additional work to re-analyze spatial data and adjust text and maps. And finally, litigation over current management activities prompted a critical need to finalize the plan. This project will provide funding necessary to complete the appropriate CEQA documentation for the plan.

WCB PROGRAM

Under Proposition 40, the WCB received funding specifically to prepare management plans for properties acquired in fee by the WCB.

PROJECT FUNDING

The WCB is the sole source for funding the Project. Project costs of \$69,000.00 will be for the preparation, circulation, and finalization of the appropriate environmental documentation under the California Environmental Quality Act for the LMP for the CPER.

FUNDING SOURCE

The proposed funding source for this project is the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650. The source provides funding to prepare management plans for properties acquired in fee by the WCB and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The DFG has reviewed this proposal and recommends it for funding by the Board. There is no possibility that this project may have a significant effect on the environment. It is therefore not subject to CEQA (CEQA Guidelines Section 15061(b)(3)).

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$69,000.00 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 Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; allocate \$69,000.00 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 Department of Fish and Game to proceed substantially as planned.

Motion carried.

13. Ramona Conservation Easement \$383,000.00
Riverside County

Per Mr. Donnelly's request, this item was pulled from Consent Calendar for discussion.

This proposal was to consider the acquisition of a conservation easement for the Department of Fish and Game (DFG) over 89± acres of land for protection of open space, wetland and upland habitat located near the southwestern edge of Mystic Lake in the community of Lakeview in Riverside County.

Mr. William Gallup, Senior Land Agent with the Wildlife Conservation Board, read a statement describing the property, project, and the intent of the conservation easement, as follows:

The property is located westerly of Gilman Springs Road and northerly of Bridge Street in community of Lakeview within the San Jacinto Valley. The subject property has common boundaries with the San Jacinto Wildlife Area (Wildlife Area). The property is about 18 miles southeast of the City of Riverside. The City of Moreno Valley is about 5 miles north of the subject.

The subject property has historically been a hunting club. The total ownership is about 92 acres with the southerly 2 acres of

the ownership subject to a Conditional Use Permit #03464 (CUP) issued by the County of Riverside. The conservation easement does not include any of the land covered or described in the CUP. No new buildings, structures or improvements are allowed other than fencing. The landowner is reserving the right to shoot only non-toxic ammunition.

At this moment, Mr. McCamman introduced and welcomed Senator Noreen Evans, who spoke in support of item #24 (Usal Forest Conservation Easement, Mendocino County). Ms. Evans said that she is very interested and supportive of this project. Ms. Evans mentioned that the Usal forest was her grandfather's favorite place to visit; at that time, it was not developed as a State park, and many of ruins of the village that was previously there still remained at the site. Ms. Evan said that this summer was the first time she visited the Usal forest and Usal beach and the Enchanted Forest, which is part of that area, and she was able to see why her grandfather loved it so much. Ms. Evans said that she was delighted to find out that this project was on the Wildlife Conservation Board agenda and offered her heartfelt support and urged the Board to take action to approve this project.

Mr. McCamman thanked Senator Evans for her comments and asked Mr. Gallup to continue with the agenda item.

Mr. Gallup continued with the prepared statement. The conservation easement covers approximately 89 acres of privately owned land and accomplishes the goals of the DFG by preserving the open space, seasonal wetlands and habitat values complimenting the existing Wildlife Area. The conservation easement terms prohibits all commercial and industrial activities other than the continuation of existing uses associated with the adjacent hunt club, permitted by Riverside County CUP, and passive recreation uses. With this acquisition nearly all of the southwestern side of Mystic Lake will be protected. The conservation easement does not grant approval for any potential future actions. Uses and activities that are consistent with the conservation easement can only be carried out to the extent allowed by law. The current use of the property is as a hunt club and that use is expected to continue. The management of the property will be the responsibility of the property owners with little or no cost to the Department of Fish and Game. The property will be monitored for compliance by the County of Riverside as outlined by the CUP and approved by the Board of Supervisors. The appraised value of the conservation easement is \$358,000 as approved by the

Department of General Services. The owners have agreed to sell the easement for the appraised price.

DFG has requested the acquisition of this conservation easement and the only action before the Board for consideration is the purchase of a conservation easement interest that would limit future uses of the property. Staff recommends approval of the acquisition as proposed.

LOCATION AND SURROUNDING USES

The subject property is adjacent to Mystic Lake and shares a common boundary with the Wildlife Area. Mystic Lake is located in the San Jacinto Valley of southern California, southeast of the City of Riverside and Moreno Valley, 18 miles and 10 miles respectively. The community of Lakeview is located about 4 miles to the southwest of the subject property. The western boundary of this 9,000-acre wildlife area is contiguous with the Lake Perris State Recreation Area, placing a total in excess of 16,200 acres under public ownership and protection.

The upland areas and hills surrounding the lowland floodplain of Mystic Lake are dominated by Riversidian sage scrub. There are areas of intermixed patches of non-native grasslands which are found in both the upland and alkali flat areas. There are numerous threatened and endangered plants associated with Mystic Lake area including the thread-leaved brodiaea, San Jacinto saltbush and spreading navarretia. The San Jacinto valley area, including Mystic Lake, supports 38 species of amphibians and reptiles. Mammal species are well represented and range from the desert shrew to the southern mule deer. The Stephen's kangaroo rat found in the area is also on the State and federal threatened and endangered lists.

Over 240 species of birds have been recorded in the San Jacinto Valley since 1982. Twenty-two over-wintering raptor species are known to utilize the San Jacinto Valley including the osprey, ferruginous hawk, golden eagle and short-eared owl. The San Jacinto Valley consistently ranks in the top one to two percent in species diversity for the North American Christmas Bird Counts. Historically, the San Jacinto Valley/Mystic Lake has always been an important southern California wintering and nesting area for migratory shorebirds and waterfowl. There have been three federal or State-listed endangered birds sighted on or near the Mystic Lake area including the bald eagle, the peregrine falcon and the California brown pelican.

PROJECT DESCRIPTION

The property is currently being operated as a private duck club and the activities of the club are in harmony with the wildlife area. The

conservation easement area contains wetlands and surrounding upland areas managed by the current property owner primarily for waterfowl. Acquisition of the proposed conservation easement will ensure permanent open space and continue to provide wetlands complimenting the existing wildlife area. The County of Riverside has approved a Conditional Use Permit authorizing the Grantor to operate a hunting club on approximately two acres contiguous to the proposed conservation easement. These two acres are not within the boundaries of the proposed conservation easement.

WCB PROGRAM

The proposed acquisition is being made under the land acquisition program at WCB. The acquisition program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, et seq.) to acquire areas that can successfully sustain wildlife and provide for suitable recreation opportunities. Under this program acquisition activities are carried out in conjunction with the DFG, evaluating the biological values of property and whether or not to recommend it for funding.

MANAGEMENT OBJECTIVES AND NEEDS

The acquisition of this conservation easement is important to the protection of the area as it will place nearly all of the southwestern shoreline of Mystic Lake under protection through either conservation easement or fee ownership. The property is also within the DFG's approved Natural Community Conservation Plan (NCCP) in western Riverside County. The permanent protection of this property will contribute to the NCCP plan and provide for the protection of habitat, open space and special-status species that are native to the area.

The DFG has recommended acquisition of the conservation easement as it will provide a significant benefit to the area. The terms and conditions of the conservation easement will limit the use of the property by the owners to activities compatible with management of wetlands and adjoining upland areas. Management and monitoring of the conservation easement will be carried out by DFG, using wildlife area personnel with little or no increase in management costs.

TERMS

The property owner has agreed to sell a conservation easement over an approximately 89± acre portion of the property to the State at the appraised fair market value of \$358,000.00, as approved by the Department of General Services (DGS). WCB will review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	<u>\$358,000.00</u>
TOTAL Purchase Price	\$358,000.00
Other Project Related Admin. Costs	25,000.00
TOTAL WCB ALLOCATION	\$383,000.00

It is estimated that an additional \$25,000.00 will be needed to cover project-related expenses, including appraisal, DGS review costs and closing costs. The administrative costs of this project are somewhat higher than normal due to the need for additional appraisal services caused in part when the project was delayed by the “bond freeze”.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b) that allows for the acquisition and protection of habitat that protects significant natural landscapes and ecosystems such as wetland areas and implements the recommendations of the California Comprehensive Wildlife Strategy and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 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.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$383,000.00 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 acquisition and 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.

Mr. Gallup introduced Ms. Anna Milloy from the Department of Fish and Game; Ms. Allison Wong, the landowner’s representative; Mr. Jason Rhine from the CA Outdoor Heritage Alliance; and Mr. Chadd Santerre from the CA Waterfowl Association, who all were in the audience and available to answer questions.

Mr. Jason Rhine of the CA Outdoor Heritage Alliance introduced himself and spoke in support of this project. Mr. Rhine said that the landowner has gone above and beyond to deal with some of the issues that were in place, worked with the County of Riverside, and the County is very supportive of this project; Mr. Rhine added that this project is critically important to preserving wetlands in Southern California and urged the Board to approve this project.

Mr. Chadd Santerre of the California Waterfowl Association spoke in support of this project. Mr. Santerre said that he strongly supports this project and urged the Board to allow the conservation easement. Mr. Santerre mentioned that in 2008 a collaborative effort between the North American Wetlands Conservation Act, as well as CA Waterfowl Association and the landowners completely restored this property. Mr. Santerre said that the restoration on these wetlands would make them more manageable and will benefit waterfowl.

Mr. Donnelly reported that the letters of support for this project were received from the following people: Mr. Bill Gaines, President, CA Outdoor Heritage Alliance; Mr. Dan Silver, Executive Director, Endangered Habitats League; Mr. Michael Eberhard, District 5/Southern California Board of Director, CA Waterfowl Association; Mr. Brian Beck, Analyst, Western Riverside County Regional Conservation Authority; Mr. John Carlson, President, CA Waterfowl Association; Mr. William Dyer, Owner, Mystic Lake Duck Club; Mr. Dean Brown, Member, Mystic Lake Duck Club; Mr. Dave Woodward, Conservation Committee, San Bernardino Valley Audubon Society.

Mr. Donnelly also reported that two letters of opposition were received for this project: one from Mr. Tom Paulek and another from Ann Turner-McKibben, from Friends of the Northern San Jacinto Valley (Friends).

Mr. Donnelly stated that the issue raised by Mr. Paulek and the Friends is the impacts of the conservation easement, particularly related to Conditional Use Permit (CUP) development site; as it was explained by Mr. Gallup, this project is not a part of the CUP site. Mr. Donnelly pointed out that Mr. Paulek asked that his letter be a part of the record and indicated that the letter will be attached to the minutes**. Mr. Donnelly summarized the three points Mr. Paulek makes in his letter, with first point being the impacts of commercial hunting and shooting facilities. Mr. Donnelly stated that this conservation easement prohibits any new building structures or improvements, other than a perimeter fence on the property. The only commercial uses that will be allowed on the property are hunting and passive recreational uses that do not impair the conservation values. Commercial hunting uses that are allowed under the conservation easement are limited to hunting associated with the continued use of the adjacent 2-acre hunting club, as authorized by the County of Riverside's CUP.

**Located on page 118 of this document

The second point in Mr. Paulek's letter was prohibition on use of lead shot. Mr. Donnelly reported that federal and State laws require non-lead ammunition to be used for waterfowl hunting. In addition, the Riverside County's CUP, issued to the landowner, prohibits the use of lead shot for all hunting and practice activities on the entire 92-acre site. Mr. Donnelly stated that Ramona Duck Club has amended its bylaws to prohibit the use of lead shot.

Another point of Mr. Paulek's letter was related to water quality and the impacts of that. This conservation easement requires and stipulates that no activities shall occur on the site that could detrimentally impact water quality. Mr. Paulek's last point was the entrance gate. Mr. Donnelly reported that there is a County-maintained road that goes through this property and through the Wildlife Area; there was a gate at the entrance to the Wildlife Area. As part of CUP, Riverside County required that the landowner take that gate down. The gate has been removed.

Mr. Donnelly stated that he believes that all of the objections provided to the Board under Mr. Paulek's letter are adequately addressed. Mr. Donnelly recommended the Board to approve this project.

Mr. Kellogg asked Mr. Donnelly to clarify whether it was the County's ordinance to control the use of lead shot in that area or Club's ordinance to control the use of lead shot on that property. Mr. Donnelly confirmed that it was a condition of the CUP that was issued for 2-acre project site.

Ms. Finn stated that it says in Mr. Paulek's letter that the gate has not been taken down. Ms. Finn asked if the gate is open or truly gone. Mr. Donnelly confirmed that the gate is truly gone and called for Ms. Allison Wong to provide more details on that question.

Ms. Allison Wong, attorney for Ramona Duck Club, introduced herself. Ms. Wong said that the gate had been removed and the posts remain, and before the gate was removed, it had been unlocked for four months. Ms. Wong stated that Ramona Duck Club amended their by-laws to prohibit the use of lead shot in all activities on the two acres, and since the conservation easement relates to only permitted uses, as authorized by the CUP, the conservation easement is also subject to the same restrictions as the CUP, and the CUP prohibits the use of lead shot. Mr. McCamman asked if there were any additional comments or questions about this item. There were none.

It was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; allocate \$383,000.00 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 acquisition and 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 acknowledged the presence of Assembly Member Wesley Chesbro, who was in the audience.

Assembly Member Chesbro thanked the Board for always being willing to hear him out when he gets a chance to attend the Board meeting. Assembly Member Chesbro pointed out the convenience of holding the Board meetings in the State Capitol. Assembly Member Chesbro said that he represents 300 miles of California coastal fish and wildlife habitat and that he is here to support three projects. The first project was Usal Redwood Forest. Assembly Member Chesbro said that this project will protect the forest itself, future ecological integrity and economic vitality and will provide the expanded public access to coastal resources. Assembly Member Chesbro added that this project has a fairly rare attribute that involves community-based forestry where there is a broad array of community interest of those who have participated in the development of this project and who will economically and environmentally benefit from the long-term sustainability of this project.

Assembly Member Chesbro also supported item #22, Charles Mountain Ranch, Phase I, Humboldt County; and item #23, Gualala River Forest Conservation Easement, Mendocino County. Assembly Member Chesbro pointed out that acquiring lands such as working forests addresses local economic problem of needing to have future jobs and revenue and tax dollars paid to local counties. All of these attributes result from having working forest in which the long-term landowners made the commitment to a conservation of the resources while providing ongoing economic activities. Assembly Member Chesbro expressed his strong support for these three projects.

Mr. McCamman thanked Assembly Member Chesbro for his comments.

- *14. Upper Mission Creek/Big Morongo Canyon Conservation Area
Riverside County \$10,000.00

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service Conservation Habitat Planning Land Acquisition grant and the approval to subgrant these funds to the Coachella Valley Conservation Commission (CVCC) to acquire 40± acres of private land within the Upper Mission Creek / Big Morongo Canyon Conservation Area. 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.

LOCATION AND SURROUNDING USES

The property is located west of Desert Hot Springs and north of Highway 10. The City of Palm Springs is approximately 5 miles south of the property. This acquisition is part of the Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan (NCCP) approved for the Coachella Valley portion of Riverside County (Coachella Valley MSHCP).

The surrounding topography is desert dunes and blowsands found specifically within the Coachella Valley. This habitat continues to be threatened by ongoing urban development, off-road vehicle use, invasive species, and the loss of sand source. Historically these habitats have 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 habitats. Placement of this area into public ownership will help add a protective buffer from the developing residential and agriculture lands surrounding this project. With the support of partners, the State and the Federal Government have conserved a total of 47,800 acres within the Coachella Valley MSHCP.

PROJECT DESCRIPTION

The property consists of vacant desert land zoned for residential development. The acquisition will protect the property from residential subdivision and 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 federal grant, the land conserved provides habitat for several listed 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.

WCB PROGRAM

The proposed acquisition and subgrant of federal funds is being made under the land acquisition program at WCB. The acquisition program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) and enables the WCB to pursue acquisitions on behalf of the Department of Fish and Game and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under this program acquisition activities are carried out in conjunction with the DFG, evaluating the biological values of property and whether or not to recommend it for funding. The U.S. Fish and Wildlife Service grant proposed for acceptance for this project has been reviewed and approved by DFG substantiating the biological values of the project and recommending it for subgrant funding.

MANAGEMENT OBJECTIVES AND NEEDS

When acquired, this property will be 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 the Coachella Valley Multiple Species Conservation Plan/Natural Community Conservation Plan.

TERMS

CVCC proposes to purchase the property from the owner at the appraised fair market value of \$350,000.00, as approved by the Department of General Services (DGS). The proposed Agreement to Subgrant the federal funds provided by the USFWS Habitat Conservation Planning Land Acquisition Grant will provide the entire purchase price. The non-federal funds requirement will be provided by the CVCC through the encumbrance of an in-kind property. The CVCC will cover all escrow-related expenses including title insurance and escrow fees. The terms and conditions of the proposed subgrant to the CVCC provide that staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of breach of the subgrant terms, the WCB can require the subgrantee to encumber the property with a conservation easement and seek reimbursement of the subgrant funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

WCB – Subgrant of USFWS funds	<u>\$350,000.00</u>
TOTAL Purchase Price	\$350,000.00
Other Project Related Costs	10,000.00

Total WCB Allocation

\$10,000.00

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

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(c) that provides funding for grants to implement or assist in the establishment of NCCPs and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve the project as proposed; approve the acceptance of a Habitat Conservation Planning Land Acquisition Grant from USFWS in the amount of \$350,000.00 and approve the subgrant of the federal funds to the Coachella Valley Conservation Commission; allocate \$10,000.00 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 Mr. Kellogg 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 \$350,000.00 and approve the subgrant of the federal funds to the Coachella Valley Conservation Commission; allocate \$10,000.00 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.

