

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

1807 13TH STREET, SUITE 103
SACRAMENTO, CALIFORNIA 95811
(916) 445-8448
FAX (916) 323-0280
www.wcb.ca.gov

NOTICE OF MEETING
WILDLIFE CONSERVATION BOARD

December 8, 2011
10:00 AM
1/ State Capitol, Room 112
Sacramento, California 95814

FINAL AGENDA ITEMS

| ITEM NO. | PAGE NO. |
|--|-----------------|
| 1. Roll Call | 1 |
| 2. Funding Status – Informational | 2 |
| 3. Proposed Consent Calendar (Items 4 – 19) | 7 |
| *4. Approval of Minutes – July 26, 2011 and September 13, 2011 | 7 |
| *5. Recovery of Funds | 7 |

* Proposed Consent Calendar

1/ These facilities are accessible to persons with disabilities

| ITEM NO. | | PAGE NO. |
|-----------------|---|-----------------|
| *6. | Island Ranch Wetland Habitat Enhancement Shasta County | 13 |

This project has been withdrawn from consideration at this time.

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|-----|--|--------------|----|
| *7. | Bass Hill/Lassen Creek Conservation Easement (Hulsman) Lassen County | \$426,000.00 | 13 |
|-----|--|--------------|----|

To consider the allocation for a grant to the Lassen Land and Trails Trust, Inc. to acquire a conservation easement over 535± acres located adjacent to the Department of Fish and Game's Bass Hill Wildlife Area for protection of important wildlife habitat values, watershed protection and habitat linkage for deer populations in Lassen County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition and protection of deer, oak woodland and mountain lion habitat and for the protection of habitat within a floodplain or flood corridor. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)(1E)]

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|-----|--|--------------|----|
| *8. | Lassen Foothills, Expansion 7 (Kerstiens Ranch) Tehama County | \$815,000.00 | 17 |
|-----|--|--------------|----|

To consider the allocation for a grant to The Nature Conservancy for a conservation easement over 2,311± acres of land for protection of deer, mountain lion habitat and native oak woodlands. The property is located in southeast Tehama County and approximately eight miles southeast of Red Bluff, California. The purposes of this project are consistent with the proposed funding source that allows for the acquisition and protection of deer, oak woodland and mountain lion habitat and for the protection of habitat within a floodplain or flood corridor [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]

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|-----|--|--------------|----|
| *9. | DFG Land Management Plan, Bay Delta Region Yolo and Solano Counties | \$297,000.00 | 20 |
|-----|--|--------------|----|

To consider the allocation for a grant to the California Wildlife Foundation for a cooperative project with the Department of Fish and Game to complete and deliver a land management plan for Liberty Island located in Solano and Yolo Counties. The purposes of this project are consistent with the proposed funding source that allows for the preparation of land management plans for properties acquired in fee by the Wildlife Conservation Board. [California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)]

| ITEM NO. | | PAGE NO. |
|-----------------|---|----------------------|
| *10. | Eden Landing Ecological Reserve Wetland Restoration Final Design Alameda County | \$304,000.00 23 |

To consider the allocation for a grant to Ducks Unlimited, Inc. for a cooperative project with the Department of Fish and Game to complete final design plans for a tidal wetland restoration project on Ponds E12 and E13, located on the Eden Landing Ecological Reserve in Alameda County. The purposes of this project are consistent with the proposed funding source that allows for the restoration of coastal wetlands, upland areas adjacent to coastal wetlands and coastal watershed lands within the San Francisco Bay Area. [Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(c)]

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|------|---|----------------------|
| *11. | San Joaquin Multi-Species Conservation Plan 2008 Vaquero Farm Central Contra Costa County | \$235,000.00 26 |
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To consider the acceptance of a U.S. Fish and Wildlife Service grant and the approval to subgrant these federal funds to the East Contra Costa County Habitat Conservancy and to consider a Wildlife Conservation Board grant to East Contra Costa County Habitat Conservancy, for a cooperative project with the East Bay Parks District and the Moore Foundation, to acquire 320± acres 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. The property is located in the Diablo Range in the town of Byron, in Contra Costa County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition and protection of habitat for areas in and around the Sacramento-San Joaquin Delta that assist in the establishment of Natural Community Conservation Plans. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c), (SB8)]

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|------|--|----------------------|
| *12. | Pacifica Fishing Pier Improvements, Phase II San Mateo County | \$249,000.00 29 |
|------|--|----------------------|

To consider the allocation for a grant to the City of Pacifica to improve public access for sport fishing at the Pacifica Fishing Pier located in the City of Pacifica in San Mateo County. The purposes of this project are consistent with the proposed funding source that allows for the development of public access facilities for hunting, fishing and other wildlife compatible recreational activities. [Wildlife Restoration Fund]

| ITEM NO. | | PAGE NO. |
|-----------------|--|----------------------|
| *13. | San Francisco Bay Community-based Salt Pond Transition Zone Restoration San Mateo and Alameda Counties | \$415,000.00 31 |

To consider the allocation for a grant to Save The Bay for a cooperative project with the Department of Fish and Game, the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration to restore 251± acres of transitional zone habitat adjacent to former salt ponds, located on the Eden Landing Ecological Reserve and the Don Edwards San Francisco Bay National Wildlife Refuge in Alameda and San Mateo Counties. The purposes of this project are consistent with the proposed funding source that allows for the restoration of coastal wetlands, upland areas adjacent to coastal wetlands and coastal watershed lands within the San Francisco Bay Area. [Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(c)]

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|------|--|----------------------|
| *14. | Central Coast Farm Restoration Santa Cruz, Monterey and San Benito Counties | \$165,000.00 34 |
|------|--|----------------------|

To consider the allocation for a grant to the Wild Farm Alliance for a cooperative project with the Natural Resources Conservation Service to develop native plant hedgerows that provide wildlife habitat and corridors and help improve agricultural operations by providing vegetation that attracts pollinators, suppresses non-native weeds and improves water quality through slope stabilization, on three farms, near the towns of Tres Pinos, Prunedale, and Soquel, in San Benito, Monterey, and Santa Cruz Counties. The purposes of this project are consistent with the proposed funding source that allows for projects to assist farmers in integrating agricultural activities with ecosystem restoration and wildlife protection. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(d)(4)]

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|------|---|----------------------|
| *15. | San Joaquin River Parkway, Sycamore Island, North Channel Crossing Construction Madera County | \$361,000.00 36 |
|------|---|----------------------|

To consider the allocation for a grant to the Department of Water Resources to construct a steel arch culvert crossing at the North Channel of Sycamore Island, within the San Joaquin River Parkway located downstream of the State Highway 41 crossing in Madera County. The purposes of this project are consistent with the proposed funding source that allows for river parkway projects identified by the San Joaquin River Conservancy. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f)]

| ITEM NO. | | PAGE NO. |
|--|-------------|-----------------|
| *16. Castle Wetland Hydrology Enhancement Merced County | \$85,000.00 | 41 |

To consider the allocation for a grant to Ducks Unlimited, Inc. for a cooperative project with the landowner to replace an existing deep well pump on privately owned property, located 10 miles southwest of the town of Merced, in Merced County. The purposes of this project are consistent with the proposed funding source that allows for the enhancement or restoration of wetlands in the Central Valley. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Inland Wetlands Conservation Program]

| | | |
|---|--------------|----|
| *17. Lower Owens River Basin Saltcedar Control, Phase II Inyo County | \$385,000.00 | 43 |
|---|--------------|----|