Motion carried.

- *15. Western Riverside County MSHCP (2006), \$10,000.00
Expansion 5
Riverside County

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Planning Land Acquisition grant and the approval to subgrant these federal funds to the County of Riverside to acquire 71± acres of land for protection of habitat supporting threatened and endangered species and to increase regional wildlife habitat corridors and linkages located in the Western Riverside County Multiple Species Habitat Conservation Plan area. The project will help implement the Western Riverside County Multiple Species Habitat Conservation Plan (Western Riverside County MSHCP) area by protecting habitat for threatened and endangered species and critical wildlife linkage corridors in southwestern Riverside County.

LOCATION AND SURROUNDING USES

The loss of habitat in southern California has resulted in the development of several habitat conservation plans in the region, one of which is the Western Riverside County MSHCP. This plan, in total, covers a 1.2 million acre plan area and 146 species. The key component of the plan's success is to assemble a 500,000 acre conservation area to secure survival of the 146 species. This acreage goal includes approximately 346,000 acres of existing public and quasi-public lands and 153,000 acres of additional non-public land that needs to be conserved. To date, approximately 43,034 of the 153,000 acres of habitat have been acquired using a combination of local, State and federal funding.

The subject property is located south of Highway 74 (Florida Avenue) and west of the San Diego Aqueduct, immediately west of the City of Hemet. The property is considered to be within the San Jacinto River area portion of the Western Riverside County MSHCP, bracketed by the Cities of San Jacinto and Hemet, and the San Jacinto Mountains to the north and east. The area encompasses most of the San Jacinto River floodplain and the associated low lying alluvial plains along the foothills of the Lakeview Mountains to the northwest. The area is relatively flat alluvial plain at about 1,450 feet in elevation, with several canyons draining from the higher mountains to the east. In addition to providing a connection to conserved lands owned by the County to the southeast of the subject, on a regional basis the property will provide linkages to various reserves across the broader landscape including the Department of Fish and Game's (DFG) San Jacinto Wildlife Area and Lake Perris State Park further north, and the Diamond Valley Lake Reserve located further south.

PROJECT DESCRIPTION

The subject property is located in a critical conservation area within the Western Riverside County MSHCP, identified as a “noncontiguous habitat block”. This habitat block consists of a large complex of vernal pools located immediately west of the City of Hemet. This habitat block is connected to conserved lands located further west at Canyon Lake via a constrained linkage which is Salt Creek.

The subject property contains important biological resources, including vital habitat for vernal pool species and other biological species. The vernal pool habitat and strongly saline-alkali soils on the property support vernal pool fairy shrimp, California Orcutt grass, Davidson’s saltscale, San Jacinto Valley crowscale, Coulter’s goldfields, little mousetail, thread-leaved brodiaea, vernal barley and spreading navarretia.

WCB PROGRAM

The proposed subgrant of federal funds is being made under the land acquisition program at WCB. The acquisition program is administered pursuant to the Board’s original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) and enables the WCB to pursue acquisitions on behalf of the DFG and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under this program acquisition activities are carried out in conjunction with the Department of Fish and Game (DFG), evaluating the biological values of property and whether or not to recommend it for funding. The U.S. Fish and Wildlife Service grant proposed for this project has been reviewed and approved by DFG substantiating the biological values of the project and recommending it for funding.

MANAGEMENT OBJECTIVES AND NEEDS

The subject property is being acquired by the County of Riverside, Economic Development Agency. The County anticipates that it will transfer the property to the Western Riverside County Regional Conservation Authority (Authority) which will have responsibility to manage the site as part of the Western Riverside County MSHCP Reserve System to provide permanent protection of habitat and populations of federal and State-listed endangered and threatened species that occupy the Reserve, and to increase regional wildlife habitat cores and linkages that will connect existing habitat Reserve areas through Western Riverside County. As part of its obligation under the plan, the Authority retains a Reserve Manager to ensure that management actions are consistent with the plan. The plan sets forth the financing for implementation of an endowment to provide for monitoring and management in perpetuity. Management costs of the acquired parcels will be provided by operating funds from the Authority.

TERMS

The property owner has agreed to sell the property for the Department of General Services (DGS) and the USFWS approved appraised fair market value of \$10,185,000.00. The proposed Agreement to Subgrant the federal funds provided by the USFWS Habitat Conservation Planning Land Acquisition Grant will provide \$4,622,400.00 toward the purchase price. The non-federal funds requirement will be provided by the County through a funding contribution of \$5,562,600.00 and in-kind services of staff time in the amount of \$87,000.00. The County will also cover all escrow-related expenses including title insurance and escrow fees. The terms and conditions of the proposed subgrant to the County provide that staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the subgrant terms, the WCB can require the subgrantee to encumber the property with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

WCB – Subgrant of USFWS funds	\$ 4,622,400.00
County of Riverside	<u>5,562,600.00</u>
TOTAL Purchase Price	\$10,185,000.00
Other Project Related Costs:	\$ 10,000.00
Total WCB Allocation	\$ 10,000.00

It is estimated that \$10,000.00 will be needed for the WCB administrative expenses, which includes DGS appraisal review costs.

FUNDING SOURCE

The proposed funding source for this project is the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Section 5096.350 (a)(5) that provides matching funds for the acquisition and protection of habitat or habitat corridors that promote the recovery of threatened and endangered species or fully protected species and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open

space. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse. The DFG has reviewed this proposal and recommends it for approval.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of the USFWS Habitat Conservation Planning Land Acquisition Grant in the amount of \$4,622,400.00 and the subgrant of the federal funds to the County of Riverside; allocate \$10,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Section 5096.350(a)(5) 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of the USFWS Habitat Conservation Planning Land Acquisition Grant in the amount of \$4,622,400.00 and the subgrant of the federal funds to the County of Riverside; allocate \$10,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Section 5096.350(a)(5) 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.

- *16. Arroyo Toad, Long Potrero (2006 RLA) \$46,000.00
San Diego County

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) Recovery Land Acquisition grant and the approval to subgrant these federal funds to The Back Country Land Trust (BCLT) and to consider a Wildlife Conservation Board (WCB) grant to the BCLT to assist with the acquisition of 132± acres for protection of oak woodlands, riparian forests, vernal pools and watershed and upland habitat areas that support the federally endangered arroyo toad.

LOCATION AND SURROUNDING USES

The BCLT is acquiring two separate parcels of land that are held in title by a common owner, located in the Long Potrero region, a long broad valley adjacent to Hauser Mountain. The two parcels are not adjacent but are located very close to each other near the town of Potrero on State Route

94. Potrero is approximately 45 miles east of downtown San Diego and is within about 3 miles of the U.S. / Mexico border. Long Potrero is adjacent to one of the largest, intact blocks of core habitat in San Diego County comprised of public lands administered by the U.S. Forest Service, Bureau of Land Management and the City of San Diego Water Department and includes the Hauser Mountain Wilderness Study Area and the Hauser and Pine Creek Wilderness Areas.

PROJECT DESCRIPTION

The County of San Diego has adopted the Multiple Species Conservation Program Subarea Plan (MSCP), which is a comprehensive, long-term habitat conservation plan that addresses the needs of multiple species and the preservation of natural vegetation communities in San Diego County. The MSCP addresses the potential impacts of urban growth, natural habitat loss and species endangerment and creates a plan to mitigate for the potential loss of covered species and their habitat due to the direct impacts of future development of both public and private lands within the MSCP area. The subject properties are within the East County portion of the MSCP and support a diversity of natural resources that are rare and declining in San Diego County, including habitats such as oak woodlands, riparian forests, vernal pools and the federally endangered arroyo toad.

WCB PROGRAM

The proposed acquisition grant and federal subgrant is being made under the land acquisition program at WCB. The acquisition program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) and enables the WCB to pursue acquisitions on behalf of the DFG and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under this program acquisition activities are carried out in conjunction with the Department of Fish and Game (DFG), evaluating the biological values of property and whether or not to recommend it for funding. The U.S. Fish and Wildlife Service grant proposed for this project has been reviewed and approved by DFG substantiating the biological values of the project and recommending it for funding.

MANAGEMENT OBJECTIVES AND NEEDS

The BCLT will manage both properties. Since 2003, the BCLT has participated in a 3,600 acre land conservation endeavor in the Long Potrero area in the central-south San Diego County, referred to as Las Californias. Preserving lands within and adjacent to the Hauser Mountain Wilderness Area protects biological and cultural resources and keeps them intact on a landscape scale. BCLT is working together with many partners to accomplish this preservation project, including private

landowners, the U.S. Bureau of Land Management, the Viejas Bank of Kumeyaay Indians, Resources Legacy Fund Foundation, the U.S. Fish and Wildlife Service, San Diego's Center for Spanish Colonial Archeology and the County of San Diego. Both the WCB grant and subgrant agreements require access for WCB, DFG and USFWS staff to monitor at least once every three years.

The BCLT will manage the properties, and both the WCB grant and subgrant agreements require access for WCB, DFG and USFWS staff to monitor at least once every three years.

TERMS

The property owner has agreed to sell the properties for the Department of General Services (DGS) and Federal (USFWS) approved appraised fair market value of \$240,000.00 and \$310,000.00. The USFWS Habitat Conservation Planning Land Acquisition Grant will be subgranted and provide \$513,103.00 toward the purchase price. The BCLT will provide a portion of the non-federal match requirement through the use of in-kind match properties and in-kind goods and services (appraisals, contributed hours). The WCB grant in the amount of \$36,897.00 will be applied toward the purchase prices and provide the remaining non-federal match. The terms and conditions of the proposed WCB grant and subgrant to the BCLT provide that staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant or subgrant terms, the WCB can require the subgrantee to encumber the properties with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$ 36,897.00
WCB – Subgrant of USFWS funds	<u>513,103.00</u>
TOTAL	\$550,000.00
Other Project Related Costs	\$9,103.00
Total WCB Allocation	\$46,000.00

It is estimated that an additional \$9,103.00 will be needed to cover project-related costs, including DGS appraisal review costs.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(c) that provides funding for grants to implement or assist in the establishment of NCCPs and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of the USFWS Recovery Land Acquisition Grant in the amount of \$513,103.00 and the subgrant of the federal funds to The Back Country Land Trust; allocate \$46,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(c) for the acquisition 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of the USFWS Recovery Land Acquisition Grant in the amount of \$513,103.00 and the subgrant of the federal funds to The Back Country Land Trust; allocate \$46,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(c) for the acquisition 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.

- *17. East Elliot and Otay Mesa, Multiple Properties \$5,000.00
San Diego County

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service Habitat Conservation Planning Land Acquisition grant and the approval to subgrant the federal funds to the City of San Diego to assist with the fee acquisition of property from 12 individual landowners totaling 89± acres to protect and preserve core areas of vernal pool habitat and critical habitat linkages that will enhance the existing Multiple Species Conservation Program and the Natural Community Conservation Plan.

LOCATION AND SURROUNDING USES

Five (5) of the properties are located on the western Otay Mesa, south of Highway 905 and east of Highway 805 within the San Diego city limits. The remaining seven (7) properties are located within the Spring Canyon area of the western segment of the East Elliott Community Plan area of San Diego, north of State Route 52 and east of Highway 15 in San Diego County.

The properties are within a Multi-Species Conservation Plan (MSCP) that is a combination of a federally approved Habitat Conservation Plan and a State approved Natural Community Conservation Plan (NCCP). The MSCP covers approximately 900 square miles in southwestern San Diego County and includes the City of San Diego, portions of the unincorporated County of San Diego, and ten other local jurisdictions. The planning area is bordered by Mexico to the south, National Forest lands to the east, the Pacific Ocean to the west and the San Dieguito River Valley to the north.

The City, along with 12 other local jurisdictions, developed the MSCP to address potential impacts from increased development and related infrastructure and the need to protect and preserve important habitat areas and corridors within the 900 square mile area covered under the plan. Together with the wildlife agencies, the local communities developed a conservation plan that addresses both development and wildlife needs within the planning area, along with individual subarea plans that provide the details on how each jurisdiction will implement the plan within its boundaries.

PROJECT DESCRIPTION

The Otay Mesa and East Elliott area are core biological resources in southern San Diego County, but are under threat from nearby development and related external impacts. Protection and preservation of properties in these areas are critical to maintaining regional wildlife linkages, coastal sage scrub, and vernal pool habitat that will further the objectives of the MSCP. Acquisition of the subject properties will contribute to the protection of habitat used by many sensitive species

found in the area. Among these are the California gnatcatcher, San Diego fairy shrimp and burrowing owl. Acquisition of these properties will also benefit several endemic species within the County's subarea plan, including the San Diego thornmint, willow monardella, Otay mesa mint, and the Otay tarplant, only found in San Diego County.

WCB PROGRAM

The proposed acquisition and subgrant of federal funds is being made under the land acquisition program at WCB. The acquisition program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) and enables the WCB to pursue acquisitions on behalf of the DFG and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under this program acquisition activities are carried out in conjunction with the Department of Fish and Game (DFG), evaluating the biological values of property and whether or not to recommend it for funding. The U.S. Fish and Wildlife Service grant proposed for this project has been reviewed and approved by DFG substantiating the biological values of the project and recommending it for funding.

MANAGEMENT OBJECTIVES AND NEEDS

The City will manage the properties in accordance with the MSCP. The City currently monitors and manages over 20,000 acres of City-owned lands. The subject properties will be added to this responsibility. It is anticipated that once the acquisitions are complete and the biological values of the properties are evaluated, appropriate public access will be considered.

TERMS

The landowners have agreed to sell, and the City proposes to purchase the properties at the appraised fair market values as approved by the Department of General Services (DGS) and the USFWS. The non-federal funds requirement is \$2,801,106.00 and will be provided by the City. The City will provide cash towards one of the acquisitions (see the list below, Property 12 – the City will contribute \$90,700.00 toward the purchase price), with the remaining match requirement provided through encumbrance of in-kind property.

Below are the appraised values and the amount of the proposed subgrants:

<u>Landowner</u>	<u>Appraised value</u>	<u>Subgrant amount</u>
1	\$2,100,000.00	\$2,100,000.00
2	\$ 195,000.00	\$ 195,000.00
3	\$ 499,500.00	\$ 499,500.00
4	\$ 280,000.00	\$ 280,000.00

5	\$ 279,000.00	\$ 279,000.00
6	\$ 420,000.00	\$ 420,000.00
7	\$ 90,000.00	\$ 90,000.00
8	\$ 80,000.00	\$ 80,000.00
9	\$ 665,000.00	\$ 665,000.00
10	\$ 105,000.00	\$ 105,000.00
11	\$ 105,000.00	\$ 105,000.00
12	\$ 105,000.00	\$ 14,300.00 (City \$90,700.00)
Total	\$4,923,500.00	\$4,832,800.00

The terms and conditions of the proposed subgrants to the City provide that staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow accounts established for the acquisitions. In the event of a breach of the subgrant terms the WCB can require the subgrantee to encumber the properties with conservation easements and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

WCB – Subgrant of USFWS funds	<u>\$4,832,800.00</u>
City of San Diego	90,700.00
TOTAL Purchase Price	\$4,923,500.00
Other Project Related Costs:	<u>\$ 5,000.00</u>
Total WCB Allocation	\$ 5,000.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related expenses, including DGS appraisal review costs. The City will cover all escrow related expenses including title insurance and escrow fees.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(c) that provides funding for grants to implement or assist in the establishment of NCCPs and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open

space. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse. The DFG has reviewed this proposal and recommends it for approval.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of the USFWS Habitat Conservation Planning Land Acquisition Grant in the amount of \$4,832,800.00 and the subgrant of the federal funds to the City of San Diego; 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) to cover 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of the USFWS Habitat Conservation Planning Land Acquisition Grant in the amount of \$4,832,800.00 and the subgrant of the federal funds to the City of San Diego; 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) to cover 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.

- | | |
|-------------------|-------------|
| *18. Jacumba Peak | \$10,000.00 |
| San Diego County | |

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service Recovery Land Acquisition grant and the approval to subgrant these federal funds to the California Department of Parks and Recreation to acquire 1,081± acres of land, as part of a cooperative project with The Nature Conservancy and the Resources Legacy Fund Foundation, for protection of threatened and endangered species, including the Quino checkerspot butterfly and the Peninsular bighorn sheep, and to maintain a landscape-scale connectivity.

LOCATION

The subject property is situated between the Interstate 8 Freeway and Old Highway 80, less than one-half mile northwest of the Jacumba townsite.