To consider the allocation for a grant to the Inyo County Water Department for the final phase of a 10-year cooperative project with the City of Los Angeles, Department of Water & Power, to remove the nonnative invasive plant, saltcedar (Tamarisk spp.), from 400 acres of Lower Owens River floodplain habitat to restore native plant diversity. The purposes of this project are consistent with the proposed funding source that allows for the restoration or enhancement of riparian habitat to protect or enhance a flood protection corridor or bypass. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f)(1E)]

| | | |
|---|--------------|----|
| *18. Santa Rosa Mountains, Expansions 11—13 Riverside County | \$146,250.00 | 46 |
|---|--------------|----|

To consider the acquisition in fee of 50± acres of land by the Department of Fish and Game for a cooperative project with Coachella Valley Mountains Conservancy and U. S. Fish and Wildlife for the protection of Peninsular bighorn sheep habitat and to provide future wildlife-oriented public use opportunities, as an expansion to the DFG's Santa Rosa Wildlife Area located south of the City of La Quinta in Riverside County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition and protection of habitat that implements or assists in the establishment of Natural Community Conservation Plans. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c)]

| ITEM NO. | | PAGE NO. |
|-----------------|---|--------------------|
| *19. | Western Riverside County MSHCP, Expansion 6 Riverside County | \$5,000.00 50 |

To consider the acceptance of a U.S. Fish and Wildlife Service Habitat Conservation Planning Land Acquisition grant and the approval to subgrant these federal funds to the Jurupa Area Recreation and Park District, for a cooperative project with the Redevelopment Agency of the County of Riverside and the Riverside Land Conservancy, to acquire in fee 138± acres of land for the protection of core areas of habitat that will benefit threatened and endangered species found on the property, secure key regional wildlife linkages and enhance the existing Multiple Species Conservation Plan, a joint Habitat Conservation Plan and Natural Community Conservation Plan on the east side of Pyrite Road, north of Granite Hill Drive and State Highway 60, in the community of Sunnyslope, in Riverside County. The purposes of this project are consistent with the proposed funding source that provides matching funds for the acquisition and protection of habitat or habitat corridors that promote recovery of threatened and endangered species or fully protected species. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Public Resources Code Section 5096.350(a)(5)]

| | | |
|-----|---|------------------------|
| 20. | Bear Creek Working Forest Siskiyou and Shasta Counties | \$7,805,000.00 55 |
|-----|---|------------------------|

To consider the allocation for a grant to the Pacific Forest Trust to acquire a conservation easement over 8,230± acres of working forest lands allowing for continued forest management, passive public use and enhancing the protection of forest, meadow, riparian, fisheries and water resources. The property is located north and south of Highway 89 in a rural area of the southern Cascade Mountain Range in Shasta and Siskiyou Counties near the communities of McCloud, Pondosa and Bartle. The purposes of this project are consistent with the proposed funding source that 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 habitats for native fish, wildlife and plants found on these lands. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a)]

| ITEM NO. | | PAGE NO. |
|--|----------------|-----------------|
| 21. Lassen Foothills, Expansion 8 (Lower Deer Creek Falls) Tehama County | \$1,100,000.00 | 60 |

To consider the allocation for a grant to the Northern California Regional Land Trust for a cooperative project with Western Rivers Conservancy and the Department of Fish and Game to acquire fee title to 599± acres of land for the expansion of the Lassen Foothills Conservation Area, located northeast of Chico along a State Highway 32 in Tehama County. The project will protect approximately 1.4 miles of riparian corridor along Deer Creek and surrounding forest and oak woodlands, including habitat for deer and mountain lion, Chinook salmon, western pond turtle and mountain yellow-legged frog and allow for the expansion of appropriate wildlife-oriented public use. The purposes of this project are consistent with the proposed funding source that allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species within a floodplain or corridor and for wildlife-oriented public use. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c)(1E)]

| | | |
|---|----------------|----|
| 22. Goodwin Sierra Valley Ranch Conservation Easement Plumas County | \$2,214,500.00 | 63 |
|---|----------------|----|

To consider the allocation for a grant to the California Rangeland Trust to acquire a conservation easement over 2,946± acres of working ranch land allowing for continued livestock grazing and other permitted agricultural uses while enhancing the protection of meadow, watershed, riparian, fisheries and wetland resources. The property is located north and south of Highway 70, just east of the town of Beckworth in Sierra Valley. The purposes of this project are consistent with the proposed funding source that provides funding for protection of deer, mountain lion, and for the protection of habitat within a floodplain or flood corridor, including the conservation of water resources and natural habitats for native fish, wildlife and plants found on these lands. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)(1E)]

| ITEM NO. | | PAGE NO. |
|-----------------|---|----------------------|
| 23. | Webber Lake/Lacey Meadows Sierra and Nevada Counties | \$5,010,000.00 66 |

To consider the allocation for a grant to the Truckee Donner Land Trust to acquire 2,995± acres of land for the protection of significant alpine and wet-meadow habitat, protection of the upper watershed and source of the Little Truckee River and allow for continued conservation-based management and wildlife-oriented public use of the property, located north of the town of Truckee, in Nevada and Sierra Counties. The purposes of this project are consistent with the proposed funding source 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 pursuant to the Wildlife Conservation Law of 1947. [California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)]

| | | |
|-----|---|----------------------|
| 24. | San Joaquin Multi-Species Conservation Plan 2008 (Affinito) Contra Costa County | \$1,010,750.00 70 |
|-----|---|----------------------|

To consider the acceptance of a U.S. Fish and Wildlife Service grant and the approval to subgrant these federal funds to the East Contra Costa County Habitat Conservancy and to consider a Wildlife Conservation Board grant to East Contra Costa County Habitat Conservancy, for a cooperative project with the East Bay Parks District, to acquire 116± acres 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. The property is located in the City of Pittsburg. The purposes of this project are consistent with the proposed funding source that allows for the acquisition and protection of habitat for areas in and around the Sacramento-San Joaquin Delta that assist in the establishment of Natural Community Conservation Plans. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c), (SB8)]

| ITEM NO. | | PAGE NO. |
|---|---------------------------|-----------------|
| 25. Black Mountain Preserve, Expansion 4 (Kimbler) Fresno County | \$1,240,000.00 | 73 |
| <p>To consider the allocation for a grant to the Sierra Foothill Conservancy to acquire conservation easements over 2,011± acres of land for the protection of grazing lands, grasslands, and blue oak woodlands that benefit sensitive and protected species, and to advance the development of a corridor among existing protected areas for migrating wildlife, located between Prather and Tollhouse in Fresno County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition, development, rehabilitation, restoration and protection of habitat to promote the recovery of threatened and endangered species, to provide corridors linking separate habitat areas to prevent habitat fragmentation, and to protect significant natural landscapes and ecosystems and other significant habitat areas. [California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)]</p> | | |
| 26. Strategic Planning | Informational/Action Item | 77 |
| <p>To provide information and receive Board direction on undertaking a strategic planning process.</p> | | |
| 27. Disclosure of Appraisal Information | Informational | 77 |
| <p>To provide the Board with an update regarding policies governing disclosure of appraisal information.</p> | | |
| 28. 2011 Wildlife Conservation Board Tentative Meeting Schedule | Informational | 78 |

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WILDLIFE CONSERVATION BOARD

December 8, 2011
10:00 AM
State Capitol, Room 112
Sacramento, California 95814

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

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

Ana Matosantos, Member
Director, Department of Finance

Jim Kellogg, Member
President, Fish and Game Commission

JOINT LEGISLATIVE ADVISORY COMMITTEE

Senator Jean Fuller
Senator Fran Pavley
Senator Lois Wolk

Assembly Member Michael Allen
Assembly Member Richard Gordon
Assembly Member Jared Huffman

EXECUTIVE DIRECTOR

John P. Donnelly

2. Funding Status – Informational

(a) 2011-12 Wildlife Restoration Fund Capital Outlay Budget

| | |
|----------------------------|-------------------|
| Budget Act | \$1,000,000.00 |
| Previous Board Allocations | <u>-10,000.00</u> |
| Unallocated Balance | \$990,000.00 |

(b) 2011-12 Habitat Conservation Fund Capital Outlay Budget

| | |
|----------------------------|-------------------|
| Budget Act | \$20,663,000.00 |
| Previous Board Allocations | <u>-29,000.00</u> |
| Unallocated Balance | \$20,634,000.00 |

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

| | |
|----------------------------|----------------------|
| Budget Act | \$20,668,000.00 |
| Previous Board Allocations | <u>-1,212,000.00</u> |
| Unallocated Balance | \$19,456,000.00 |

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

| | |
|----------------------------|----------------------|
| Budget Act | \$20,668,000.00 |
| Previous Board Allocations | <u>-7,486,523.00</u> |
| Unallocated Balance | \$13,181,477.00 |

(e) 2007-08 Habitat Conservation Fund Capital Outlay Budget
(2011-12 Reappropriation)

| | |
|----------------------------|-----------------------|
| Budget Act | \$20,674,000.00 |
| Previous Board Allocations | <u>-13,584,547.36</u> |
| Unallocated Balance | \$7,089,452.64 |

(f) 2006-07 Habitat Conservation Fund Capital Outlay Budget
(2009-10 Reappropriation)

| | |
|----------------------------|-----------------------|
| Budget Act | \$20,699,000.00 |
| Previous Board Allocations | <u>-12,215,534.30</u> |
| Unallocated Balance | \$8,483,465.70 |

| | | |
|-----|---|------------------------|
| (g) | 2006-07 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund Capital Outlay Budget (2010-11 Reappropriation) | |
| | Budget Act | \$15,224,000.00 |
| | Previous Board Allocations | <u>-12,803,009.00</u> |
| | Unallocated Balance | \$2,420,991.00 |
| (h) | 1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund Capital Outlay Budget | |
| | Continuously Appropriated [Sec. 5096.350 (a)(1), (2), (4) & (7)] | \$36,100,000.00 |
| | Previous Board Allocations | <u>-29,797,243.45</u> |
| | Unallocated Balance | \$6,302,756.55 |
| (i) | 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>-4,077,802.94</u> |
| | Unallocated Balance | \$6,922,197.06 |
| (j) | 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 |
| (k) | 2001-02 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund Capital Outlay Budget | |
| | Continuously Appropriated (Section 5096.650) | \$273,000,000.00 |
| | Previous Board Allocations | <u>-211,062,401.63</u> |
| | Unallocated Balance | \$61,937,598.37 |
| (l) | 2003-04 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 Capital Outlay Budget (Section 79568) (2010-11 Reappropriation) | |
| | Budget Act | \$32,500,000.00 |
| | Previous Board Allocations | <u>-21,681,299.35</u> |
| | Unallocated Balance | \$10,818,700.65 |

| | | |
|-----|---|------------------------|
| (m) | 2002-03 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 Capital Outlay Budget | |
| | Continuously Appropriated (Sections 79565 and 79572), including Chapter 81, Statutes of 2005 | \$814,350,000.00 |
| | 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>-659,811,975.65</u> |
| | Unallocated Balance | \$81,600,024.35 |
| (n) | 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 |
| (o) | 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 |
| (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>-2,305,000.00</u> |
| | Unallocated Balance | \$7,695,000.00 |
| (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 |
| | 2010-11 Budget Act Reversion | -3,000,000.00 |
| | Previous Board Allocations | <u>-7,000,000.00</u> |
| | Unallocated Balance | \$0.00 |

| | | |
|-----|---|-----------------------|
| (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>-2,851,896.00</u> |
| | Unallocated Balance | \$21,148,104.00 |
| (s) | 2008-09 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget (2011-12 Reappropriation) | |
| | Budget Act (NCCP Section 75055(c)) | \$25,000,000.00 |
| | Previous Board Allocations | <u>-8,123,550.00</u> |
| | Unallocated Balance | \$16,876,450.00 |
| (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>-13,896,906.00</u> |
| | Unallocated Balance | \$11,103,094.00 |
| (u) | 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 (Section 75055(d)(1)), | \$14,293,000.00 |
| | Previous Board Allocations | <u>-14,286,582.00</u> |
| | Unallocated Balance | \$6,418.00 |
| (v) | 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 (Section 75055(d)(2)), | \$14,293,000.00 |
| | Previous Board Allocations | <u>-11,628,437.48</u> |
| | Unallocated Balance | \$2,664,562.52 |
| (w) | 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 (Section 75055(d)(4)) | \$4,762,000.00 |
| | Previous Board Allocations | <u>-2,435,600.00</u> |
| | Unallocated Balance | \$2,326,400.00 |

- (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>-60,516,000.00</u> |
| Unallocated Balance | \$104,184,000.00 |
| | |
| Continuously Appropriated (Section 75055(b)) | \$123,525,000.00 |
| Previous Board Allocations | <u>-78,358,279.28</u> |
| Unallocated Balance | \$45,166,720.72 |

RECAP OF FUND BALANCES

| | |
|---|-------------------------|
| Wildlife Restoration Fund (a) | \$990,000.00 |
| Habitat Conservation Fund (b), (c), (d), (e)and (f) | \$68,844,395.34 |
| Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (g) and (h) | \$8,723,747.55 |
| California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (i), (j) and (k) | \$69,073,105.92 |
| Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (l) and (m) | \$92,418,725.00 |
| Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (n), (o), (p), (q), (r),(s), (t), (u), (v), (w) and (x) | \$224,550,749.24 |
| | |
| TOTAL – ALL FUNDS | \$464,600,723.05 |

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 |

SUMMARY OF BOND CASH PROCEEDS

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

| Bond Fund | Authorized GO Bond Proceeds | Expenditures through 11/15/11 | Encumbrances through 10/31/11 | Cash Balances Includes Encumbrances |
|------------------|------------------------------------|--------------------------------------|--------------------------------------|--|
| Proposition 12 | \$7,833,444.42 | \$7,189,445.04 | \$220,824.05. | \$423,175.33 |
| Proposition 40 | \$52,763,470.74 | \$35,439,396.99 | \$23,951,347.13 | (\$6,627,273.38) |
| Proposition 50 | \$99,161,920.79 | \$34,984,800.56 | \$40,880,737.45 | \$23,296,382.78 |
| Proposition 84 | \$185,719,637.97 | \$156,243,084.60 | \$30,244,289.45 | (\$767,736.08) |
| Proposition 1E | \$37,485,238.22 | \$11,431,116.02 | \$9,449,803.34 | \$16,604,318.86 |
| Totals | \$382,963,712.14 | \$245,287,843.21 | \$104,747,001.42 | \$32,928,867.51 |

- 3. Proposed Consent Calendar (Items 4—19)
- *4. Approval of Minutes — July 26, 2011 and September 13, 2011
- *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.