This is a remote, high desert area of southeastern San Diego County that is mostly in an undeveloped natural state. The international border with Mexico is roughly one mile south of the subject, while Imperial County line is less than five miles to the east. The southern boundary of the Anza Borrego Desert State Park abuts the northern property line. The property is bordered to the northwest by the Bureau of Land Management (BLM) Carrizo Gorge Wilderness Study Area and to the northeast by the BLM Table Mountain Area of Critical Concern.

PROJECT DESCRIPTION

The subject property supports semi-desert chaparral and saltbush scrub, whose plant and wildlife communities represent an ecological transition between communities along the higher elevations of the Peninsular Range and the Sonoran Desert. Species to benefit from the proposed acquisition include both the endangered Quino checkerspot butterfly and endangered Peninsular bighorn sheep. The Quino checkerspot butterfly has declined to near extinction as a result of habitat destruction, degradation and fragmentation associated with development and off-road vehicle impacts. It is believed that the property supports a core population of the species. While the property does not support critical habitat for bighorn sheep, there is a small drainage across the subject property that flows from south to north into Carrizo Gorge and is an important water source for the sheep.

The subject property is also a key conservation target for the Las Californias Binational Conservation Initiative. The initiative is a partnership among The Nature Conservancy and Conservation Biology Institute and Pronatura, a Mexican Non-Governmental Organization, with the goal to create a network of conserved lands that represent the unique biodiversity of southern San Diego County and northern Baja California. The area south of Carrizo Gorge serves as a regionally important landscape-scale linkage between wildlands associated with Anza-Borrego Desert State Park and those wildlands south of the border. This desert cross border linkage is an essential connection between extensive areas of existing public conservation investments in California and the Sierra-Juarez in Baja California, Mexico.

WCB PROGRAM

The proposed acquisition and subgrant of federal funds is being made under the land acquisition program at WCB. The acquisition program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) and enables the WCB to pursue acquisitions on behalf of the DFG and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under this program acquisition activities are carried out in conjunction with the Department of

Fish and Game (DFG), evaluating the biological values of property and whether or not to recommend it for funding. The U.S. Fish and Wildlife Service grant proposed for this project has been reviewed and approved by DFG substantiating the biological values of the project and recommending it for funding.

MANAGEMENT OBJECTIVES AND NEEDS

Subject to approval by the State Public Works Board, the DPR will acquire the property and manage the site as an extension of the Anza Borrego Desert State Park, consisting of approximately 650,000 acres of land adjacent to the Jacumba Peak property. Consisting of 1,081± acres, the property would be less than one percent of the acreage of the existing park. DPR intends to manage the property in its existing natural condition and to protect its natural resource values, particularly the Peninsular bighorn sheep and the Quino checkerspot butterfly, as well as the cross-border habitat connectivity. Uses of the site would be limited to passive recreational opportunities such as bird watching and hiking by the public. DPR, having park managers with extensive experience and necessary resources, has committed to manage and protect the Jacumba Peak property using existing staff and resources.

TERMS

The property was purchased by The Nature Conservancy (TNC) who has agreed to sell the property for the Department of General Services (DGS) and federal (USFWS) approved appraised fair market value of \$2,086,000.00. The proposed Agreement to Subgrant the federal funds provided by the USFWS Recovery Land Acquisition Grant will provide \$600,000.00 toward the purchase price. The non-federal match requirement will be provided by TNC, the Resources Legacy Fund Foundation and the DPR, through their respective funding contributions totaling \$1,486,000.00. The DPR will cover all escrow related expenses including title insurance and escrow fees. The terms and conditions of the proposed subgrant to the DPR provide that staff of the WCB will review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the subgrant terms, the WCB can encumber the property with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

WCB – Subgrant of USFWS funds	\$ 600,000.00
TNC – Landowner Donation	286,000.00
Resources Legacy Fund Foundation	900,000.00

<u>DPR</u>	<u>300,000.00</u>
TOTAL PURCHASE PRICE	\$2,086,000.00
Other Project Related Costs:	<u>\$ 10,000.00</u>
Total WCB Allocation	\$ 10,000.00

It is estimated that \$10,000.00 will be needed for the WCB administrative expenses, including appraisal and DGS review costs.

FUNDING SOURCE

The proposed funding source for this project is the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650 that allows for the acquisition and protection of habitat to protect rare and endangered species, wildlife corridors and significant natural landscapes and ecosystems, such as old growth redwoods, oak woodlands and other significant habitat areas and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes; Section 15316, Class 16, as the acquisition of land in order to establish a park where the land is in a natural condition or contains historical or archaeological resources and a management plan for the property has not been prepared or proposes to keep the area in a natural condition or preserve historical or archaeological resources; and Class 151325, 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 DFG has reviewed this proposal and recommends it for approval.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of the USFWS Recovery Land Acquisition Grant from the USFWS in the amount of \$600,000.00 and the subgrant of the federal funds to the California Department of Parks and Recreation; allocate \$10,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650 to cover 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of the USFWS Recovery Land Acquisition Grant from the USFWS in the amount of \$600,000.00 and the subgrant of the federal funds to the California Department of Parks and Recreation; allocate \$10,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Section 5096.650 to cover 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.

- *19. Laguna Mountain Skipper, \$15,000.00
Palomar Mountain (Mendenhall)
San Diego County

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service Recovery Land Acquisition grant to acquire for the Department of Fish and Game a conservation easement over 278± acres of land for the protection of habitat for the federally endangered Laguna Mountain skipper, as well as montane meadow, mixed conifer, and chaparral habitat areas and the headwater areas of the West Fork of the San Luis Rey River.

LOCATION AND SURROUNDING USES

The subject property is located in the Mendenhall Valley, east of Interstate 15 on Palomar Mountain, an unincorporated mountain community of north San Diego County. Palomar Mountain is a mountainous region located about 65 miles north of downtown San Diego and 40 miles north of Ramona. Lake Henshaw is located immediately southeast of Palomar Mountain and Warner Springs is a short distance to the east on Highway 79. Palomar Mountain is best known as the home of the Palomar Observatory and the giant Hale telescope. It is also the location of Palomar Mountain State Park, a California State Park. High Point in the Palomar Mountain range is one of the highest peaks in San Diego County at 6,140 feet.

PROJECT DESCRIPTION

The Mendenhall Valley contains San Bernardino bluegrass and the largest known population of Laguna Mountain skipper butterfly. Protection of meadow complexes in the Palomar Mountains will preserve both of these critically endangered species. Habitat loss or fragmentation due to overgrazing, development, and human recreational activities are primary

threats to skipper and bluegrass. The proposed acquisition will prevent further loss and fragmentation of core skipper and bluegrass habitat.

WCB PROGRAM

The proposed acquisition of this project is being made under the land acquisition program at the Wildlife Conservation Board (WCB). The acquisition program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) and enables the WCB to pursue acquisitions on behalf of the DFG and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under this program acquisition activities are carried out in conjunction with the Department of Fish and Game (DFG), evaluating the biological values of property and whether or not to recommend it for funding. The U.S. Fish and Wildlife Service grant proposed for this project has been reviewed and approved by DFG substantiating the biological values of the project and recommending it for funding.

MANAGEMENT OBJECTIVES AND NEEDS

The DFG regional office has a long-standing, cooperative relationship with the Carlsbad USFWS office. The USFWS cannot hold conservation easements but is very interested in protecting and preserving the habitat found on the property. The DFG has agreed to take title to the conservation easement over the subject property with the understanding that USFWS will be conducting the surveys to monitor the status of the Laguna Mountain skipper butterfly. The DFG will work closely with the USFWS regional staff to monitor the property to ensure the biological integrity of the habitat is preserved in accordance with the conservation easement.

TERMS

The conservation easement was appraised for \$1,252,000.00 and the appraisal was approved by the Department of General Services (DGS) and the USFWS. The landowner has agreed to sell the conservation easement for \$948,000.00. The landowner donation of \$304,000.00 will constitute the required non-federal match for the USFWS grant. Under the terms and conditions of the proposed acquisition, staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. The project lands are also encumbered by a Land Conservation Contract under the Williamson Act that would not be affected by the proposed conservation easement.

PROJECT FUNDING

The USFWS grant will fund the entire purchase price of the conservation easement which is \$948,000.00.

WCB –USFWS funds	\$948,000.00
Landowner Donation	<u>304,000.00</u>
TOTAL Appraised Value	\$1,252,000.00
Other Project-Related Costs	\$15,000.00
Total WCB Allocation	\$15,000.00

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

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75505(b) that provides funding for the acquisition and protection of habitat that promotes the recovery of threatened and endangered species and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of the USFWS Recovery Land Acquisition Grant in the amount of \$948,000.00; allocate \$15,000.00 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 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.

Approximately 2 miles to east and separated by rolling hills are portions of the Klamath National Forest. The property is also within the view shed and watershed areas of the north side of Mount Shasta.

PROJECT DESCRIPTION

The property's topography ranges from relatively flat to moderately steep terrain and is comprised of grasslands suitable for dry farming and grazing practices. Because the eastern edge of the property lies within the path of migratory elk, the conservation easement will serve to protect the open space and provide maximum quality forage to support both cattle and other indigenous wildlife populations including elk and deer. The property also constitutes a valuable element of the relatively natural habitat and upland watershed of the Shasta River and associated ecosystem.

Current uses on the property include livestock operations and grazing, irrigated and non-irrigated pastures, farming for hay, wheat and barley and a homesite. Part of the owners operations include raising "Natural Range Fed Beef" for direct marketing.

WCB PROGRAM

This project funding proposal was submitted to the WCB through its Rangeland, Grazing Land and Grassland Protection Program (Program). The project is reviewed and approved by WCB staff, and funds the acquisition of conservation easements on private properties for the protection of rangeland, grazing land and grasslands. The program seeks to prevent the conversion of rangeland, grazing land and grassland to nonagricultural uses, protect the long-term sustainability of livestock grazing and ensure continued wildlife, water quality, watershed and open-space benefits to the State of California from livestock grazing.

MANAGEMENT OBJECTIVES AND NEEDS

RMEF will be responsible for monitoring and managing the property according to the terms of the "Deed of Conservation Easement" with the property owners. A baseline report will have been completed by the Grantee and approved by the WCB. The conservation easement deed allows access to the subject properties by both RMEF and WCB for monitoring purposes.

TERMS

The property owners have agreed to sell the conservation easement to RMEF for its appraised fair market value of \$2,601,000.00, which has been approved by the Department of General Services (DGS). The terms and conditions of the proposed grant provide that WCB staff must review and approve all title documents, appraisals, preliminary reports, documents connected with the purchase and sale including escrow instructions and instruments of conveyance prior to disbursement of funds

into the established escrow account. In the event of breach of the grant terms, the WCB can seek specific performance or require that title to the conservation easement be transferred to WCB or another qualifying entity. The project lands are encumbered by Land Conservation Contracts under the Williamson Act will not be affected by the terms of the conservation easement.

PROJECT FUNDING

The WCB proposes to make a grant to RMEF for the \$2,596,000.00 of the purchase price:

Wildlife Conservation Board	\$2,596,000.00
Rocky Mountain Elk Foundation	<u>5,000.00</u>
Total Purchase Price	\$2,601,000.00
Other Project-related Costs	5,000.00
Total WCB Allocation	\$2,601,000.00

It is estimated that the \$5,000.00 will be needed to cover internal project-related costs including the appraisal review costs by the DGS.

FUNDING SOURCE

The 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(d)(1)]. The purposes of this project are consistent with the proposed funding source that allows for the acquisition of the conservation easements on agricultural properties for the protection of rangeland, grazing land and grassland protection and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$2,601,000.00 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 to the

Rocky Mountain Elk Foundation 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.

Ms. Yokoyama introduced Mr. Ben Townley and Mr. Steve Townley, the property owners; and Mr. Bob Hammond, southwest lands Program Manager from Rocky Mountain Elk Foundation, 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.

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$2,601,000.00 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 to the Rocky Mountain Elk Foundation 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.

- | | |
|-------------------------------|----------------|
| 21. Shasta River Fish Passage | \$1,500,000.00 |
| Siskiyou County | |

This proposal was to consider the allocation for a grant to the Grenada Irrigation District (GID) for a cooperative project with the Department of Fish and Game (DFG), the National Marine Fisheries Service, and the U.S. Fish and Wildlife Service to remove a GID diversion dam on the Shasta River in Siskiyou County. Mr. Anthony Chappelle of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The proposed project is located on GID property on the Shasta River in the Klamath River Watershed 9.5 miles downstream of Dwinnell Reservoir and 5 miles upstream of Montague-Grenada Road. Surrounding land uses include privately-owned irrigated agricultural lands, primarily pasture and hay production, and non-irrigated rangelands.

The Klamath River Watershed is a 2 million acre watershed located in the remote region of Northern California and Southern Oregon. The Shasta River is a major tributary to the Klamath River. It has long been recognized as the single most important spawning and rearing tributary for

salmon in the Klamath Basin. Counts of fall Chinook returning to the Shasta River were as high as 82,000 in 1931. In 1992 they had dropped to a little over 500, but have since rebounded with recent counts ranging from 2,000 – 7,000 adults. The outlook for coho salmon in the Shasta River is even more alarming, and the population is listed as threatened under the Federal and California Endangered Species Acts. Two of the last three brood years have been so poor that it is feared that spawning returns for those fish will be close to zero. Local entities, landowners, State and federal agencies are responding aggressively to determine how to save the weakening coho brood stocks in the Shasta River. Recent investigations and coho tracking indicate that improved access to preferred over-summering habitat located in the southern half of the watershed is a critical next step, heightening the urgency of the proposed project.

Declines in Chinook salmon numbers prompted the formation in 1991 of the Shasta River Coordinated Resources Management and Planning Committee (SRCRMP) through the Shasta Valley Resource Conservation District (SVRCD), whose goal was to increase survival of salmon and steelhead in the Shasta Valley. The SVRCD and SRCRMP concluded that for fishery restoration to succeed, it would be essential to minimize the impacts of agriculture on fish, both from barriers and unscreened diversions, and from lowered water quality.

In recent years, the National Marine Fisheries Service (NMFS), United States Fish and Wildlife Service (USFWS), DFG and the North Coast Regional Water Quality Control Board (NCRWQCB) have worked together with the SVRCD and local water users to remove barriers to fish passage along the Shasta River and restore and enhance the river's habitat. These efforts were performed as part of the Recovery Strategy for California Coho Salmon adopted by DFG in 2004. Such efforts are also supported by the Shasta Watershed Restoration Plan that was developed and supported by the SRCRMP and SVRCD. The North Coast Regional Water Quality Control Board also worked with the Shasta Community to develop the Shasta River TMDL Plan that specifically addresses elevated water temperature and nutrient content in the Shasta River.

The above planning efforts identified five major agricultural diversion dams on the Shasta River that were complete barriers for salmonids during the irrigation season (April 1 to October 1). To date, four of the five diversion dams have been removed, and new water diversion facilities with fish screens and instream structures that comply with NOAA and DFG fish passage and screening criteria were constructed in their place.

The GID diversion dam, the last remaining barrier, is a flashboard structure that creates a four to five foot vertical fish barrier, blocking

access to 23 miles of prime spawning and rearing habitat in the Shasta River watershed, including The Nature Conservancy's (TNC) recently purchased Big Springs Ranches with three miles of the Shasta River and more than two miles of Big Springs Creek. In 2009, NOAA acknowledged the importance of the TNC's planned restoration of the ranch by awarding it a restoration grant to restore and enhance the ecologic stream function. This planned project is less than 2 miles upstream of the GID diversion dam.

The project will have an immediate benefit by providing unimpeded access to anadromous fish habitat in the Shasta River and its tributaries and by lowering water temperatures of the Shasta River an estimated 0.5- 1.0 degrees Celsius through the elimination of the significant impoundment at the current facility.

PROJECT DESCRIPTION

Two water diverters currently use the existing GID facility as their diversion structure: the Huseman Ditch Association (11.9 cfs) and the Grenada Irrigation District (40 cfs). This project will replace this one existing diversion facility with two new facilities, one for each district. The GID flashboard dam, which will be removed and replaced with an engineered rock fishway that has been designed to NOAA and CDFG standards to allow year-round upstream and downstream migration for adult and juvenile salmonids, would be funded by the WCB and its partners. The Huseman Ditch diversion, which will be funded only by others without WCB assistance, will be moved 4.7 miles downstream, thereby increasing cold water flows by an estimated 15-20% through this section of the river. The project scope also includes the installation of new pumping and screening facilities for both diverters that meet NOAA and CDFG screening criteria.

The proposed GID instream structure is designed to maintain a stable channel alignment through the project reach, maintain water levels for operation of the intake facilities and prevent sediment deposition near the screen. The existing low flow channel will be realigned to accommodate the new intake structure and designed to remain stable during high flows. The channel upstream of the grade control structure will be realigned and stabilized with a combination of rock slope protection, rock spurs, and rock riprap.

The new intake facility for GID will be screened and self cleaning. Operation of the pump station will be computer-controlled, which adjusts a valve and turns pumps on or off to achieve the desired flow rate, potentially resulting in significant water conservation compared to the existing system.

Both the GID and the Huseman facilities are fully surveyed, designed, permitted, and with full access. All landowners and water users are supportive. The project is ready for construction.

WCB PROGRAM

This project is funded through the California Riparian Habitat Conservation Program and meets the program's goal of increasing riparian habitat across California by implementing riparian habitat restoration projects.