- \$75,434.47** to the **General Fund**
- \$378,972.30** to the **Habitat Conservation Fund**
- \$0.00** to the **Wildlife Restoration Fund**
- \$526,802.58** to the **California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund**
- \$321.00** to the **Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002**
- \$2,652,727.60** to the **Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006**

GENERAL FUND

Lower Owens River Basin Saltcedar Control, Inyo County

| | |
|---------------------------|--------------------|
| Allocated | \$200,000.00 |
| Expended | <u>-124,565.53</u> |
| Balance for Recovery | \$75,434.47 |
| Total General Fund | \$75,434.47 |

HABITAT CONSERVATION FUND

Cache Creek Riparian Restoration, Capay Valley Reach, Yolo County

| | |
|----------------------|--------------------|
| Allocated | \$500,000.00 |
| Expended | <u>-360,665.65</u> |
| Balance for Recovery | \$139,334.35 |

Cold Creek Ecological Area, Los Angeles County

| | |
|----------------------|--------------------|
| Allocated | \$425,000.00 |
| Expended | <u>-425,000.00</u> |
| Balance for Recovery | \$0.00 |

DFG Wildlife Area Wetland Enhancement Projects, Siskiyou, Butte, Glenn, Merced, and San Joaquin Counties

| | |
|----------------------|--------------------|
| Allocated | \$1,061,000.00 |
| Expended | <u>-995,741.77</u> |
| Balance for Recovery | \$65,258.23 |

Eel River Peninsula, Mendocino and Lake Counties

| | |
|----------------------|----------------------|
| Allocated | \$3,674,333.00 |
| Expended | <u>-3,674,333.00</u> |
| Balance for Recovery | \$0.00 |

Lower Owens River Basin Saltcedar Control, Inyo County

| | |
|----------------------|--------------------|
| Allocated | \$400,000.00 |
| Expended | <u>-400,000.00</u> |
| Balance for Recovery | \$0.00 |

Lower Yuba River, Excelsior, Phase I, Yuba and Nevada Counties

| | |
|----------------------|----------------------|
| Allocated | \$3,216,440.00 |
| Expended | <u>-3,215,006.00</u> |
| Balance for Recovery | \$1,434.00 |

North Claremont Preserve, Expansion 1, Los Angeles County

| | |
|----------------------|----------------------|
| Allocated | \$2,429,000.00 |
| Expended | <u>-2,426,824.00</u> |
| Balance for Recovery | \$2,176.00 |

Rubio Canyon, Los Angeles County

| | |
|----------------------|--------------------|
| Allocated | \$545,000.00 |
| Expended | <u>-540,000.00</u> |
| Balance for Recovery | \$5,000.00 |

Tulare Basin Wetland Enhancement, Kern County

| | |
|----------------------|--------------------|
| Allocated | \$451,000.00 |
| Expended | <u>-434,758.62</u> |
| Balance for Recovery | \$16,241.38 |

Upper Butte Basin Wildlife Area, Expansion 6, Butte County

| | |
|----------------------|----------------------|
| Allocated | \$1,120,000.00 |
| Expended | <u>-1,120,000.00</u> |
| Balance for Recovery | \$0.00 |

Total Habitat Conservation Fund \$378,972.30

WILDLIFE RESTORATION FUND

Boulder Bay Fishing Pier, San Bernardino County

| | |
|----------------------|--------------------|
| Allocated | \$132,000.00 |
| Expended | <u>-132,000.00</u> |
| Balance for Recovery | \$0.00 |

Humboldt Coastal Nature Center, Public Access Facilities, Humboldt County

| | |
|----------------------|--------------------|
| Allocated | \$126,652.00 |
| Expended | <u>-126,652.00</u> |
| Balance for Recovery | \$0.00 |

Humboldt Coastal Nature Center, Public Access Facilities, Augmentation
Humboldt County

| | |
|----------------------|--------------------|
| Allocated | \$150,000.00 |
| Expended | <u>-150,000.00</u> |
| Balance for Recovery | \$0.00 |

Total Wildlife Restoration Fund \$0.00

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

DFG Land Management Plans, Northern California-North Coast Region,
Phase I, Siskiyou and Lassen Counties

| | |
|----------------------|-------------------|
| Allocated | \$125,000.00 |
| Expended | <u>-89,286.97</u> |
| Balance for Recovery | \$35,713.03 |

Eagle Lake Fishing Access Improvements, Phase II, Lassen County

| | |
|----------------------|-------------------|
| Allocated | \$120,158.00 |
| Expended | <u>-61,742.92</u> |
| Balance for Recovery | \$58,415.08 |

East Merced Vernal Pool Grassland Preserve, Expansion 6, Merced
County

| | |
|----------------------|----------------------|
| Allocated | \$4,400,000.00 |
| Expended | <u>-4,390,616.00</u> |
| Balance for Recovery | \$9,384.00 |

Eel River Peninsula, Mendocino and Lake Counties

| | |
|----------------------|----------------------|
| Allocated | \$4,884,667.00 |
| Expended | <u>-4,879,471.00</u> |
| Balance for Recovery | \$5,196.00 |

Knoxville Wildlife Area, Riparian Habitat Restoration, Phase II, Napa
County

| | |
|----------------------|-------------------|
| Allocated | \$133,458.00 |
| Expended | <u>-95,433.53</u> |
| Balance for Recovery | \$38,024.47 |

San Joaquin Hatchery Public Access, Phase I, Preconstruction Planning
and Design, Fresno County

| | |
|----------------------|----------------|
| Allocated | \$187,676.00 |
| Expended | <u>-176.00</u> |
| Balance for Recovery | \$187,500.00 |

Santa Clara River Watershed, Totlcom, Ventura County

| | |
|----------------------|----------------------|
| Allocated | \$2,298,500.00 |
| Expended | <u>-2,288,500.00</u> |
| Balance for Recovery | \$10,000.00 |

Wheeler Ridge Wildlife Area, Expansion 3, Mono County

| | |
|----------------------|--------------------|
| Allocated | \$550,000.00 |
| Expended | <u>-550,000.00</u> |
| Balance for Recovery | \$0.00 |

Yolo Bypass Wildlife Area, Pacific Flyway Center, Phase I, Yolo County

| | |
|----------------------|-------------------|
| Allocated | \$260,107.00 |
| Expended | <u>-77,537.00</u> |
| Balance for Recovery | \$182,570.00 |

Total California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund \$526,802.58

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

Malibu Lagoon State Park Lagoon Restoration, Los Angeles County

| | |
|----------------------|--------------------|
| Allocated | \$417,200.00 |
| Expended | <u>-417,200.00</u> |
| Balance for Recovery | \$0.00 |

San Pablo Bay Pepperweed Removal and Habitat Restoration, Sonoma County

| | |
|----------------------|--------------------|
| Allocated | \$342,000.00 |
| Expended | <u>-341,679.00</u> |
| Balance for Recovery | \$321.00 |

Total Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 \$321.00

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

Bottle Peak, San Diego County

| | |
|----------------------|----------------------|
| Allocated | \$3,562,900.00 |
| Expended | <u>-3,555,216.00</u> |
| Balance for Recovery | \$7,684.00 |

Charles Mountain Ranch, Phase I, Humboldt County

| | |
|----------------------|----------------------|
| Allocated | \$2,505,000.00 |
| Expended | <u>-2,500,000.00</u> |
| Balance for Recovery | \$5,000.00 |

East Elliott and Otay Mesa, Multiple Properties, San Diego County

| | |
|----------------------|------------------|
| Allocated | \$5,000.00 |
| Expended | <u>-2,748.00</u> |
| Balance for Recovery | \$2,252.00 |

Goodwin Red Clover Valley Ranches, Plumas County

| | |
|----------------------|----------------------|
| Allocated | \$1,993,500.00 |
| Expended | <u>-1,992,967.37</u> |
| Balance for Recovery | \$532.63 |

Little Shasta Conservation Easement, Siskiyou County

| | |
|----------------------|------------------|
| Allocated | \$2,601,000.00 |
| Expended | <u>-1,368.00</u> |
| Balance for Recovery | \$2,599,632.00 |

Nick Ranch Conservation Easement, San Luis Obispo County

| | |
|----------------------|----------------------|
| Allocated | \$2,375,000.00 |
| Expended | <u>-2,371,368.00</u> |
| Balance for Recovery | \$3,632.00 |

Pit River Wetland Enhancement, Carey Ranch, Modoc County

| | |
|----------------------|--------------------|
| Allocated | \$232,000.00 |
| Expended | <u>-216,739.78</u> |
| Balance for Recovery | \$15,260.22 |

Ramona Conservation Easement, Riverside County

| | |
|----------------------|--------------------|
| Allocated | \$383,000.00 |
| Expended | <u>-369,265.25</u> |
| Balance for Recovery | \$13,734.75 |

Thousand Palms Conservation Area (Gabison), Riverside County

| | |
|----------------------|--------------------|
| Allocated | \$705,000.00 |
| Expended | <u>-700,000.00</u> |
| Balance for Recovery | \$5,000.00 |

Total Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 **\$2,652,727.60**

In addition, the following project was authorized by the Board on September 8, 2009. Although the project did not involve an allocation, the project is now completed and can be closed.

Oroville Wildlife Area Exchange, Butte County

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

- *6. Island Ranch Wetland Habitat Enhancement
Shasta County

This project has been withdrawn from consideration at this time.

- *7. Bass Hill/Lassen Creek Conservation Easement \$426,000.00
(Hulsman)
Lassen County

This proposal is to consider the allocation for a grant to the Lassen Land and Trails Trust, Inc. to acquire a conservation easement over 535± acres located adjacent to the Department of Fish and Game's (DFG) Bass Hill Wildlife Area for protection of important wildlife habitat values, watershed protection and habitat linkage for deer populations.

LOCATION AND SURROUNDING USES

The 535± acre property known as the Hulsman Ranch is located three miles southeast of Susanville. The property lies south of State Highway 36, west of US Highway 395, and abuts and is north of Wingfield Road in an unincorporated area of south central Lassen County. The property straddles the lower foothill areas of the eastern Sierra Nevada Mountains and portions of the Susan River floodplain. The Hulsman Ranch property is also an important piece of a habitat corridor that links the Bass Hill Wildlife Area (BHWA) to the Lassen National Forest, providing habitat connectivity between Susan River valley floor and upland areas within the National Forest.

The property abuts DFG's BHWA to the east and the Lassen National Forest to the south. Located nearby to the west are protected Bureau of Land Management properties. Further east is the 1,781 acre Leavitt Lake conservation easement, approved by the Board earlier this year. To the north and east of the Hulsman Ranch property is a residential development. This development is indicative of the pressure and increased demand for residential development that is extending out from the community of Susanville located to northeast toward the subject property.

The property has long been cited by the DFG as a priority acquisition in the Bass Hill – Lassen Foothill Conceptual Area Protection Plan (CAPP). The CAPP includes a number of different habitat types, including conifer forest, mixed hardwood, wet meadow, montane riparian and bitterbrush.

These habitats support a wide variety of wildlife and plant species, including the bald eagle, willow flycatcher, greater sandhill crane and the Sierra Nevada red fox, along with thirty or more other important or special status species. The subject CAPP is of particular importance to the Bass Hill sub-herd of the Doyle deer herd. The CAPP is located within an important seasonal migration corridor for these deer migrating between the Northern Sierra Nevada and Great Basin Desert. The CAPP was developed to help protect and link these two ecosystems and provide for protection of winter range foraging habitat.

PROJECT DESCRIPTION

The property is irregular in shape and stretches one and one-half miles north to south and one mile east to west. The terrain is gently sloping and undulating. Other than the pasture, the vegetation in the area is primarily comprised of various types of brush and bunchgrass. The area of the proposed conservation easement is unimproved with the exception of perimeter fencing. The property is zoned for agricultural use and has been historically used for cattle and sheep grazing since 1862. The property owners currently raise grass-fed beef and lamb on the native grass pastures. A residential subdivision borders the northeast section of the property.

Under the terms of the proposed conservation easement, the land will be permanently protected from development. The conservation easement will allow grazing and ranching operations to continue and protect the open space and ecological values of the grazing areas located on site. Deer and other wildlife will be allowed to forage and migrate across the property to other protected areas located nearby. The subject property is located within the watersheds of Lassen Creek and Sand Slough, both tributaries to the Susan River located just north of the property. Several ponds are also located on site. The conservation easement will help protect and provide habitat for riparian and wetland-dependent species. It will also provide protection for downstream lands by buffering and absorbing seasonal water from upper watershed areas flowing through the property into the Susan River and its surrounding floodplain.

WCB PROGRAM

The proposed grant for this project is being considered under the Wildlife Conservation Board's (WCB) Land Acquisition Program. 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, which evaluates the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan

(CAPP). The LAE/CAPP is then submitted to DFG's Regional Operations Committee for review and approval and, if approved, later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

The Lassen Land and Trails Trust, Inc., a non-profit conservation protection organization established in 1987, will be responsible for monitoring the property according to the terms of the conservation easement, which provides that the property will be used primarily as a working landscape for open space agricultural livestock grazing practices. Under the conservation easement fencing must be maintained in a manner that is consistent with the historic and on-going passage of wildlife through the property. The conservation easement does not allow public access. The conservation easement does provide access to Lassen Land and Trails Trust for compliance monitoring.

TERMS

The conservation easement has been appraised as having a fair market value of \$421,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the conservation easement for the fair market value of \$421,000.00. The terms and conditions of the proposed WCB grant to the Lassen Land and Trails Trust, Inc. provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can seek specific performance of the grant or require the grantee to transfer the conservation easement to WCB or another qualified holder.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|--|---------------------|
| Wildlife Conservation Board Grant | \$421,000.00 |
| TOTAL | \$421,000.00 |
| Other Project-Related Costs | 5,000.00 |
| TOTAL WCB Allocation | \$426,000.00 |

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

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)(1E), that allows for the acquisition of habitat, including native oak woodlands, to protect deer and mountain lions and the preservation or enhancement of wildlife values to protector enhance a flood protection corridor or bypass.

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 recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$426,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(a)(1E) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *8. Lassen Foothills, Expansion 7 (Kerstiens Ranch) \$815,000.00
Tehama County

This proposal is to consider the allocation for a grant to The Nature Conservancy (TNC) to acquire a conservation easement over 2,311± acres of land for protection of deer and mountain lion habitat and native oak woodlands. The property will also provide significant riparian, water quality and watershed conservation within and along the Antelope Creek watershed by reducing development and impacts to downstream flood corridors.

LOCATION AND SURROUNDING USES

The property is located approximately eight miles southeast of Red Bluff in southeast Tehama County. The irregularly-shaped site is mix of terrain from mountainous to rolling hills. Acquiring this conservation easement is part of a larger conservation strategy by the TNC and Department of Fish and Game (DFG) to link together public and private lands to create a landscape-scale reserve that will protect extensive wildlife corridors and prevent habitat fragmentation. Beginning in 2001 the Wildlife Conservation Board (WCB) approved a number of grants for Expansions 1 through 6, to assist in the acquisition of conservation easements protecting nearly 35,500± acres of land under the Lassen Foothills Conceptual Area Protection Plan (CAPP). The TNC has protected additional 55,000± acres in this vicinity using combinations of other public funds and private donations. To date over 90,000 acres of habitat lands have been protected.

Major habitat types include oak woodlands, conifer forest, riverine, riparian and grasslands. These protected lands help provide habitat for a host of important species including bear, deer, burrowing owls, red-legged frog and mountain lion. The area also includes a number of important salmonid streams and rivers that feed into the Sacramento River. In the lower reaches vernal pools can also be found providing habitat for fairy shrimp and other species.