MANAGEMENT OBJECTIVES AND NEEDS

Monthly monitoring of the piping and pump system from June through October will determine water savings for instream use. Monitoring of the pump station, piping, trench, valves, vents, and fish screens will be conducted twice annually for two years in June and October to look at the structural integrity of the project. Annual data from the flow meter will be compared to pre-project diversion volumes from the Shasta River to determine volume of water conserved by the project.

UC Davis and DFG have conducted intensive salmonid population monitoring along the Shasta River. Some of this work is presented in the *Baseline Assessment of Salmonid Habitat and Aquatic Ecology of the Nelson Ranch, Shasta River, California Water Year 2007* published by the UC Davis Center for Watershed Sciences and a *Biological Needs Assessment for Anadromous Fish in the Shasta River, Siskiyou County, California* prepared by DFG. UC Davis, DFG and, probably, TNC will continue monitoring aquatic conditions upstream and downstream of the project reach.

Once installed, management of the project will become the responsibility of the water users (GID and Huseman Ditch Association). This management includes ultimate responsibility of maintaining the fish screens, fish passage structure and pumps and related parts. Good maintenance is required through a DFG Streambed Alteration Agreement for the operation of the diversion. Diverters are required to keep the fish screens in compliance with DFG/NOAA Fish Screen Criteria, continually meet fish passage criteria and verify they are diverting within the allowance of their water right. All expenses of operating the pumps, fish screens fish passage structure and related parts are the responsibility of the diversion users.

If at any time during the life of the project, the landowners are unable to manage and maintain the project improvements, they will be obligated to refund to the State of California an amortized amount of grant funds based on the number of years left on the project life.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$1,500,000.00
DFG Fisheries Restoration Program	1,513,384.00
NOAA	800,000.00
NFWF	110,000.00
GID/Huseman Ditch Association	<u>43,600.00</u>
<u>TOTAL:</u>	<u>\$3,966,984.00</u>

All WCB projects costs will be for items located at the GID site. The Huseman Ditch diversion will be funded by other project partners. Project costs will be for fish screen fabrication and installation; pumps, supplies and installation; intake and discharge pipe; electrical components, panels, and controls; concrete; quarry rock; fencing and riparian habitat restoration; mobilization; excavation; engineering/survey; project coordination; project monitoring; permitting; and project administration.

FUNDING SOURCE

The proposed funding source for this project is the WCB's Habitat Conservation Fund (Proposition 117), Section 2786 (e/f)(1E). This source provides funding for the protection, restoration or enhancement of aquatic and riparian habitat in floodplains statewide and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The DFG has reviewed this proposal and recommends it for funding by the WCB. All permits have been obtained for this project. The DFG, as lead agency, prepared a Mitigated Negative Declaration for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Mitigated Negative Declaration and has prepared proposed written findings documenting WCB's compliance with CEQA. Subject to approval by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$1,500,000.00 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.

LOCATION AND SURROUNDING USES

The Charles Mountain Ranch is located in the southeastern region of Humboldt County, along Alderpoint Road approximately 14.5 miles southeast of Bridgeville, past the junction between State Highway 36 and Alderpoint Road in Blocksburg. The subject property is 0.25 miles from the U.S. Forest Service Six Rivers National Forest and Black Lassie Late Seral Forest Reserve, borders the Federal Bureau of Land Management (BLM) Butte Creek Reserve, and is located approximately 10 miles east of the Humboldt Redwoods State Park. The Property lies within a de facto forest and grassland biological corridor. In terms of ecological protection priorities, it is situated within one of the The Nature Conservancy's (TNC) priority eco-portfolio protection areas and is designated as a priority conservation area for the Save-the-Redwoods League and BLM.

PROJECT DESCRIPTION

The proposed conservation easement area of Phase I includes 2903± acres and comprises the northernmost portion of the Charles Mountain Ranch. The second phase of the project will, if completed, secure a conservation easement on the majority of the remaining areas of the ranch located adjacent and to the south of the first phase. It is contemplated that federal funds and/or other funding will be used to acquire this second conservation easement with no further WCB funding required. Even if the second portion of the ranch is not protected, the habitat areas covered and protected by the initial 2,903± acres conservation easement are significant enough to justify this as a stand alone conservation project.

The subject property includes some of the largest intact stretches of privately-owned forestlands that include true oak forests, natural Douglas fir and mixed conifer-hardwood forest ecosystems recognized by the Humboldt County General Plan. The property's sustainable timber contributes to the local timber industry, and its rangeland and riparian corridors support and protect wildlife habitat and endangered fish populations. Numerous wildlife species, including DFG recognized species of concern, can be found on the ranch including the western pond turtle, mountain lion, bald and golden eagles, red-tailed hawk, red tree vole, Columbian black-tailed deer and Roosevelt elk. The property is also part of the Larabee Creek and Van Duzen River drainage systems that comprise two of the most productive and largest salmonid spawning tributaries on the northcoast for both coho and Chinook salmon and steelhead.

Under the terms of the proposed conservation easement, the easement area can continue to operate as a sustainable working timber forest and cattle ranch. The ranch's livestock grazing activities are primarily managed on open-space, managed grasslands. The property owner can

also continue to hunt on the property, as this right is not restricted by the easement.

WCB PROGRAM

This project funding proposal was submitted to the WCB through its Forest Conservation Program (Program). The Program seeks to preserve and restore productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitat for native fish and wildlife and plants found on these lands. One of the primary objectives of the Program is the protection and conservation of working forests and productive managed forestlands. Selected projects promote the restoration and/or the maintenance of the ecological integrity and economic stability of the property in the context of the surrounding landscape and regional economy.

MANAGEMENT OBJECTIVES AND NEEDS

Under the terms of the grant timber harvesting can continue on the property in order to maintain economic sustainability, while at the same time maintaining core conservation values by protecting streams, natural landscapes and other natural habitat values. The NRLT will hold, manage and be responsible for the monitoring of the easement in perpetuity per the WCB grant terms. A baseline report will be completed by the Grantee and approved by the WCB prior to close of escrow. The conservation easement deed permits access to the subject property by both NRLT and WCB staff for monitoring purposes.

TERMS

The conservation easement has a fair market value of \$3,195,000.00 based on an independent appraisal of the property, reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the conservation at less than its approved appraised value, for \$2,500,000.00. The terms and conditions of the proposed WCB grant provide that staff of the WCB will review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms the WCB can encumber the property with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

Wildlife Conservation Board	\$2,500,000.00
Landowner Donation	<u>695,000.00</u>
TOTAL	\$3,195,000.00

Other Project Related Admin. Costs	\$5,000.00
Total WCB Allocation	\$2,505,000.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related expenses.

FUNDING SOURCE

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

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$2,505,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(a) for the grant to the Northcoast Regional Land Trust 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.

Ms. Yokoyama introduced Mr. & Mrs. Pricer, the property owners, and Mr. Fred Neighbor and Ryan Wells from Northcoast Regional Land Trust, who were in the audience and available to answer questions.

Mr. Donnelly clarified that in the agenda under Project Description it indicates that "federal funds and/or other funding will be used to acquire the second phase conservation easement with no further WCB funding

required,” and said that is not actually correct as the WCB may consider partnering on Phase II, and there might be a need for matching federal funding in the future. Ms. Finn asked if today’s action makes a commitment towards Phase II. Mr. Donnelly confirmed that it does not.

Mr. McCamman said that the Northcoast Regional Land Trust will be taking responsibility over managing this project in perpetuity and asked if there is an endowment associated to fund their efforts. Mr. Ryan Wells, the Project Director from the Northcoast Regional Land Trust, introduced himself before the Board, and responded that it is their policy with all the conservation easements where they have the responsibility for monitoring, is to have a sufficient stewardship endowment in place to be given to them by landowners, and in this case the endowment is committed by the landowner at closing of the project.

Mr. Mark Lovelace, Chair of the Humboldt County Board of Supervisors introduced himself before the Board and spoke in support of this project. Mr. Lovelace said that he worked in conjunction with the Northcoast Regional Land Trust in the past and said that he greatly appreciates their approach in working with private landowners to provide landscape scale conservation of working ranches and timberlands to help keep them in family ownership and protect them from premature conversion to development. Mr. Lovelace stated that this project will protect 2,900 acres, including a variety of forest and habitat types. Mr. McCamman asked if the Humboldt County has taken a formal action to support this project. Mr. Lovelace responded that it has not officially supported it only because it had not come before the Humboldt County Board of Supervisors.

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

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$2,505,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(a) for the grant to the Northcoast Regional Land Trust 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.

23. Gualala River Forest Conservation Easement \$19,005,000.00
Mendocino County

Mr. Donnelly reported that there was a lot of activity on agenda items #23 (Gualala River Forest Conservation Easement) and #24 (Usal Forest Conservation Easement); over the last week hundreds of e-mails and letters of support were sent to the Board members.

Mr. Donnelly stated that he contacted the Department of General Services (DGS) to confirm their approval of the appraisal previously submitted to them for this project. In response to that request, he received a draft memo from Tom Crandall, a Senior Review Appraiser at DGS, stating they were rescinding their November 10, 2010 approval of the appraisal. At this time, we do not have an approved appraisal on the Gualala River Forest Conservation Easement project. The DGS confirmed that they continue to support their approval of the appraisal submitted for the Usal Forest Conservation Easement project.

Mr. Donnelly explained that the WCB is mandated to have DGS review and approve all appraisals for properties being acquired for the Department of Fish and Game. He went on to explain that it is the policy of the WCB to submit all appraisals, even those where WCB is making a grant, to the DGS for their review and approval.

Mr. Donnelly recommended that the Board hear a short presentation on this item to get the background on the project. He went on to ask the Board to defer consideration of this project and allow staff to have the property re-appraised. The new appraisal would then be reviewed through the normal appraisal review process. If the appraisal was approved by DGS, the project could be brought back to the Board at some future date.

Mr. Donnelly reported that the letters of support for this project were received from the following people: Senator Noreen Evans, CA State Senate; Assembly Member Wesley Chesbro, CA State Assembly; Mr. Bill Snyder, Deputy Director; CAL FIRE; Ms. Kathleen Morgan, Coordinator; Gualala River Watershed Council; Mr. Winston Bowen, President, Mendocino Land Trust; Mr. Jay Halcomb, Chair, Redwood Chapter, Sierra Club; Mr. Alan Levine, Coast Action Group; Mr. Jason Pelletier, North Coast Project Director, The Nature Conservancy; a number of individual letters of support from private individuals, as well as support from the Board of Supervisors from both Humboldt and Mendocino Counties.

Mr. Kellogg asked if any letters were received in opposition to this item. Mr. Donnelly responded that one letter was received from Mr. Sandy

Dean, Chairman of Mendocino Redwood Company, requesting the Board defer this item as well as item #24 (Usal Forest Conservation Easement). The request was based on, among other things, the challenging valuation issues associated with conservation easements for the North Coast forests. Mr. Dean asked the Board to defer consideration of these two projects to allow for public review of the appraisals prior to the projects being funded.

Assembly Member Richard Gordon asked if a written report outlining each step of the appraisal review process could be created for the Board members. Mr. Gordon pointed out that it would be very beneficial for the Board members to get such a report.

Mr. McCamman asked Mr. Donnelly to outline the appraisal review process and report back to the Board for review of the process.

Assembly Member Michael Allen commented that he had spoken to other members of the Assembly about the appraisal review process. He stated they are all very interested in the process, and specifically, the timing of when the appraisal is available to the public. He will notify them of the report being prepared by Mr. Donnelly.

Ms. Diane Colborn, Assembly Member Huffman's representative, asked when this project will come back before the Board if consideration of the project is deferred today. Mr. Donnelly responded that it is unclear at this point. He explained that an appraisal typically takes 30 to 45 days to complete. That timeframe does not include the contracting period or the DGS review. With properties that include a timber value component, WCB must also go out to bid and contract for a separate review of the timber portion of the appraisal. The DGS does not have the timber expertise to review the timber valuation. The independent timber review, along with the appraisal, is then sent over to DGS for review. The DGS review may take four weeks or more to complete. Mr. Donnelly said if the Board chooses to move forward on this item, he will make sure to expedite the appraisal process as much as possible.

Ms. Colborn expressed her concern that the funding sources may be in jeopardy by deferring consideration of this project. She also questioned how the delay might affect the overall project. Ms. Colborn also asked if it would be appropriate to discuss the existing appraisal and purchase price to compare it then to a later appraisal.

Mr. Donnelly reported the appraised value of the conservation easement was \$46.8 million, and the negotiated purchase price between the landowner and The Conservation Fund (TCF) was \$20 million

Mr. Chris Kelly, California Program Director of TCF, introduced himself and spoke in support of this project. Mr. Kelly acknowledged that appraising timberlands of this size is always complex. He described a 19,000 acre project located immediately south of this project currently pending before the Mendocino County Planning Department that seeks to establish 63 separate parcels and 1,800 acres of vineyards throughout the forested property. Mr. Kelly stated this is what is happening to the forest land in the County and that is why this project is so important.

Mr. Kelly stated that TCF is very comfortable with the negotiated purchase price of the conservation easement. He went on to point out that TCF has been a responsible buyer of conservation lands and owns and manages about 40,000 acres in Mendocino County. Mr. Kelly stated that TCF is familiar with the market, familiar with land values and thinks this is a responsible transaction that will benefit habitat and the economy in Mendocino County.

Mr. Donnelly thanked Mr. Kelly, and confirmed the contracted option price TCF had with the landowner was \$20 million.

Ms. Finn asked if right now TCF manages 14,000 acres. Mr. Kelly responded that it owns and manages 40,000 acres. Mr. Kelly said that in 2004, WCB made a grant to TCF to assist with the acquisition of these properties. The SCC also approved funding for these properties. Mr. Kelly added that these properties were heavily depleted at the end of a 75-year period of timber management and the logical alternative was vineyards and individual parcels. Through their management practices, TCF is trying to re-establish these lands as an economic asset for the community while promoting the protection of the habitat found on the property. Ms. Finn commented that nobody is challenging the merits of the conservation easement.

Mr. McCamman asked Mr. Donnelly if the appraisal review process is a statutory process. Mr. Donnelly explained the two situations WCB encounters with regard to appraisals. The first involves WCB contracting for the appraisal. He explained the steps staff follow when contracting for an appraisal. The second situation involves a third party contracting for the appraisal and providing the completed product. He noted that we require all completed appraisals to be in compliance with the Uniform Standards of Professional Appraisal Practice, as well as State and DGS standards. After review by WCB staff, every appraisal is sent over to DGS for review by a certified appraisal reviewer. Mr. Donnelly noted that Fish and Game Code 1348.2 requires DGS approval on all appraisals relied on for acquiring property on behalf of the Department of Fish and Game (DFG). He further explained that WCB policy has always been to have DGS review all appraisals where WCB funding is involved, including

grants to assist partners with acquisitions. Mr. Donnelly pointed out WCB always contracts for an independent review of all specialty components of an appraisal, such as timber, minerals or water, regardless of who contracted for the complete appraisal. Once that specialty review is completed, we send the review, along with the appraisal, over to the DGS for their review. Mr. Donnelly went on to explain the requirements placed on the State through the Public Resources Code (PRC) if there are over \$25,000,000.00 in public funds being expended on a project.

Ms. Finn asked about the definition of a "major acquisition". Mr. Donnelly responded that a "major acquisition" is an acquisition involving \$25 million or more of public funds. Mr. McCamman thanked Mr. Donnelly for describing the appraisal process, and asked if a narrative of this process could be presented to the Board members in writing. Mr. Donnelly responded that he will be happy to do that. Mr. McCamman noted the opposition letter from the Mendocino Redwood Company indicated a "lack of sunshine" in the appraisal process in terms of the public's opportunity to review the appraisal before the Board meeting. Mr. McCamman asked whether it would be appropriate to develop a disclosure policy within the general acquisition process of the State. Mr. McCamman asked the Board to endorse this and instructed Mr. Donnelly to work with other State agencies involved in the acquisition of lands to come up with a consistent policy regarding appraisals, independent review and disclosure. Mr. McCamman commented that he thinks it will benefit us all to know what is happening. Ms. Finn commented that projects are only described as a major acquisition in terms of dollar amounts. She noted some projects involve many acres of land, which may also be a major acquisition. Ms. Finn pointed out that the next project on the agenda is almost 50,000 acres, and she would consider that a major acquisition. She wondered if maybe we should consider other criteria for releasing information to the public on a major acquisition. This would ensure the public is informed of expenditures on projects involving not only significant dollar amounts but large acreages as well. Mr. Donnelly said he would welcome the opportunity to do that for the Board. He proposed the Board be provided with some recommendations on the criteria at a future meeting. Ms. Finn asked that if this project was going to be considered by the Board at a future meeting, consideration be given to performing a review as required by statute for a major acquisition. She went on to comment that the Board owes it to the public to give them as much information as possible about these major acquisitions. Mr. Kellogg commented that he supports the disclosure as well. Mr. Kelly commented that he supports the notion of looking at the transparency of the appraisal process. Mr. Kelly reported both projects in items #23 and #24 have been in the process of being acquired for three years already. He pointed out that both of the landowners have financial responsibilities connected with the financing of the properties and that they have been very patiently

working with all the parties involved in the acquisition. Mr. Kelly hoped that the landowners would not get caught up in a long review process. He reiterated the importance of these two projects as well as the broad support these projects have received.