PROJECT DESCRIPTION

The property is currently used as a cattle ranch and ranching will continue once the conservation easement is in place, consistent with the existing rural agricultural zoning. There are a multitude of tributaries which flow into Antelope Creek throughout the property. After the acquisition, the property owner will retain the right to use the property for cattle grazing with a rural home site and recreational uses, including fishing, hunting, and most passive uses, but within limited parameters. Management of the land will be done primarily by the land owners with limited assistance from TNC under the terms and conditions set forth in the conservation easement.

The primary purpose of the proposed acquisition is to protect blue oak woodlands and grassland habitats which provide important habitat for the east Tehama deer herd, mountain lions, cavity nesting birds and other wildlife. The creek, springs, and riparian zones also provide important breeding habitat and migratory corridors for migrant bird species.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Land Acquisition Program. 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, which evaluates the biological values of property through development of a CAPP. The CAPP is then submitted to DFG's Regional Operations Committee for review and approval and, if approved, later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

TNC, a non-profit conservation protection organization, will be responsible for monitoring and managing the property according to the terms of the conservation easement, which provides that the property will be used primarily as a working landscape for open space agricultural livestock grazing practices. The conservation easement allows access to the subject property annually by the TNC and one every three years by WCB for monitoring purposes.

TERMS

The property owners have agreed to sell the conservation easement to TNC for an appraised market value of \$805,000.00, 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, preliminary reports, documents connected with the purchase and sale, 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.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------|---------------------|
| Wildlife Conservation Board | <u>\$805,000.00</u> |
| TOTAL | \$805,000.00 |
| Other Project Related Costs: | \$10,000.00 |

TOTAL WCB ALLOCATION

\$815,000.00

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 purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund (Proposition 117), Section 2786(a), that allows for the acquisition of habitat, including native oak woodlands, to protect deer and mountain lions and the preservation or enhancement of wildlife values.

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 recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$815,000.00 from the Habitat Conservation Fund (Proposition 117), Section 2786(a) to cover the grant and project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *9. DFG Land Management Plan, Bay Delta Region \$297,000.00
Yolo and Solano Counties

This proposal is to consider the allocation for a grant to the California Wildlife Foundation for a cooperative project with the Department of Fish and Game (DFG) to complete and deliver a land management plan for Liberty Island located in Solano and Yolo Counties.

LOCATION AND SURROUNDING USES

Liberty Island is an inundated island comprising 5,209± acres in the northern Sacramento-San Joaquin Delta. The island lies approximately twelve miles south/southeast of the City of Dixon and ten miles north of the City of Rio Vista in Solano and Yolo Counties.

The Trust for Public Land (TPL) acquired Liberty Island in 1999 using federal funds provided by CALFED. At one time, the Island was included in the proposed 45,000-acre North Delta National Wildlife Refuge (NDNWR). Transfer of ownership from TPL to U.S. Fish and Wildlife Service (USFWS) was to occur upon creation of the NDNWR; however, it never came to fruition. Instead, ownership of the 4,540-acre portion of Liberty Island in Solano County was transferred to DFG, and it is expected that the Yolo County portion will transfer to DFG ownership or management in the future.

PROJECT DESCRIPTION

The USFWS has classified these lands within the former proposed NDNWR as “critical habitat” for the Central Valley fall-run Chinook salmon and Delta smelt. The National Oceanic and Atmospheric Administration (NOAA) has listed the Southern Distinct Population Segment of North American Green Sturgeon as threatened, and designated Yolo Bypass lands as critical habitat for the species. The proposed land management plan for the Liberty Island Ecological Reserve (LIER) will be consistent with NOAA and USFWS recovery and protection objectives, the Central Valley Project Improvement Act Anadromous Fish Restoration program, CALFED Bay-Delta Program Record of Decision, and contribute to implementation of the North American Waterfowl Management Plan and the Central Valley Habitat Joint Venture Implementation Plan.

The proposed land management plan will address the following seven primary management concerns: (1) Endangered Species/Critical Habitats: to protect, restore, and enhance native habitats, aid the recovery of federal and State-listed endangered and threatened species, and prevent the listing of additional species; (2) Biodiversity: to protect, manage and restore the riparian woodland, tidally-influenced wetlands and tidal open water habitats representative of the biological diversity of the Sacramento/San Joaquin River Delta; (3) Connectivity: provide habitat linkage and migration corridor for fish and wildlife in the Yolo Bypass and

adjacent habitats; (4) Cooperative Management: to coordinate land management activities with federal, State and local governments and agencies, private conservation organizations, and citizens in support of fish and wildlife resource protection in LIER; (5) Wildlife and Fish: to provide breeding, migration and wintering habitat for migratory birds, resident birds; aquatic habitat for spawning, rearing, and nutrient production for endangered and threatened fish species such as longfin smelt, Delta smelt, splittail, salmon and other native fish; and provide habitat for mammals such as otters, beaver, muskrat, badger, and others; (6) Public Use: to provide safe and high quality opportunities for compatible wildlife-dependent educational and recreational activities that foster public appreciation of the unique natural heritage of the Bay/Delta Ecoregion; and (7) Flood Flow Conveyance: to facilitate flood flow conveyance and the transportation of additional flows through the LIER in a manner that benefits wildlife by managing local LIER conveyance features through nonstructural improvements.

WCB PROGRAM

Under Proposition 40, the Wildlife Conservation Board (WCB) received authority to use available funding to prepare management plans for properties acquired in fee by the WCB.

PROJECT FUNDING

The WCB is the sole source of funding for the project. Project costs of \$297,000.00 will be for the preparation of the LIER land management plan and for the preparation of the appropriate California Environmental Quality Act documentation for that plan.

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), Public Resources Code Section 5096.650(a). 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 project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3), Section 15262, as it involves only feasibility and planning studies for possible future actions. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

The Department of Fish and Game has reviewed the proposal and recommends it for funding by the Board.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$297,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a); 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.

- *10. Eden Landing Ecological Reserve \$304,000.00
Wetland Restoration Final Design
Alameda County

This proposal is to consider the allocation for a grant to Ducks Unlimited, Inc. (DU) for a cooperative project with the Department of Fish and Game (DFG) to complete final design plans for a tidal wetland restoration project on Ponds E12 and E13, located on the Eden Landing Ecological Reserve in Alameda County.

LOCATION AND SURROUNDING USES

The approximately 230-acre Eden Landing Ponds E12 and E13 are part of the 5,500 acre Eden Landing Ecological Reserve (ELER) owned by the DFG. These ponds were acquired in 2003 as part of the South Bay Salt Pond (SBSP) Acquisition Project, which included the Eden Landing, Alviso, and Ravenswood pond complexes. This acquisition was largely funded by the Wildlife Conservation Board (WCB), with assistance from the U.S. Fish and Wildlife Service and four private foundations.

The Eden Landing ponds are adjacent to the DFG's original 835-acre ELER Project (formerly known as the Baumberg Tract property), which was acquired by the WCB in 1996. Now, the property is managed as one complex. The ELER is located on the eastern shore of the South San Francisco Bay west of the City of Hayward and Union City in Alameda County, between the San Mateo Bridge and the Alameda Creek Flood Control Channel. The E12/E13 Ponds are bordered by Mt. Eden Creek to the north and west, Pond E14 to the south, and the 835-acre ELER Project to the east.

The salt ponds at the Eden Landing complex were historically part of a large complex of tidal salt marsh habitat along the San Francisco Bay shoreline. Site conditions favored the creation of naturally occurring salt pannes that were used and expanded by Native Americans and Spanish settlers for salt harvesting. Capitalizing on natural conditions, the Oliver Salt Works, the first commercial salt extraction effort in San Francisco Bay, were developed at Eden Landing in the 19th Century. Remnants of the original Oliver Salt Works plant can still be found in Ponds E12/E13.