Mr. McCamman said he appreciated Mr. Kelly's input but the Board can't take action on item #23 today. Mr. Donnelly clarified that he would like the Board to direct us to have the property reappraised and then bring the project back to the Board at the earliest possible date for reconsideration. Mr. McCamman agreed and asked to proceed to the presentation of the project. Mr. Donnelly clarified that when the project is brought back to the Board, the Board wants to have had the project appraisal go through the Public Resources Code disclosure requirement by having an independent review done and posted on our webpage. Ms. Finn and Mr. McCamman confirmed that this is correct. Mr. Donnelly said he wants to make sure people know it will not be the actual appraisal that will be posted, but rather the review performed by an independent licensed appraiser.

Mr. McCamman asked if there were any questions or concerns on the general appraisal process. There were none.

Ms. Teri Muzik of the Wildlife Conservation Board briefly described the biological values of the project and its location.

LOCATION AND SURROUNDING USES

The property is located west of Highway 101, approximately 20 miles west of Cloverdale in southern Mendocino County. The property is surrounded by privately held lands, including the 24,000 acre Garcia River Forest, which is owned and managed by TCF to achieve sustainable forestry and ecological restoration objectives. Other major contiguous forest landowners are Gualala Redwoods to the southwest and the Preservation Ranch to the south.

The property is accessed by way of Fish Rock Road, a county maintained road, which passes through the northern portion of the property and by a mixture of main haul roads and seasonal spur roads. The main roads are rocked and suitable for winter operations.

PROJECT DESCRIPTION

The property is primarily coastal redwood, Douglas-fir and sugar pine timberlands. Keeping this property in sustainable timber production is important for its contribution to the regional timber economy. In terms of total acreage, forestry is the most pervasive industry in the region. Half of California's annual timber revenue comes from Mendocino and Humboldt Counties. The protection of this property will advance the economic stability of the region by ensuring that this large, productive and well-located tract remains available for continued timber production. Its size

and adjacency to other working forests contribute to the economic efficiency of the regional timber economy because timber operations generally are more efficient on a larger scale. Of the total acreage, 13,622± acres are classified as commercial timberland, 123± acres are brush and 168± acres are grassland.

Protection of this property will also help support many other plant and animal species. Habitat types include conifer forest, oak woodland and riparian zones. The Northern spotted owl and marbled murrelet are found on the property and are dependent on its water, nesting habitat and food sources. The Gualala River and its tributaries provide important habitat and spawning areas for steelhead, Chinook and coho salmon and other aquatic species.

WCB PROGRAM

This project funding proposal was submitted to the WCB through its Forest Conservation Program (Program). The Program seeks to preserve and restore productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitat for native fish and wildlife and plants found on these lands. One of the primary objectives of the Program is the protection and conservation of working forests and productive managed forestlands. Selected projects promote the restoration and/or the maintenance of the ecological integrity and economic stability of the property in the context of the surrounding landscape and regional economy.

MANAGEMENT OBJECTIVES AND NEEDS

TCF will hold, manage and be responsible for the monitoring of the easement in perpetuity per the terms of the WCB grant. As stated above, TCF holds title to the adjacent property and has experience managing productive, sustainable timber land. The subject property will be managed under a similar approach, with the goal of maintaining economic sustainability with less intensive harvesting, while at the same maintaining core conservation values by protecting streams, natural landscapes and other natural habitat values. A Baseline Conditions Report must be completed by TCF and the landowner and approved by the staff of WCB prior to funding. The conservation easement allows access to the subject property by both TCF and WCB for monitoring purposes.

TERMS

The landowner has agreed to sell the conservation easement to TCF for less than the Department of General Services (DGS) approved fair market value of \$46,800,000.00. TCF will acquire the conservation easement for \$20,000,000.00. The terms and conditions of the grant agreement provide that staff of the WCB must review and approve all acquisition related

documents prior to disbursement of grant funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can seek specific performance of the agreement or require TCF to convey its interest in the conservation easement to WCB or, at the election of WCB, another entity or organization authorized by California law to acquire and hold conservation easements and which is willing and financially able to assume all of the obligations and responsibilities of TCF.

PROJECT FUNDING

The funding breakdown for the project is as follows:

Wildlife Conservation Board	\$19,000,000.00
Private donation	1,000,000.00
TOTAL	\$20, 00,000.00
Other Project Related Admin. Costs	\$5,000.00
Total WCB Allocation	\$19,005,000.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related expenses, including appraisal, timber harvest appraisal review and DGS review costs.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(a). This fund source is available for projects that promote ecological integrity and economic stability of California's diverse native forests and the conservation and protection of productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitat for native fish, wildlife and plants found on these lands and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 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 project has been reviewed under the WCB's Forest Conservation Program and has been recommended for approval.

STAFF RECOMMENDATION

Staff recommended the Wildlife Conservation Board approve this project as proposed; allocate \$19,005,000.00 from the Safe Drinking Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055 (a) for the grant to The Conservation Fund 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.

Mr. Kelly commented that this is a very large project but is very cost-effective. Mr. Kelly said that protecting smaller tracks won't get the job done if the job is to protect the timber base and added that on cost per-acre basis, this is very efficient project, as well as is the next project on the agenda. Mr. Kelly thanked the WCB staff for working with TCF on these projects and expressed his hope that these projects will ultimately get approved.

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

Mr. McCamman clarified that the action for this item is going to be different from what we have under "Staff Recommendations" listed in this item. Mr. Donnelly briefly summarized the points of the new motion on this item.

It was moved by Ms. Finn that the staff of the Wildlife Conservation Board commence with a new appraisal; upon receipt of the appraisal, staff will complete a review of the appraisal and public disclosure consistent with Public Resources Code (Section 5096.500 et seq.); and present the project before the Board at staff's earliest opportunity, preferably by the Board's next scheduled meeting on June 2, 2011, or earlier.

Motion carried.

Mr. McCamman reminded Mr. Donnelly that it is expected from WCB to prepare a written summary of the appraisal review process for the Board members, and it does not need to be a part of the motion.

24. Usal Redwood Forest Conservation Easement \$19,535,000.00
Mendocino County

Mr. Donnelly reported that numerous letters of support were received for this project from the following people: Congressman Mike Thompson, U.S. House of Representatives, 1st District, California; Senator Noreen Evans, CA State Senate, 2nd District; Senator Pat Wiggins, CA State Senate, 2nd District; Assembly Member Patty Berg, CA State Assembly, 1st District; Assembly

Member Wesley Chesbro, CA State Assembly, 1st District; Mr. Mark Lovelace, Vice Chair, Humboldt County Board of Supervisors; Supervisor Kendall Smith, 4th District, Mendocino County Board of Supervisors; Mr. Doug Hammerstrom, Mayor, City of Fort Bragg; Mr. Benji Thomas, Mayor, City of Ukiah; Mr. Alan R. Falleri, Community Development Director, City of Willits; Mr. Paul Tichinin, Superintendent, Mendocino County Office of Education; Mr. Jeffrey Hedin, President, Piercy Fire Protection District; Mr. John Rogers, Executive Director, Institute for Sustainable Forestry; Mr. Danny Hagans, Principal/CFO, Pacific Watershed Associates, Inc.; Ms. Linda Perkins, Chair, Albion River Watershed Protection Association Steering Committee; Mr. Winston Bowen, President, Mendocino Land Trust; Ms. Cristy Nelson and Ms. Cristy Taylor, Chairwomen, Cahto Tribe of Laytonville Rancheria; Ms. Yvonne Frost, Wailaki Tribal Council Member at Large, Wailaki Tribe; and many other private individuals.

This proposal was to consider the allocation for a grant to The Conservation Fund (TCF) to acquire a conservation easement over 49,576± acres of land to conserve and protect an economically sustainable working forest, oak woodlands, grasslands and critical habitat for native fish, wildlife and plants. Ms. Teri Muzik of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The property is located east of Highway 101 and the community of Legett in the northwest corner of Mendocino County. It is bounded on the west side by the Sinkyone Wilderness State Park and the Pacific Ocean. The south fork of the Eel River runs along most of the eastern boundary of the property and feeds several major creeks located on the property. The project area is accessible from an established network of State, county, and private roads. There is a well-developed system of internal roads with all mainline roads in place.

PROJECT DESCRIPTION

This proposal is a part of a larger 50,000± acre conservation transaction involving the Redwood Forest Foundation, Inc., Save the Redwoods League (SRL), State Coastal Conservancy (SCC), TCF and the Wildlife Conservation Board (WCB) and is known as the Usal Redwood Forest Conservation Project (URFCP). The URFCP, if completed, will include the sale of the conservation easement contemplated herein, and fee-title purchase of approximately 957 acres by SRL known as the Shady Dell Creek Tract located in the coastal portion of the Usal Forest and directly abutting the Sinkyone Wilderness State Park. The fee acquisition will enable the potential development of 1.5 miles of the coastal trail off the county road, and will also provide potential sites for relocation of camping areas out of the floodplain of Usal Creek. Funding to complete the fee acquisition will be provided by SCC (approved January 2011) and SRL.

The easement property contains a diversity of natural communities, representative of the redwood forest ecoregion, including mixed coniferous forest, mixed evergreen forest and oak woodlands. The property supports habitat for a variety of associated rare or sensitive species such as the northern spotted owl, south torrent salamander and tailed frog. The property also contains the entirety of several important streams and tributaries to South Fork Eel River and Usal Creek drainages, which are identified as high priorities for restoration and management in the California Coho Recovery Strategy. These streams throughout the property provide valuable freshwater habitat for several species of fish including coho salmon, Chinook salmon, steelhead, prickly sculpin and Pacific lamprey.

The timber productivity for the forest is average for the region, with the majority of the property considered at or above average productivity. Fifty-six percent of the forest currently consists of second and third growth coniferous forest. The conifer component supports a total volume of approximately 245 million board feet. Douglas fir is the predominant species and contributes 54% of the total conifer volume. Redwood is the second most common species and represents 45% of the total volume, with the remaining volume containing whitewoods, grand fir and Western hemlock.

If the conservation easement is acquired, it will constitute the largest contiguous block of permanently protected coastal redwood forest in Mendocino County and one of the largest permanently protected working forests in California.

WCB PROGRAM

This project funding proposal was submitted to the WCB through its Forest Conservation Program (Program). The Program seeks to preserve and restore productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitat for native fish and wildlife and plants found on these lands. One of the primary objectives of the Program is the protection and conservation of working forests and productive managed forestlands. Selected projects promote the restoration and/or the maintenance of the ecological integrity and economic stability of the property in the context of the surrounding landscape and regional economy.

MANAGEMENT OBJECTIVES AND NEEDS

TCF will hold, manage and be responsible for the monitoring of the easement in perpetuity per the terms of the WCB grant. TCF has experience managing productive timber land and currently holds title to the 24,000 acre Garcia River Forest, a productive and sustainable working

forest. The subject property will be managed under a similar approach, with the goal of maintaining economic sustainability with less intensive harvesting, while at the same maintaining core conservation values by protecting streams, natural landscapes and other natural habitat values with the intent of creating a community forest. A Baseline Conditions Report must be completed by TCF and the landowner and approved by the staff of WCB prior to funding.

The conservation easement allows access to the subject property by both TCF and WCB for monitoring purposes but does not provide for public access.

TERMS

The landowner has agreed to sell the conservation easement to TCF for the Department of General Services (DGS) approved fair market value of \$20,000,000.00. The terms and conditions of the grant agreement provide that staff of the WCB will review and approve all acquisition related documents prior to disbursement of grant funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can seek specific performance of the agreement or require TCF to convey its interest in the conservation easement to WCB or, at the election of WCB, another entity or organization authorized by California law to acquire and hold conservation easements and which is willing and financially able to assume all of the obligations and responsibilities of TCF.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$19,500,000.00
Private funding sources	<u>500,000.00</u>
TOTAL	\$20,000,000.00
Other project-related costs	\$ 35,000.00
Total WCB Allocation	\$19,535,000.00

It is estimated that an additional \$35,000.00 will be needed to cover project-related expenses, including appraisal, timber harvest appraisal review and DGS review costs.

FUNDING SOURCE

The proposed funding source for this acquisition is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(a). This fund source promotes ecological integrity and economic stability of California's

diverse native forests and promotes the conservation and protection of productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitat for native fish, wildlife and plants found on these lands and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 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 project has been reviewed under the WCB's Forest Conservation and has been recommended for approval.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$19,535,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(a) to cover the grant amount 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.

Ms. Muzik introduced Mr. Chris Kelly, California Program Director of The Conservation Fund (TCF), and Mr. Art Harwood and Mr. Don Kemp from Redwood Forest Foundation, who were in the audience and available to answer questions.

Ms. Finn commented that the public appraisal review process that was discussed in the previous item, should be applied to this project with its approximately 50,000 acres and \$19,000,000.00 price tag, even if this project still does not fall into "major acquisition" criteria. Ms. Finn asked for the review of the appraisal to be put on the website and made available to the public for 30 days before we consider this project.

Mr. McCamman asked if the appraisal was independently reviewed and the review posted, would it be possible to proceed rather than wait for three months until the next meeting of the Board. Ms. Finn responded that she would like to make the appraisal review public and bring the project back to the Board at its next meeting, which is scheduled for June 2, 2011.

Ms. Diane Colborn asked to clarify that Department of General Services (DGS) confirmed the appraisal for this project. Mr. Donnelly confirmed that the DGS affirmed this particular appraisal.

Mr. McCamman expressed his concerns that the timing might create issues for this project.

Mr. Chris Kelly commented that Mr. Art Harwood of the Redwood Forest Foundation could provide more information regarding timing issues and said that he understands the issue with appraisal review being made public, but it has been a 3-year process and landowners have done everything they can to conform to the requirements of the Board.

Mr. Kelly asked the Board to consider this project at its earliest opportunity. Ms. Finn commented that even though it has been a 3-year process, the public has only had 10 days to review it. Ms. Finn said that her issue is the significance of this project both in physical size and public investment, with the public only having 10 days to review this project before the hearing. Mr. Donnelly clarified that, as our normal procedure, the preliminary agenda is posted on the WCB website about 30 days before Board meeting. He acknowledged that while the preliminary agenda does not have all the details the full agenda has, the public is notified of the projects being considered. Mr. McCamman commented that the difference we are talking about now is putting up the review of the appraisal, and the question is if it should be available in 10 or 30 days before the hearing. Mr. Kelly commented that, in terms of the disclosure and public awareness, this project has been heard by the Board of Supervisors of both Humboldt and Mendocino Counties and has received unanimous resolutions from those Counties. The project has also been heard before the cities of Fort Bragg and Ukiah.

Mr. Art Harwood, Executive Director of the Redwood Forest Foundation introduced himself before the Board. Mr. Harwood commented that as evidenced by all the letters of support received for this project, this project has had plenty of public exposure. Mr. Harwood expressed his disappointment at the prospect of this project being delayed further. He pointed out that this project has many benefits for the State of California – it will help sustain the ecosystem and provide jobs in perpetuity. Mr. Harwood asked the Board to approve this project.

Ms. Finn asked Mr. Donnelly to describe the appraisal process for this property. Mr. Donnelly responded that the first appraisal was done back in 2008 and then the bonds were frozen in December of that same year. When the freeze ended, the appraisal was updated. An independent timber review was also done on the timber portion of the appraisal. The updated appraisal and timber review were submitted to the DGS for their review. The DGS approved both the appraisal and timber review in

December of 2010. Mr. Donnelly added that because of the interest in this particular project, he recently asked the DGS to take another look at their approval letter and certify that they still confirm their approval, which they did. Ms. Muzik pointed out that the appraisal that was used for this project also provided the value for the Shady Dell Creek tract. The State Coastal Conservancy (SCC) is a funding partner in that transaction and that portion of the project was considered at SCC's January meeting, a month ago. The WCB provided SCC with a copy of the DGS appraisal review.

Mr. McCamman noted that there seemed to be two options for moving forward with the transaction. Both options involved putting off a decision on the project at this meeting. The first possibility would involve updating the appraisal review process currently followed by WCB and reporting back to the Board at the next meeting. This would further delay consideration of the project until the Board adopted new appraisal review guidelines. The second option would be to have the existing appraisal reviewed by an independent reviewer, post the review on the WCB website for 30 days and hold a special meeting to consider the project at the end of the 30 day review period.

Mr. Don Kemp from the Redwood Forest Foundation (RFF) introduced himself and said that he understands the sensitivity about disclosure issues, and it is one of the reasons why they actually brought groups into the discussion. He pointed out that the RFF brought Indian tribes in, asked them to look into the components of the easement that applied to them, got their approval before even starting with the project and even got their approval for naming the project. Mr. Kemp stated that RFF spent the last two years getting the approval from various governmental entities and were particularly pleased with the appraisal. Mr. Kemp commented that the timber evaluation that was done back in 2007 was around \$40 million and in this appraisal it is around \$20 million. Mr. Kemp said that he thinks RFF has done everything to comply with the requirements of the Board, and now it seems like targets are drifting again. Mr. Kemp stated that the debt service on the property has already put this project in jeopardy. Mr. Kemp said that RFF did not anticipate when they purchased the property, they would need to pay debt service on \$25 million for three years. It was not at all part of the transaction –the bridge loan was to be taken out within the first eighteen months of the purchase. According to Mr. Kemp, the creditors are heavily strained on this, and Mr. Kemp does not know what is going to happen if this project is delayed.

Ms. Finn asked Mr. Kemp to provide more details on how RFF worked with the tribes. Mr. Kemp responded that there are two Native American groups that have an interest in this property, and the councils from both tribes are very much involved in this project. RFF submitted the wording for the easement that dealt with archeological sites and cultural preservation to both of these entities more than two years ago and got their approval which is not always an easy thing to do. Mr. Kemp also added that RFF is trying to get people involved, and trying to figure out the best way to manage public access. Mr. Kemp said that these are community groups and the whole notion here is a community forest, and RFF has three different committees that meet on a regular basis to discuss these kinds of issues, and the public is always brought into the conversation. Mr. Kemp said that he feels that there has been significant public disclosure about this project. Mr. Kemp also added that he acknowledges a significant concern about this project as well, and he respects the need to honor that. Ms. Finn asked if RFF bought this property assuming that the State will purchase it later from them and if there was any kind of agreement on that. Mr. Kemp responded that RFF bought the property on the assumption that they would be able to monetize some of the non-timber values of the property. Mr. Kemp explained that the whole notion here is that the forest is being depleted because the only thing you can sell is timber, and the whole structure of this organization is to find ways to get around that and you have to pay the fair market value for the property and the fair market value is driven by depletion of the timber or developmental values, so RFF had to pay that, and the only way RFF could afford to do the kind forestry they wanted was to find some other kind of way to monetize some of these non-timber values. Mr. Kemp added that the most effective way to do that was through the sale of an easement, and RFF has anticipated all along that they would pursue this option. Mr. Kemp said that RFF had assumed that they could sell the easement within the first year, and they estimated they would receive \$35 million for the easement and did not build the carrying charge of the debt service into the financial modeling. Ms. Finn stated that she just wanted to make sure that there was no commitment made to RFF by the public entities. Mr. Kemp confirmed that there was absolutely no commitment.

Mr. Mark Lovelace, Vice Chair of the Humboldt County Board of Supervisors, introduced himself and spoke in support of this project. Mr. Lovelace said that last May the Humboldt County Board of Supervisors approved the resolution to support this project. Mr. Lovelace commented that they have been aware of this project for some time. He also pointed out the public awareness and disclosure of this project. Mr. Lovelace said that even though this project is in neighboring Mendocino County, it abuts Humboldt County and is seen as being of regional and State-wide significance. Mr. Lovelace added that protection

of working timberlands is one of the fundamental issues on the North Coast, and productive working timberlands benefit not only the owner and the county where they are situated, but the entire region, State and the nation. Mr. Lovelace stated that he believes the North Coast has the most productive timberlands in the State and the nation, and working forest easements such as this one provide for watershed and habitat protection while also protecting jobs and our economic base. Mr. Lovelace mentioned that in terms of the questions that came up in discussion about this project, he became aware of this project being on the WCB agenda when it was posted 30 days ago. Mr. Lovelace said that the public notice goes out broadly to ensure that everyone is noticed equally. Mr. Lovelace mentioned the broad support received for this project and noted there was only one letter in opposition asking it to be delayed. Mr. Lovelace said that at that point it raises a question of what are the criteria when the WCB decides that one letter should cause the project to be put on a different track and given a different set of requirements. Mr. Lovelace said he understands that DGS has affirmed their support for the appraisal on this project; it has been a long process for this project to get to the Board, and asked the Board to approve this project today.

Ms. Finn clarified that the reason this project is being put off is that for all the significant acquisitions being acquired by the State, we are asking for time to be given for an appropriate review of the appraisal. Ms. Finn stated that, there is no reason this Board can't schedule other meetings before the next WCB meeting scheduled for June 2, 2011. Ms. Muzik explained the only independent review we have right now for this project, is of the timber value, because it was under the threshold of needing an independent appraisal review.

Ms. Finn asked if it would be a problem to release the timber review that we have now. Mr. Donnelly asked the Board members to clarify whether they are requesting the WCB move forward with a complete appraisal review as required under the Public Resources Code, or whether they are asking the WCB to release the timber review. Mr. Donnelly recommended that an independent review of the entire appraisal, including the timber review, be completed and provided to the public. Ms. Finn asked about the timing for getting this done. Mr. Donnelly responded that we can probably have a contract in place in the next two or three weeks. He noted that timber appraisal reviews are difficult, but we will expedite the process, and hopefully would have something up within 45 to 60 days. Mr. Donnelly pointed out the additional cost of asking for an expedited review. Ms. Muzik added that we have the DGS review that we could certainly make available. Mr. McCamman asked about the level of detail in the DGS review. Mr. Donnelly read directly from the DGS review memo which states: "In performing this review, I have formed an opinion as to the completeness of the report, the adequacy and relevance of comparable

data, the propriety of adjustments to the comparable data, the appropriateness of the appraisal methods and techniques, and the appropriateness and reasonableness of the analyses, opinions, and conclusions". Ms. Finn said if the Board members are expressing support for staff in a process that we have, she will be comfortable releasing that appraisal review. Ms. Finn asked if it would make sense to post the appraisal review and timber review for at least 30 days prior to the next consideration of this project. Ms. Diane Colborn, representing Assembly Member Jared Huffman, asked if the DGS appraisal review was ever released as a part of the State Coastal Conservancy meeting. Ms. Muzik replied that the Coastal Conservancy was given a copy of that review but she is not sure if it was posted somewhere by the Coastal Conservancy. Mr. Donnelly said that we can post the review if it is the Board's desire. Ms. Finn asked if he prefers to have an independent review done. Mr. Donnelly responded affirmatively.

Assembly Member Michael Allen noted that every legislator he has spoken to is very supportive of this project. He noted the Board has an appraisal process in place and the Board members and legislative advisors are going to be provided with a written copy of that process. He went on to state that if the Board is going to amend that process for future projects, there should be a mechanism in place for measuring compliance with the set policies. He pointed out that this project had complied with all the existing processes before being brought to the Board for consideration.

Ms. Colborn expressed her concern that if we have certain policies and processes that we follow now, but change the requirements at this point, she is afraid that it will put the applicants in a very difficult position.

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

It was moved by Ms. Finn to defer consideration of this project and direct staff of the Wildlife Conservation Board to contract for an independent appraisal review and subsequent public disclosure consistent with Public Resources Code (Section 5096.500 et seq.) and present the project before the Board at staff's earliest opportunity, preferably by the Board's next scheduled meeting on June 2, 2011, or earlier.

Motion carried.

At 12:05 PM, Mr. McCamman announced a short break, and the Board returned to the meeting at 12:20 PM.

25. North Grasslands Wildlife Area \$730,000.00
Hunter Check Station
Merced County

This proposal was to consider the allocation for a cooperative project with the Department of Fish and Game (DFG) to remove an existing dilapidated structure and construct a new hunter check station and public restroom in its place, and rehabilitate the parking lot at the DFG's North Grasslands Wildlife Area, located approximately six miles north of Los Banos in Merced County. Mr. Peter Perrine of the Wildlife Conservation Board briefly described the project and its location.

LOCATION

The North Grasslands Wildlife Area (NGWA) consists of more than 6,000 acres of wetland, upland and riparian habitats. The NGWA is divided into three Units, the Gadwall Unit located three miles southeast of the City of Los Banos, the China Island Unit four miles northeast of the City of Gustine, and the Salt Slough Unit, located approximately seven miles north of the City of Los Banos.

These areas, acquired by the WCB in the early 1990s, are home to hundreds of thousands of wintering waterfowl and many other animals, and a popular destination every year for thousands of people drawn to the area to hunt, fish, hike, watch birds and enjoy the outdoor experience.

PROJECT DESCRIPTION

In 1992, the DFG acquired and set up a temporary trailer in an existing parking lot to accommodate hunters for the 60 blinds of the Salt Slough Unit of the Wildlife Area. It was adequate at the time for issuing permits to the few hundred hunters a year that would hunt this relatively small area. Over time, that same trailer became the check station for the San Luis, Blue Goose, Bear Creek and South Freitas Units of the U.S. Fish and Wildlife Service's San Luis National Wildlife Refuge Complex and the Gadwall Unit of NGWA was also added. Now, as many as 5,800 waterfowl hunters are processed through this facility every year, and another 200-250 hunters during the pheasant season are served as well.

The trailer is clearly not up to the task. Cramped when occupied only by DFG employees and the necessary check station supplies, it becomes completely inadequate when hundreds of hunters arrive on any given day to get their permits. In addition, leaks in the roof have created dry rot and the heater works only intermittently. DFG staff must process hunters who cannot access the facility in the parking lot instead. This parking lot itself has deficiencies. A large depression in the center of the lot is used for parking early in the season, but with the first rains, becomes a muddy pit. In heavy rain events, water in the depression spills out into the surrounding lot, forcing DFG staff to put in a temporary pump to drain the water to maintain parking in the rest of the lot.

Finally, immediately adjacent to this trailer lies an abandoned farm building with broken windows and rotting interior. Lead paint can be found throughout the structure, and animals and birds have taken up residence. The structure is posted to keep people out, but people are naturally curious about it and it needs to be removed to eliminate the attraction.

The proposed project will solve all of these issues through removing the abandoned building and replacing it with a large, modern hunter check station that will be compliant with the Americans with Disabilities Act (ADA). A new ADA restroom will be constructed immediately adjacent to the new structure, ADA parking and walkways will be constructed to access these new buildings, and the parking lot will be re-graded to allow for proper drainage, with new gravel installed to provide dry all-weather parking.

WCB PROGRAM

This project is proposed for funding through the Public Access Program and meets the program's goal of developing facilities for public access to hunting, fishing, or other wildlife-oriented recreation.

MANAGEMENT OBJECTIVES AND NEEDS

The project is located on the DFG's North Grasslands Wildlife Area and the DFG will be responsible for maintaining the facilities. Maintenance on the existing trailer is high as repairs are needed every year. The existing abandoned building needs to be removed. The existing parking lot requires maintenance because it is in poor shape, does not drain and requires DFG staff to set up and remove pumps to keep the parking lot open for the hunting season. The new facilities will require much less maintenance, will be constructed of materials that are resistant to vandalism, and should remain viable and in good condition for decades to come.

PROJECT FUNDING

Project costs will be for mobilization/demobilization; demolition of an abandoned building and other miscellaneous structures; construction of a new hunter check station; construction of a new restroom with a new leach field; construction of walkways; and the rehabilitation of the existing gravel parking lot.

FUNDING SOURCE

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 and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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 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 RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$708,790.00 from the Wildlife Restoration Fund and \$21,210.00 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.

Mr. Perrine asked if there were any questions about this item. Ms. Finn asked if there is a public restroom already there. Mr. Perrine responded that there is a port-a-party on the site now. Mr. McCamman asked if this project includes a water line. Mr. Perrine responded that there is a well on site that provides water to the residents, but this water is not being used as drinking water. Mr. Perrine added that we are currently determining whether or not there will be sufficient money to treat the water to allow it to be used for a restroom for DFG staff inside the building, as well as for the public ADA restroom. If not, the public restroom may be a vault, but the hope is to put running water in the new public restroom with a full septic system.

Mr. Donnelly said that in the agenda it indicates that lead paint could be found throughout the structure of the old house on site, and asked if the disposal of the lead paint would be adequately covered. Mr. Perrine confirmed that this is correct. Mr. Donnelly clarified that instead of the entire \$730,000.00 coming from the Wildlife Restoration Fund, we are asking for \$708,790.00 from the Wildlife Restoration Fund and \$21,210.00 from Proposition 40.

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

It was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; allocate \$708,790.00 from the

Wildlife Restoration Fund and \$21,210.00 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.

26. Santa Rosa Creek Ferrasci Road Fish Passage \$1,100,000.00
San Luis Obispo County

This proposal was to consider the allocation for a grant to the County of San Luis Obispo for a cooperative project with the State Coastal Conservancy and the Land Conservancy of San Luis Obispo County to replace an Arizona crossing with a bridge where Ferrasci Road crosses Santa Rosa Creek in the City of Cambria in San Luis Obispo County. Mr. Anthony Chappelle of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

Santa Rosa Creek is located in northern San Luis Obispo County on the Central Coast of California. The watershed drains into the Pacific Ocean 22 miles north of the City of Morro Bay and 100 miles south of Monterey in the town of Cambria. The project is located on County owned right-of-way where Ferrasci Road crosses the main stem of Santa Rosa Creek, located 200 feet south of the intersection of Ferrasci Road and Santa Rosa Creek Road.

The Santa Rosa Creek Watershed is 45 square miles in size. It is recognized as important habitat for the South-central coast steelhead population. Santa Rosa Creek is a perennial stream for most of its length; however, it does occasionally go dry in a portion of the transition zone between the upper and lower valley. The 14± mile main stem extends 9± miles upstream from the project site and enters the Pacific Ocean 5± miles downstream.

The watershed is composed mainly of open space rangeland. Part of the upper watershed is in the Los Padres National Forest and the rest is in private ownership with livestock grazing as the primary use. Crop production occurs where a few major tributaries meet Santa Rosa Creek in the lower reaches of the wider floodplain. The town of Cambria is also nestled in this alluvial floodplain. Vegetation types in the watershed include non-native grassland, Monterey pine forest, chaparral, coastal scrub, oak woodland, and riparian.

PROJECT DESCRIPTION

The south-central coast steelhead population from Monterey to, but not including, the Santa Maria River once numbered in the tens of thousands. While little data exists for historical returns of adult steelhead specific to Santa Rosa Creek, it is believed that this creek and its tributaries once supported a large population of steelhead. Unfortunately, this population has declined to less than one percent of 1850 levels, and now the South-central coast steelhead is federally listed as threatened. Impassable barriers, constructed by humans, like the one proposed for removal by this project, have contributed to this decline. In fact, this specific barrier was identified by a task force including representatives from the Department of Fish and Game, NOAA Fisheries, the County of San Luis Obispo, Caltrans, the State Coastal Conservancy and the Steelhead Recovery Coalition as the number one priority for removal in the County.

The existing barrier to fish passage on Santa Rosa Creek is an Arizona-style road crossing consisting of a concrete capped berm with a notch beneath the road to convey low flow and three pipes for higher flows. The entire structure is overtopped in peak events. The notch contains a poorly designed fish ladder and, combined with the occasional overtopping event, allows for some fish passage; nonetheless, it does significantly impede steelhead movements at all flow regimes. The ladder is narrow, prone to clogging, and creates significant turbulence during high flows, preventing nearly all steelhead from passing to the upstream spawning grounds.

The goal of this project is to provide unencumbered steelhead passage/migration past Ferrasci Road to more than nine miles of upstream spawning and rearing habitat and to facilitate unencumbered downstream migration of juveniles and smolts. The project will demolish the existing Arizona crossing structure, construct a two-lane single span bridge to enable continued vehicle crossings and promote fish passage, stabilize the channel, and improve the riparian habitat on site.

The new two-lane bridge will follow the existing alignment of the structure and roadbed and will allow for passage of flood flows. Large woody debris and boulder clusters will be anchored in strategic locations in the channel to help the stream adjust naturally and will create additional habitat including scour holes and hiding areas. Revegetation with native riparian vegetation will be incorporated into the project, and will be irrigated for the initial establishment of container stock plantings. After the three-year establishment period, all plantings will be self-sustaining.

The Grantee will prepare and file a Storm Water Pollution Prevention Plan (SWPPP) with the SWRCB prior to construction. The SWPPP will contain Best Management Practices to protect water quality during and after

construction. A qualified biological monitor will be on-hand during construction, and on-site during critical phases, including dewatering. Each component of the restoration work will be monitored for performance and function. The channel bed will be observed to document how the channel adjusts over time. Monitoring reports will be prepared and submitted annually to applicable regulatory agencies for three years following construction. The monitoring activities described above are required by the permit and will be conducted by the County.

WCB PROGRAM

This project is proposed for funding through the California Riparian Habitat Conservation Program and meets the program's goal of increasing riparian habitat across California by implementing riparian habitat restoration projects.

MANAGEMENT OBJECTIVES AND NEEDS

The new bridge, abutments, rock slope protection, drainage and native vegetation will be maintained by the County to ensure structural integrity and continued fish passage for at least 25 years pursuant to the Grant Agreement. The County maintains a bridge maintenance crew, funded by the roads maintenance budget. Very little maintenance of the new structure should be necessary for decades, although inspection will occur on a regular basis. The revegetated areas will require maintenance, especially during the first two years following planting. The County has an employee who specializes in installation and maintenance of environmental restoration and mitigation plantings, who will oversee the successful implementation of native plant restoration.

The County will be responsible for all monitoring activities described below, pursuant to permits from the DFG, the Regional Water Quality Control Board, the Coastal Commission or the U.S. Army Corps of Engineers. Each component of the restoration work will be monitored for performance and function. The bridge will be inspected following the first few large storm events for structural integrity and effectiveness. Photographs will be taken each year to document the condition of the bridge abutments, the channel bed, and bank protection. The aggraded material will be observed to document how the channel adjusts over time.