PROJECT DESCRIPTION

DU proposes to complete the final design phase of the project to re-configure Pond E12/E13 levees and water management infrastructure in order to create shallow water foraging habitat of consistent depth for migratory shorebirds and waterfowl, with a range of salinities, and a limited number of islands for nesting bird habitat. The goal of the proposed Pond E12/E13 project is to provide the ecologic functions and values of particular aspects of the former salt production ponds within a

reduced area by specifically managing habitat attributes (i.e. water depth, salinity, and availability of island refuge habitat) for target species, especially migratory shorebirds and waterfowl, as well as nesting terns and shorebirds, while also providing ecologically sensitive public access where feasible. The long-term plan for Eden Landing calls for a mix of tidal marsh and, like the proposed Pond 12/13 complex, managed ponds. If the development and management of the Pond E12/E13 project is as successful as expected, a greater proportion or potentially all of the remaining area of Eden Landing could be restored to tidal wetlands, while intensively managing reconfigured ponds retained for waterbird management in a smaller pond “footprint”.

In the reconfigured and intensively managed E12/E13 Ponds, paired but separate groups of three pond cells will each have salinity progressively increase from “low” to “moderate” to “high” in two parallel systems (of three ponds each) totaling six reconfigured cells. Within each of the salinity cells, one habitat island will be created using onsite material from within the ponds to provide nesting and refuge habitat. The water depths within each cell would be managed to provide optimal shallow water habitat for shorebird foraging (ranging from 2 inches to 1 ft, with an average depth of <6 inches).

This system of ponds requires an unusually high degree of planning and design. The proposed project activities include project management, planning and design phase services, and travel associated with completion of these. The final product of this project will be a bid-ready plan set and technical specifications, ready for the DFG and WCB to move forward with the planned construction next fall.

WCB PROGRAM

The proposed project will be funded through the Habitat Enhancement and Restoration Program and meets the program's goal of providing for restoration of wetlands that fall outside the jurisdiction of the Inland Wetland Conservation Program such as coastal, tidal, or fresh water habitats.

MANAGEMENT OBJECTIVES AND NEEDS

The project site is owned and managed by the DFG. This project is the final phase in the project design, and will result in documents ready to bid. The preliminary designs suggest that the finished project, when constructed, will require less daily management than the current remnant salt evaporation ponds.

PROJECT FUNDING

The proposed funding of \$304,000.00 for the project will come from the WCB. Project costs will be for planning and design, complete engineering

drawings, development of bid-ready plan set and technical specifications, and project administration.

FUNDING SOURCE

The proposed funding source for this project is the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(c). The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the restoration of coastal wetlands, upland areas adjacent to coastal wetlands and coastal watershed lands within the San Francisco Bay Area.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

As lead agency, the DFG has prepared an Environmental Impact Report pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff has considered the Environmental Impact Report and prepared proposed, written findings documenting WCB's compliance with CEQA. Following the Board's approval of the project, staff will file a Notice of Determination with the State Clearinghouse.

The DFG has reviewed this proposal and recommends it for funding by the WCB. All required permits are in place, including those from the Bay Conservation and Development Commission, the San Francisco Regional Water Quality Control Board, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$304,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(c); authorize staff and the Department of Fish and Game 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.

- *11. San Joaquin Multi-Species Conservation Plan 2008 \$235,000.00
Vaquero Farm Central
Contra Costa County

This proposal is to consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) 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 (WCB) grant to ECCCHC, for a cooperative project with the East Bay Regional Parks District (EBRPD) and the Moore Foundation to acquire 320± acres 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 boundary.

LOCATION and SURROUNDING USES

The property is located in the Diablo Range in a rural area west of the town of Byron, a delta community in Contra Costa County. The proposed acquisition is part of the East Contra Costa County Habitat Conservation Plan (ECCCHCP), a joint State and federal Natural Community Conservation Plan/Habitat Conservation Plan. The acquisition will help maintain a contiguous patch of annual grasslands and vernal pool habitat in the lower elevations, as well as oaks and scrub habitat areas along the upper elevations.

The property is located within a habitat linkage running from the Concord Naval Weapons Base south to the Los Vaqueros Reservoir and beyond to the Altamont Pass and eventually to the northern portions of the San Joaquin Valley. Over the past year the WCB, USFWS, ECCCHC and EBRPD have partnered to acquire just over 6,159 acres within the MSHCP planning area, protecting essential habitat and connectivity for multiple species whose populations or habitat span the two counties covered by ECCCHCP and the San Joaquin Multi-Species Conservation Plan

PROJECT DESCRIPTION

The subject property is an agricultural zoned rural property consisting mainly of vacant, unimproved rolling grasslands. Residential subdivision development has been encroaching in the project area from the north and east, as the Bay Area continues to grow in population. The subject parcel 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. The acquisition will help further establish a northwest-southeast movement corridor for the federally and State-listed San Joaquin kit fox and will protect habitat for the conservation of the federally

and State-listed 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 is being considered under the WCB's Land Acquisition Program. 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 as well as accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties.

The project has been reviewed and approved by the DFG under its Natural Community Conservation Plan program, substantiating the biological values of the property and recommending it for funding. The USFWS grant proposed for this project has also been reviewed and approved by the DFG as a participant in the USFWS Land Acquisition grant selection and review process.

MANAGEMENT OBJECTIVES AND NEEDS

When acquired, this property will be managed by the EBRPD. EBRPD anticipates that funding of future management activities for this property will be provided by wind turbine and cell tower lease revenue from subsequent acquisitions within the ECCCHCP area. EBRPD also anticipates that the area will offer passive recreational uses, as the habitat will be maintained in conjunction with EBRPD properties managed in East Contra Costa County.

TERMS

The property has been appraised as having a fair market value of \$2,400,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS) and the USFWS. The property owner has agreed to sell the property for the fair market value of \$2,400,000.00. The USFWS funds require a non-federal match that is being provided by EBRPD tax revenues, the Moore Foundation and the proposed WCB grant to ECCCHC. The terms and conditions of the proposed WCB grant and the USFWS subgrant to the ECCCHC provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can seek specific performance of the grant, require the grantee to encumber the property with a conservation easement in favor of WCB or another qualified holder and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------------|----------------------|
| Wildlife Conservation Board | \$ 230,000.00 |
| WCB – Subgrant of USFWS funds | 1,080,000.00 |
| The Moore Foundation | 850,000.00 |
| East Bay Regional Park District | <u>240,000.00</u> |
| TOTAL | \$2,400,000.00 |
| Other Project Related Costs: | 5,000.00 |
| TOTAL WCB ALLOCATION | \$235,000.00 |

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 purposes of this project are consistent with the authorized uses of the proposed funding source, Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c), (SB8) that allows for the acquisition and protection of habitat for areas in and around the Sacramento-San Joaquin Delta that implements or assists in the establishment of Natural Community Conservation Plans.

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.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of a Habitat Conservation Planning Land Acquisition Grant from the USFWS in the amount of \$1,080,000.00 and approve the subgrant of the federal funds to the East Contra Costa County Habitat Conservancy ; allocate \$235,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c), (SB8) for the grant to East Contra Costa County Habitat Conservancy and to cover the project-related costs; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *12. Pacifica Fishing Pier Improvements, Phase II \$249,000.00
San Mateo County

This proposal is to consider the allocation for a grant to the City of Pacifica to improve public access for sport fishing at the Pacifica Fishing Pier located in the City of Pacifica in San Mateo County.