The riparian plantings will be monitored for three years to determine success and should plant survival of any species planted fall below 50% or should total plant cover of native species drop below 80%, remedial plantings will be made to assure project success. Using GPS, permanent photo points will be established within the restoration area. Monitoring photos will be recorded annually at these points to help track changes in vegetation growth, vigor, maturity, etc. In addition, monitoring reports will be submitted to the Regional Water Quality Control Board and to the WCB

describing the results from sampling during project activities to show that contamination did not occur, and if it did, to what extent and remedial measures taken to address it. Reports will be submitted annually for three years following construction.

The project is consistent with the Conservation Element of the County's General Plan. If at any time during the life of the project, the County is unable to manage and maintain the project improvements, the grant obligates it to refund to the State of California an amortized amount of funds based on the number of years left on the project life.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$1,100,000.00
Land Conservancy of San Luis Obispo County	300,000.00
County of San Luis Obispo	<u>500,000.00</u>
TOTAL	\$1,900,000.00

Project costs will be for demolition of the Arizona crossing; construction of the bridge and abutments; bank stabilization; and riparian plantings.

FUNDING SOURCE

The proposed funding source for this project is the WCB's Habitat Conservation Fund (Proposition 117), Section 2786 (e/f)(1E). This source provides funding for the protection, restoration or enhancement of riparian habitat statewide in floodplains and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The DFG has reviewed this proposal and recommends it for funding by the WCB. A Coastal Consistency determination has been issued by the California Coastal Commission for this project and all other permits have been obtained. The Department of Fish and Game has prepared a Mitigated Negative Declaration (MND) for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff has considered the MND and has prepared proposed written findings documenting WCB's compliance with CEQA. Subject to approval by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$1,100,000.00 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.

Mr. Chappelle introduced Mr. Dave Flynn, Deputy Director of the Public Works Department of San Luis Obispo County, who was in the audience and available to answer questions.

Mr. Flynn introduced himself before the Board and spoke in support of this project. Mr. Flynn said the San Luis Obispo County Board of Supervisors partnered with the Land Conservancy to move this project forward, and over last nine months all the necessary permits were secured in order to conduct the project. Mr. Flynn added that the staff from the Public Works Department has all the capabilities necessary to perform mitigation monitoring.

Mr. Donnelly pointed out that he has received a letter of support for this project from Mr. Sam Schuchat, the Executive Officer of the State Coastal Conservancy.

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

It was moved by Mr. Kellogg that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$1,100,000.00 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.

- | | |
|--------------------------------|--------------|
| 27. Cold Creek Ecological Area | \$425,000.00 |
| Los Angeles County | |

Mr. Donnelly reported that two letters of support for this project were received from Assembly Member Felipe Fuentes, CA State Assembly; and Mr. Dan Silver, Executive Director of the Endangered Habitat League.

This proposal was to consider the allocation of a grant to the Mountains Recreation and Conservation Authority (MRCA) to acquire 118± acres of land as part of a cooperative project with the Department of Fish and Game (DFG), County of Los Angeles, City of Calabasas and private donors to protect open space, coastal watershed, and endangered species habitat and provide connectivity to other protected lands, located

in the Santa Monica Mountains. Mr. William Gallup of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The subject property is located in the Santa Monica Mountains in the City of Calabasas, along Mulholland Highway near Mountain Park Drive. The property is part of the Calabasas Peak ridgeline and has historically been vacant, with a limited amount of agriculture/grazing occurring on its western side. The property is essentially a mountain top area with steep sloping terrain and a few scattered level areas. The adjacent acreage to the east has been developed with good quality single family homes. It is this use and development pressure expanding south from the City of Calabasas that poses the biggest conversion threat to the habitat values of the property.

PROJECT DESCRIPTION

The property is located in the upper reaches of three separate watersheds formed by uplifted sedimentary rock that forms the Santa Monica Mountains (SMM). The parcel includes several vegetation communities endemic to the SMM including oak-sycamore riparian woodland, southern willow scrub, coastal sage scrub and chaparral. There are two "year-round" springs that flow to Cold Creek and on to Malibu Creek. The property is also the beginnings of tributaries for Topanga Creek and the Los Angeles River. The two perennial springs provide a rare water source during dry months for animals. Wildlife within the area depend on these springs. Wildlife expected to use the water source include long-tailed weasel, ring-tailed cat, American badger, grey fox, mountain lion, mule deer, coyote, California quail, cooper's, red-shouldered and rail tail hawks. The purpose of the acquisition is to place the project in public conservation ownership and protect it in perpetuity.

WCB PROGRAM

The proposed acquisition grant for this project is being made under the land acquisition program at WCB. The acquisition program is administered pursuant to the WCB's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) to acquire areas that can successfully sustain wildlife and provide for suitable recreational opportunities. Under this program acquisition activities are carried out in conjunction with the DFG evaluating the biological values of property through either development of a Land Acquisition Evaluation (LAE) or a Conceptual Area Protection Plan (CAPP) is then submitted to the DFG Regional Operation Committee (ROC) for review and approval and later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

MRCA will manage the property for the benefit of the numerous species and watersheds of Cold Creek, Topanga Creek and the Los Angeles River. Public access will be provided through at least two hiking trails that cross the property and connect with other trails in the SMM. The property is covered with native vegetation that is generally undisturbed. The MRCA anticipates little if any restoration activity. A small area has pampas grass and removal may take place some time after the acquisition is complete.

TERMS

The current property owner is Mountain Restoration Trust (MRT), a local conservation group that acquired the property in part through a loan. The MRT still owes \$765,000.00 on the property and has agreed to sell the property to MRCA for that amount. This purchase price is well below the property's current appraised fair market value of \$1,725,000.00. The terms and conditions of the proposed grant to MRCA provides that staff of WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of breach of the grants terms the WCB can require the Grantee to encumber the property with a conservation easement and seek reimbursement of the grant funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$425,000.00
City of Calabasas	50,000.00
County of Los Angeles	190,000.00
Private Donation(s)	100,000.00
TOTAL Purchase Price	\$765,000.00
Other Project-related Costs:	\$ 0.00
Total WCB Allocation	\$425,000.00

There are no other project-related costs in this transaction. MRCA has assumed all internal project costs including the Department of General Services review expenses.

FUNDING SOURCE

The proposed funding source is the Habitat Conservation Fund (Proposition 117), Section 2786(a) (P50-SoCal) that provides for the acquisition and protection of deer, oak woodland and mountain lion habitat

and coastal wetlands and watershed areas in southern California and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 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.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$425,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(a)(P50-SoCal) for the grant to the Mountains Recreation and Conservation Authority; 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.

Mr. Gallup introduced Mr. Paul Edelman, Deputy Director of Natural Resources and Planning of Santa Monica Mountains Conservancy, who was in the audience and available to answer questions.

Ms. Marie Liu, Senator Pavley's representative, stated that the Senator is very supportive of this project. Ms. Liu asked if the public access will still be available after this project is approved. Mr. Gallup responded that if there is public access right now, it is probably trespassing, but they can still access the property and it would take up from 30 to 60 days to close the escrow. Ms. Liu asked if the trails Mr. Gallup mentioned are in the adjacent properties. Mr. Gallup responded that the trails are on other protected or private properties.

Mr. Paul Edelman from Santa Monica Mountains Conservancy introduced himself before the Board and spoke in support of this project.

Mr. Edelman said that the Cold Creek watershed is the most pristine tributary of the Malibu Creek Watershed, where WCB has major investment. Mr. Edelman added that this project is important for view shed, recreation, has pretty much all the species present in Santa Monica Mountains, and is a key wildlife corridor to connect to the bigger State parks in the range.

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

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$425,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(a) (P50-SoCal) for the grant to the Mountains Recreation and Conservation Authority; 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.

28. North Claremont Preserve, \$2,429,000.00
Expansion 1
Los Angeles County

Mr. Donnelly reported that two letters of support for this project were received from the following people: Ms. Linda Elderkin, Mayor of the City of Claremont; and Mr. Dan Silver, Executive Director of the Endangered Habitat League.

This proposal was to consider the allocation of a grant to the Trust for Public Land (TPL) to acquire 151± acres of land, as part of a cooperative project with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) for the protection of oak woodland deer and mountain lion habitat and coastal watershed areas and to maintain the property's relatively natural, scenic and open-space characteristics.

Mr. Donnelly clarified that RMC adopted and approved this project at its meeting in January 2011, and there was a speaker at that meeting who brought up two issues. One was his concern over the expenditure of public funds during these economic times, and the second issue was his feeling that there was not enough public disclosure of the project by the City of Claremont. The Mayor of Claremont, Ms. Linda Elderkin was there at the RMC meeting and spoke in support of this project and has satisfied the RMC Board that the appraisal and expenditure of public funds were appropriate. Mr. Randall Nelson of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The subject property lies in the foothills of the San Gabriel Mountains, a little over a mile north of the 210 Freeway in north Claremont at the west end of Pomello Drive. The parcel is listed in the Department of Fish and Game's (DFG) Claremont Hills Conceptual Area Protection Plan as property with significant resource values and as a priority for protection. This acquisition will expand the Claremont Hills Wilderness Park which abuts this property on the west and north. It will also provide greater connectivity between existing portions of the Wilderness Park and Sycamore Canyon Park immediately to the south and the San Gabriel

Mountains, Los Angeles National Forest located to the north. In collaboration with numerous partners, over the last ten years the WCB has helped to preserve hundreds of acres of open space and wildlife habitat in the foothills of the San Gabriel Mountains.

PROJECT DESCRIPTION

The subject property contains oak woodland and coastal sage vegetation, providing habitat for deer, mountain lions, and smaller mammals, rodents and birds. The property is located within a coastal watershed area that drains to the Santa Ana River. The parcel is hilly for the most part, with an average slope of 43.6%. Without the protection afforded by the eventual ownership of this parcel by the City of Claremont (see below), the City's development credits program would allow the development of 22 home sites on the property. Under the City's management, members of the public will have access to the property for open space recreational uses.

WCB PROGRAM

The proposed acquisition grant for this project is being made under the land acquisition program at the Wildlife Conservation Board (WCB). The acquisition program is administered pursuant to the WCB's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) to acquire areas that can successfully sustain wildlife and provide for suitable recreation opportunities. Under this program acquisition activities are carried out in conjunction with the DFG, evaluating the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to DFG's Regional Operations Committee (ROC) for review and approval and later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

The TPL plans to immediately transfer the property to the City of Claremont to own and manage, and the City will succeed to TPL's obligations as grantee under the WCB Grant Agreement. The property will be added to and managed by the City as part of the Claremont Hills Wilderness Park, which allows for outdoor passive recreation, including an extensive trail system. The addition of the subject property to the park will allow for an expansion of the trail system and increase public access and outdoor recreational use opportunities. At the request of the State, not less than once in any period of three calendar years, Grantee will allow designated staff of the DFG to access the Property to assess compliance with the terms, covenants and conditions of the Grant Agreement.

TERMS

The property owner has agreed to sell the property for the Department of General Services (DGS) approved appraised fair market value of

\$4,850,000.00. The terms and conditions of the proposed WCB grant to the TPL provide that staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms the WCB can require the grantee to encumber the property with a conservation easement and seek reimbursement of grant funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$2,425,000.00
Rivers and Mountains Conservancy	<u>2,425,000.00</u>
TOTAL	\$4,850,000.00
Other Project-Related Costs	\$4,000.00
Total WCB Allocation	\$2,429,000.00

It is estimated that an additional \$4,000.00 will be needed to cover project-related expenses consisting of DGS review costs.

FUNDING SOURCE

The proposed funding source is the Habitat Conservation Fund (Proposition 117), Section 2786(a) (P50-SoCal) that allows for the acquisition and protection of deer, oak woodland and mountain lion habitat and coastal wetlands and watershed areas in Southern California and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$2,429,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(a) (P50-SoCal) for the grant to the Trust for Public Land 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.

Mr. Nelson introduced Ms. Mercy Santoro, Director of Human Services of City of Claremont, and Mr. Brady Moss from Trust for Public Land, 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.

It was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; allocate \$2,429,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(a) (P50-SoCal) for the grant to the Trust for Public Land 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.

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|--------------------|--------------|
| 29. Rubio Canyon | \$545,000.00 |
| Los Angeles County | |

Mr. Donnelly reported that several letters of support were received for this project from the following people: Congressman Adam B. Schiff, U.S. House of Representative, 29th District, California; Senator Carol Liu, CA State Senate; Supervisor Michael D. Antonovich, County of Los Angeles Board of Supervisors; and Mr. Dan Silver, Executive Director, Endangered Habitat League.

This proposal was to consider the allocation for a grant to the Arroyos and Foothills Conservancy (AFC) to acquire 18± acres of land for protection of oak woodland, riparian woodland, coastal sage scrub and chaparral habitat and open space areas, located in the Rubio Creek watershed. The Property will be assembled with 23± acres already protected and managed by AFC, providing 41± contiguous acres protected habitat within the lower watershed of Rubio Canyon. Mr. Brian Gibson of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The Property is bounded on the northwest and north by an open-space parcel owned by AFC, which in turn is bounded on the northwest, north and east by the Angeles National Forest; on the east by the Angeles National Forest and an undeveloped private property; to the south by another open-space parcel owned by AFC, and to the west by sparsely

developed residential property and property operated by a local water company. The Property rests along a five-mile conservation corridor running east to west that stretches along the Altadena foothills, from the Arroyo Seco in the west to the Eaton Canyon Natural Area in the east. The Property connects National Forest lands to the west and east, providing a continuous low-elevation habitat in the front range of the Angeles National Forest. Downstream and in near proximity to the property is a flood and debris basin that provides protection to the community of Altadena.

Protection of Rubio Canyon is also included within a Department of Fish and Game (DFG) Conceptual Area Protection Plan (CAPP) for the Altadena Foothills Conservation Corridor, as well as the local Altadena Conservation Plan. In the CAPP, Rubio Canyon is ranked as the number-one priority for acquisition, for its importance to water supply, wildlife and native plants, scenic and recreation values, and for its value as a historic site.

PROJECT DESCRIPTION

Rubio Canyon is varied in topography, soil type, slope and the availability of water, and provides a habitat for a wide range of wildlife. The canyon includes five natural biotic communities: southern oak woodland, coastal sage scrub, chaparral, riparian woodland, and warm freshwater wetlands. Several rare, threatened, and endangered species have been recorded in the Altadena foothills; notably the endangered California gnatcatcher in coastal sage scrub, the endangered Southwestern arroyo toad in moist canyon bottoms, and the rare San Diego coast horned lizard in dry, gravelly chaparral habitat.

Because Rubio Canyon is a major watershed and adjacent to the vast open space of the Angeles National Forest, it is believed to support and provide habitat for many of the mammals found in the forest. Black bears have been observed on the Property and mountain lions are also known to roam the slopes and canyons in the foothills. Other mammals commonly seen in the Altadena foothills include mule deer, coyote, gray fox, and bobcat, along with rabbits, squirrels, mice, kangaroo rats, and pocket gophers. The San Diego desert wood rat, a State and Federal Species of Concern, is also known to inhabit coastal sage scrub in the foothills of the San Gabriel Mountains.

The Property's wide range of topography allows it to provide habitat for a variety of bird species. In particular, riparian zones found in several drainages throughout the Property provide essential habitat for numerous bird species, including the red-shouldered and red-tailed hawk, merlin, wren, northern mockingbird, California thrasher, California quail, woodpeckers, flycatchers, swallows, wren, warblers, sparrows and

finches. In addition, nests of Cooper's hawks and sharpshinned hawks have been identified in the foothills.

Protection of the Property will also allow for continued ground recharge and flood protection through the reduction of future development and related impermeable surfaces that carry waters downstream at an accelerated rate.

WCB PROGRAM

The proposed acquisition grant for this project is being made under the land acquisition program at the Wildlife Conservation Board (WCB). The acquisition program is administered pursuant to the WCB's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) to acquire areas that can successfully sustain wildlife and provide for suitable recreation opportunities. Under this program acquisition activities are carried out in conjunction with the DFG, evaluating the biological values of property through development of CAPP. The CAPP is then submitted to DFG's Regional Operations Committee (ROC) for review and approval and later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

The Property will be owned and managed by the AFC. The preponderance of the Property is natural open space, and will be maintained as such. Historic trails, currently in disuse, may be re-established for use by the public. Trails that are currently in use to the east and the west could be linked by the restoration of one or more trails over the Property, bridging a gap in the historic Altadena Crest Trail. Public trail access is readily available to trails on the Property by way of a trailhead on other Rubio Canyon property already owned by AFC.

There are two small residences located on the Property near East Loma Alta Drive. One is in disuse and the other is occupied by the seller. Future use is to be determined; AFC intends to investigate partnering with other suitable non-profits for compatible educational purposes.

TERMS

The property owner has agreed to sell the Property to the AFC for less than the Department of General Services (DGS) approved appraised fair market value of \$630,000.00. The AFC will acquire the Property for \$540,000.00. The Grant Agreement provides that the staff of the WCB must review and approve the preliminary title report and all title documents, the appraisal and escrow instructions and all acquisition documents prior to disbursement of funds into the escrow account established for the acquisition.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$540,000.00
Other Project Related Admin. Costs	\$5,000.00
Total WCB Allocation	\$545,000.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related expenses, including DGS review costs.

FUNDING SOURCE

The proposed funding source for this project is the WCB's Habitat Conservation Fund (Proposition 117), Section 2786a(1E) that provides funding for protection of deer, mountain lion, and oak habitats and for the protection of habitat within a floodplain or flood corridor and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 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 DFG has reviewed this proposal and recommends it for approval.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$545,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786a (1E) for the grant to the Arroyos and Foothills Conservancy 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.

Mr. Gibson introduced Mr. John Howell, Executive Director of Arroyos and Foothills Conservancy, who was in the audience and available to answer questions.

Ms. Finn asked if the seller will continue to live on the property. Mr. Gibson responded that there are actually two residences on the site, and the owner may, or may not, continue to live on the property as the Arroyos and Foothills Conservancy and the seller are still working out those details.

Mr. John Howell of the Arroyos Foothills Conservancy introduced himself before the Board and spoke in support of this project. Mr. Howell said that the Conservancy has contacted the seller offering him to stay on the property until the Conservancy decides upon an appropriate use for the residence currently being occupied by the seller. Mr. Howell added that the Conservancy has not decided on how it will utilize the other residence either.

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

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$545,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786a (1E) for the grant to the Arroyos and Foothills Conservancy 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.

30. Bolsa Chica Upland Mesa Restoration
Orange County

This item was withdrawn from consideration.

31. San Felipe Valley Wildlife Area, \$2,280,000.00
Expansion 4
San Diego County

Mr. Donnelly reported that several letters of support were received for this project from the following people: Senator Tom Harman, 35th District, CA State Senate; Assembly Member Jim Silva, 67th District, CA State Assembly; and Mr. Dan Silver, Executive Director, Endangered Habitat League.

This proposal was to consider the acquisition of 385± acres of land by the Department of Fish and Game (DFG) as an expansion of the San Felipe Wildlife Area (Wildlife Area) as part of a cooperative project with The Nature Conservancy (TNC). The property, situated within the headwater of the San Dieguito River watershed, will provide a major landscape linkage between the Wildlife Area and other protected reserves and is comprised of a diverse assemblage of high quality habitats supporting numerous California Species of Special Concern. Ms. Debra Townsend of

the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The subject property is a portion of the larger holding known as Rutherford Ranch. The property is situated in the Volcan Mountain region of eastern San Diego County, about four miles north of the community of Julian at Scissors Crossing, which is the intersection of State Route 78 and San Felipe Valley Road.

Up until the late 1980's, the Rutherford Ranch comprised approximately 11,000 acres in the Volcan Mountain region. The ranch extended from Farmer Road on the south to the Santa Ysabel Indian Reservation boundaries and easterly into San Felipe Valley. Since 1989, various portions of the ranch have been acquired for the purpose of open space preservation and creation of the Volcan Mountain Wilderness Preserve, a long-term conservation effort that is supported by a coalition of public agencies and private non-profit organizations. In 1995, the Wildlife Conservation Board (WCB) approved the initial San Felipe Valley Wildlife Area acquisition, consisting of 566± acres, together with a 200± acre donation. Additional acquisitions, including a portion of the ranch, have increased the total acreage of the Wildlife Area to 8,572± acres. By 2008, 1,637± developable acres of the Rutherford Ranch remained in private ownership and represent a potential donut hole in this protected landscape.

TNC has been working to purchase part of this 1,637± acre property in three separate, phased transactions. The first phase of 467± acres closed in November 2008 and was transferred to San Diego County Parks and Volcan Mountain Preserve Foundation. A second phase of 422± acres was purchased in December 2009. A 37-acre portion of this phase was sold to the Volcan Mountain Preserve Foundation. The remaining 385± acres are currently proposed for acquisition as an expansion of the DFG's Wildlife Area. TNC will continue discussions with the landowner to pursue acquisition of the remaining 748± acres.

PROJECT DESCRIPTION

The proposed acquisition is situated within the headwater of the San Dieguito River watershed and transitions from the top of Volcan Mountain down drainage to the western base of the mountain. The property provides a habitat link between the southern boundary of the San Felipe Valley Wildlife Area (North Mountain Unit) and the Volcan Mountain Wilderness Preserve, San Dieguito Valley Regional Open Space Park, and Volcan Mountain Foundation Preserve.

Conservation of habitat is a major objective of this acquisition because the Volcan Mountain-San Felipe Valley area supports a diverse assemblage of high quality habitats. To date, 93 different vegetation communities have been documented. Many of these communities, such as Canyon Live Oak-Big Cone Douglas-fir, Big Cone Douglas-fir, and Coast Live Oak-Big Cone Douglas-fir, only occur only in somewhat isolated stands at the highest elevations of San Diego County and are at the southern end of their distribution. The headwaters of the San Dieguito River and San Felipe Creek form in the proposed acquisition area and contribute to the maintenance of plant community health and value both in Volcan Mountain-San Felipe Valley area and downstream drainage systems.

Habitats contained on the property support numerous California Species of Special Concern including the cooper's hawk, ferruginous hawk, golden eagle (also a California fully protected species), loggerhead shrike, long-eared owl, and sharp-shinned hawk, American badger, California pocket mouse, little pocket mouse, Los Angeles pocket mouse, Townsend's big-eared bat, western mastiff bat, and mountain lion (a specially protected species).

WCB PROGRAM

The proposed acquisition for this project is being made under the land acquisition program at the Wildlife Conservation Board (WCB). The acquisition program is administered pursuant to the WCB's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) to acquire areas that can successfully sustain wildlife and provide for suitable recreation opportunities. Under this program acquisition activities are carried out in conjunction with the DFG, evaluating the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to DFG's Regional Operations Committee (ROC) for review and approval and later transmitted to the WCB with a recommendation to fund. A CAPP has been prepared and approved for the San Felipe Valley Wildlife Area, and subsequently amended to identify additional properties including the subject property.

MANAGEMENT OBJECTIVES AND NEEDS

The Wildlife Area is well known in southern California for hunting, wildlife viewing and wildlife research. Located adjacent to existing DFG, Bureau of Land Management and County of San Diego owned lands, the subject property will provide additional habitat and species diversity, as well as potential increased public access opportunities for additional wildlife dependent recreation, education and research activities on the Wildlife Area.

The DFG proposes to manage the property as an expansion of the existing Wildlife Area. DFG estimates \$8,000 in start-up costs will be needed for installation of a gate and fence and installation/replacement of boundary signs. This will be paid by DFG from federal grant funding. Access road maintenance will be required and conducted using best management practices and appropriate erosion control measures. It is estimated that operation and maintenance will be approximately \$5,000.00 per year over the first five years. The Wildlife Area receives federal funds through the Wildlife Restoration Program and the amount allocated is sufficient to fund annual operation of acquired expansion lands. In addition, the area is staffed by a Fish and Wildlife Technician and scientific aid. Those positions, as well as an additional staff person to provide oversight of the area, are sufficient to handle long-term management needs of the expansion property.

TERMS

The Department of General Services (DGS) has approved the appraised fair market value of the property at \$3,400,000.00. TNC has agreed to sell the property to the State at a bargain sale of \$2,250,000.00. Under the terms and conditions of the proposed acquisition, staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$2,250,000.00
Other Project Related Administrative Costs	30,000.00
Total WCB Allocation	\$2,280,000.00

It is estimated that an additional \$30,000.00 will be needed to cover project-related expenses, including the appraisal report, escrow fees and title insurance premiums, and review costs by the DGS.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b) that allows for the acquisition and protection of habitat that provides corridors linking separate habitat areas to prevent fragmentation and protects significant natural landscapes and ecosystems and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 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 DFG has reviewed this proposal and recommends it for approval.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$2,280,000.00 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 acquisition 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.

Ms. Townsend asked if there were any questions about this project. Ms. Finn asked if all the staff expenses related to management are covered by federal funding. Ms. Townsend responded that this is correct.

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

It was moved by Mr. Kellogg that the Wildlife Conservation Board approve this project as proposed; allocate \$2,280,000.00 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 acquisition 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.

32. Resolutions

Senator Abel Maldonado

WHEREAS, Senator Abel Maldonado, in his capacity as a Member of California State Senate, has served as a dedicated member of the Joint Legislative Advisory Committee of the Wildlife Conservation Board; and

WHEREAS, Senator Maldonado's commitment and personal devotion to protecting and preserving California's natural resources and

environmental health, coupled with his sound judgment and experience with California's wildlife resources, has greatly assisted the Board on numerous occasions in carrying out its duties and responsibilities; and

WHEREAS, it is the desire of the Board to gratefully acknowledge Senator Maldonado's contributions to the work of the Board through his personal support, advice and leadership, as well as that of his great staff; now, therefore, be it

RESOLVED, that we, the Members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee, and the Board staff convey to Senator Maldonado our sincere appreciation for his noteworthy contributions to the Board, and express our best wishes to him and his family; and, be it further

RESOLVED, that this resolution be made a part of the official minutes of this Board meeting and that a copy be provided to Senator Maldonado.

Senator Patricia Wiggins

WHEREAS, Senator Pat Wiggins, in her capacity as a Member of California State Senate, served as a dedicated member of the Joint Legislative Advisory Committee of the Wildlife Conservation Board; and

WHEREAS, Senator Wiggins' personal devotion and commitment to protecting and preserving California's natural resources and environmental health, coupled with her sound judgment and experience with California's wildlife resources, has greatly assisted the Board on numerous occasions in carrying out its duties and responsibilities; and

WHEREAS, it is the desire of the Board to gratefully acknowledge Senator Wiggins' contributions to the work of the Board through her personal support, advice and leadership, as well as that of her great staff; now, therefore, be it

RESOLVED, that we, the Members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee, and the Board staff convey to Senator Wiggins our sincere appreciation for her noteworthy contributions to the Board, and express our best wishes to her and her family; and, be it further

RESOLVED, that this resolution be made a part of the official minutes of this Board meeting and that a copy be provided to Senator Wiggins.

Assembly Member Ira Ruskin

WHEREAS, Assembly Member Ira Ruskin, in his capacity as a Member of the California State Assembly and Chair of the Assembly Budget Sub-

Committee on Natural Resources, has served as a dedicated member of the Joint Legislative Advisory Committee of the Wildlife Conservation Board; and

WHEREAS, Assembly Member Ruskin's commitment and personal devotion to protecting and preserving California's natural resources and environmental health, coupled with his sound judgment and experience with California's wildlife resources, has greatly assisted the Board on numerous occasions in carrying out its duties and responsibilities; and

WHEREAS, Assembly Member Ruskin's personal interest and understanding of the importance of habitat linkages and wildlife corridors relating to California's natural resources was paramount in the successful passage of AB 2785 in 2008; and

WHEREAS, it is the desire of the Board to gratefully acknowledge Assembly Member Ruskin's contributions to the work of the Board through his personal support, advice and leadership, as well as that of his great staff; now, therefore, be it

RESOLVED, that we, the Members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee, and the Board staff convey to Assembly Member Ruskin our sincere appreciation for his noteworthy contributions to the Board, and express our best wishes to him and his family; and, be it further

RESOLVED, that this resolution be made a part of the official minutes of this Board meeting and that a copy be provided to Assembly Member Ruskin.

It was moved by Ms. Finn that the Wildlife Conservation Board approve the Resolutions as proposed.

Motion carried.

With no further business to discuss, the meeting was adjourned at 1:00 P.M.

Respectfully submitted,

John Donnelly
Executive Director

PROGRAM STATEMENT

At the close of the meeting on February 24, 2011, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$2,250,858,321.51. 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	43,462,415.28
Reservoir Construction or Improvement.....	5,605,699.00
Stream Clearance and Improvement	30,043,077.09
Stream Flow Maintenance Dams	542,719.86
Marine Habitat.....	3,046,619.07
Fish Screens, Ladders and Weir Projects	4,224,300.26
C. Fishing Access Projects	53,621,681.40
Coastal and Bay	4,612,013.11
River and Aqueduct Access	17,762,175.38
Lake and Reservoir Access.....	10,494,639.87
Piers	20,752,853.04
D. Game Farm Projects	146,894.49
E. Wildlife Habitat Acquisition, Development and Improvement	2,071,799,131.43

Wildlife Areas (General)	415,244,459.24
Miscellaneous Wildlife Habitat Development.....	22,851,962.86
Wildlife Areas/Ecological Reserves, (Threatened, Endangered or Unique Habitat).....	741,778,277.61
Land Conservation Area.....	12,992,940.18
Inland Wetlands Conser. Grants & Easements	25,711,481.36
Riparian Habitat Conser. Grants & Easements	65,699,363.64
Other Wildlife Habitat Grants.....	787,520,646.54
F. Hunting Access Projects.....	1,366,898.57
G. Miscellaneous Projects (including leases)	22,992,289.94
H. Special Project Allocations	1,696,372.89
I. Miscellaneous Public Access Projects.....	39,232,963.38
State Owned.....	2,286,884.42
Grants.....	36,946,078.96
J. Sales and/or exchanges	533,455.07
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	 \$2,250,858,321.51

logged

February 22, 2011

John P. Donnelly, Executive Director
Wildlife Conservation Board
1807 13th Street, Suite 103
Sacramento, California 95811



Transmittal:

Fax: (916) 323-0280
Email: jdonnell@dfg.ca.gov and www.wcbca.gov
U.S. Mail: Next Day Delivery

**Re: Wildlife Conservation Board Meeting February 24, 2011: Agenda Item No. 13 –
Ramona Conservation Easement, Riverside County - \$390,000.00**

Mr. Donnelly:

The Friends of the Northern San Jacinto Valley (Friends) in our letter of February 2, 2011 (attached) requested a copy of the proposed Conservation Easement for the Ramona Duck Club and the California Environmental Quality Act (CEQA) document the Wildlife Conservation Board (WCB) will be considering at the February 24, 2011 WCB public hearing on this CEQA project. To date neither of these documents has been provided to the Friends.

On February 17, 2011, I contacted the WCB staff and again requested a copy of the proposed Ramona Conservation Easement in order that the Friends could review and comment on the document prior to the February 24th WCB public hearing on the project. I was subsequently contacted by WCB staff who indicated the Ramona Conservation Easement was not available for public review and I would need to contact the Conservation Easement Grantor's attorney for permission to review the document. The WCB staff also informed me the project would be presented to the WCB at the February 24th public hearing as a CEQA exempt project pursuant to Categorical Exemptions.

The Friends are concerned that denying the public the opportunity to review the terms of the proposed Ramona Conservation Easement is an improper evasion of the CEQA review of this project. Moreover, should the WCB staff and the Grantor's attorney make the claim the Ramona Conservation Easement is an ongoing property negotiation not subject to public disclosure then the project should be removed from the February 24th WCB Agenda pending completion of the property negotiations. This project should not be considered by the WCB until the terms of the proposed Ramona Conservation Easement are disclosed to the public.


In addition, we believe the WCB and the California Department of Fish and Game (DFG) are improperly evading their trustee duties by considering this project pursuant to CEQA Categorical Exemptions. Please reference the Friends February 9, 2011 comment letter and attachments

regarding the February 24th WCB consideration of the Ramona Conservation Easement. The Friends February 9, 2011 comment letter with attachments provides substantial evidence this project will result in significant impacts threatening the environment. The use of Categorical Exemptions for the project is therefore incorrect and also represents an evasion of CEQA. We are therefore once again requesting Agenda Item No. 13 be removed from the February 24, 2011 WCB calendar pending preparation and public review of the appropriate CEQA document.

We also would like to take this opportunity to indicate our alarm that the WCB and the DFG are committing misfeasance with regard to this project as well as a previously approved WCB/DFG project associated with the San Jacinto Wildlife Area (Court of Appeal, 4th District, unpublished opinion #E05894, *Friends of the Northern San Jacinto Valley v. Cal Dept. of Fish and Game*, 6/25/09).

Thank you for the consideration of our issues of concerns.

Sincerely,


Tom Paulek
Certified Wildlife Biologist

Attachment: Friends February 2, 2011 letter to John Donnelly Executive Director. WCB
Requesting Ramona Conservation Easement and Associated CEQA Document.

John Donnelly, Executive Director
Wildlife Conservation Board
1807 13th Street, Suite 103
Sacramento CA 95811

February 2, 2011

Email: jdonnell@dfg.ca.gov

Subject: February 24, 2011—Wildlife Conservation Board Meeting, Agenda Item
No. 13—Ramona Conservation Easement.

On behalf of the Friends of the Northern San Jacinto Valley, I am requesting a copy of the proposed Conservation Easement for the Ramona Duck Club. We would also request a copy of the California Environmental Quality Act (CEQA) document the WCB will be considering at the February 24, 2011 public hearing. Your expeditious transmittal of the CEQA document and the proposed easement is necessary in order that we may review and provide our comments to the WCB at the February 24, 2011, public hearing. Also, please advise us as to the time and location of the February 24th WCB public hearing.

Thank you for your prompt attention to this matter.



Susan Nash
Friends of the Northern San Jacinto Valley
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