LOCATION AND SURROUNDING USES

The Wildlife Conservation Board (WCB/Board) has a long history of partnership with the City of Pacifica and the Pacifica Fishing Pier. In 1971 the Board made a grant to the City to help construct this 1,140 foot-long, 19.5 foot-wide, L-shaped concrete pier, which was designed to provide public fishing access. The pier was opened on November 10, 1973. In 1993 and again in 2006, the Board provided funds to help the City make repairs to the pier caused by the extreme elements to which it is constantly subjected.

The Pacifica Fishing Pier is rated as one of California's best coastal piers in terms of both fishing success and numbers of users. In addition to the most commonly caught species such as surf perch, jacksmelt, white croaker, sand sole, and starry flounder, runs of striped bass also provide plenty of action at certain times of year. In fact, the pier has the highest success rate of any pier on the west coast for catching striped bass. The excellent fishing and its proximity to San Francisco and the rest of the Bay Area underscores its importance as a public pier. It is the only ocean pier located between San Francisco and Santa Cruz and is estimated to attract more than 100,000 visitors every year.

PROJECT DESCRIPTION

The Pier consists of four pre-cast reinforced concrete girder sections mounted on concrete pilings. In 2006, the WCB funded a project to repair corroded concrete on the pier headwall buttress and the two most landward piles. Since then, the deck surface, pier railing and underside of the pier have deteriorated, with the concrete breaking down and revealing corroded reinforcing steel. The pier deck covers and supporting deck structure also have deteriorated, which could raise safety concerns. This project will provide funds for the City to design and perform the necessary concrete and reinforcing steel repairs to the pier piles, deck railing, deck covers and structural framing to ensure the structural integrity and continued availability of the pier for public use for many years to come.

WCB PROGRAM

The proposed project will be funded through the WCB's Public Access Program and meets the program's goal of providing public access for hunting, fishing, or other wildlife-oriented recreation statewide.

MANAGEMENT OBJECTIVES AND NEEDS

The City of Pacifica is responsible for the operation and maintenance of the Pier and the existing long-term management plan between the City

and WCB, dated January 24, 1972, will remain in effect until its expiration date of August 17, 2031.

If at any time during the life of the project the City of Pacifica does not manage and maintain the project improvements, the Grant Agreement requires the City 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 | \$249,000.00 |
| City of Pacifica | <u>\$31,000.00</u> |
| TOTAL | \$280,000.00 |

Project costs will be for design, plans, drawings, construction, and project management.

The WCB has submitted a grant application for federal reimbursement under the Land and Water Conservation Fund, administered by the California Department of Parks and Recreation. If approved, the WCB would be reimbursed for 50% of its project costs.

FUNDING SOURCE

The proposed funding source for this project is the WCB's Wildlife Restoration Fund. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the development of public access facilities for hunting, fishing and other wildlife compatible recreational activities.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3), Section 15302, Class 2, replacement or reconstruction of existing structures or facilities. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse. The DFG has reviewed this proposal and recommends it for funding by the WCB.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$249,000.00 from the Wildlife Restoration Fund; authorize acceptance of the Land and Water Conservation Grant funds as reimbursement; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *13. San Francisco Bay Community-based Salt Pond Transition Zone Restoration San Mateo and Alameda Counties \$415,000.00

This proposal is for a grant to Save The Bay for a cooperative project with the Department of Fish and Game (DFG), the U.S. Fish and Wildlife Service (FWS) and the National Oceanic and Atmospheric Administration to restore 51± acres of transitional zone habitat adjacent to former salt ponds, located on the Eden Landing Ecological Reserve and the Don Edwards San Francisco Bay National Wildlife Refuge in Alameda and San Mateo Counties.

LOCATION AND SURROUNDING USES

The project is located on three sites. The first is the diagonal levee through former crystallizer ponds 11B, 10B, 17B, 6B, 2B and 3B at the DFG's Eden Landing Ecological Reserve (ELER) in Alameda County. The ELER is located on the eastern shore of the South San Francisco Bay west of the City of Hayward and Union City in Alameda County, between the San Mateo Bridge and the Alameda Creek Flood Control Channel. Twenty five acres of transitional zone habitat will be restored here completing the restoration of this entire levee.

The other two sites are located within the Don Edwards San Francisco Bay National Wildlife Refuge, owned and managed by the FWS. One is on the Ravenswood Pond SF-2 levee (2 acres along the eastern, southern and western portions). Ravenswood Pond is located immediately south of Highway 84 at the western end of the Dumbarton Bridge in San Mateo County. The third site is 23 acres on a western levee on Middle Bair Island along Smith Slough. Middle Bair Island is located in Redwood City, on the eastern side of Highway 101 in San Mateo County.

PROJECT DESCRIPTION

Over the last 150 years, most of the natural habitats of the San Francisco Bay have been lost and the remaining habitats have been greatly altered. Urbanization, agricultural production and, more recently, salt production have created major shoreline modifications. With the 2003 State and federal acquisition of the former Cargill Salt Ponds, restoration of some of these habitats has become a possibility.

The common restoration approach of these altered marshes has been to strategically breach perimeter dikes, enabling sedimentation to accrete to tidal elevations at which marsh vegetation can colonize. Channels form through deposition and tidal scour as the mudflats accrete, and are further defined as vegetation becomes established. Sometimes, imported dredge material is used to raise site elevations prior to breaching, speeding the restoration process. A marsh is considered restored when the mudflat has become vegetated plain.

While the focus of estuarine conservation and restoration is typically the broad salt marsh plain, as described above, the ecotone, which is the boundary zone between the uplands and the marsh, harbors the greatest species richness of marsh plants, with some plant species found only here. The ecotone is a unique habitat with high biodiversity, and research has shown that conservation and restoration activities need to focus more on these ecotones. Ecotones have distinctive structural characteristics and also provide valuable benefits to humans such as flood mitigation, recreation, sediment trapping and nutrient storage.

In this context, restoration efforts of San Francisco tidal marshes need to take into account the need to restore and maintain marsh ecotones in order to create sustainable restored tidal marshes. The restoration project proposed here aims to address this need by providing the restored tidal marshes with mechanisms to prevent erosion along the tidal edges, maintain marsh elevation, combat invasive establishment and provide refuge habitat for sensitive marsh species.

For this project, Save The Bay will recruit and train approximately 3000 volunteers to remove 11,000 pounds of non-native plants and marine debris and plant 15,000 native plants throughout the 3 restoration sites over a 2 year period. Save The Bay will collect seed and propagate the plants in its nursery. Save The Bay will also compare four revegetation and invasive control treatments to create both site specific and Bay-wide ecotone management plans to be used by project partners and others to restore and adaptively manage transition-zone restoration projects. In addition it will host five regional practitioner workshops.

The restored ecotones will provide breeding habitat for salt marsh yellowthroats and song sparrows, and refuge during high tides for such marsh species as the salt marsh harvest mouse and black rail. All of these species are either rare or declining in the Bay Area.

WCB PROGRAM

The proposed project will be funded through the Habitat Enhancement and Restoration Program and meets the program's goal of providing for restoration of wetlands that fall outside the jurisdiction of the Inland Wetland Conservation Program such as coastal, tidal, or fresh water habitats and adjacent uplands.

MANAGEMENT OBJECTIVES AND NEEDS

The project sites are located on property owned and managed by the DFG and the FWS and will be managed long-term for transition-zone habitat values. Save The Bay will work with the DFG and the FWS to maintain the sites for 25 years, continuing to monitor the sites to control invasive species and plant natives as needed.

The project conforms to the goals of the San Francisco Bay Joint Venture and the South Bay Salt Pond Project.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------------|-----------------------|
| Wildlife Conservation Board | \$415,000.00 |
| NAWCA | \$75,000.00 |
| NOAA (Restore America's Estuaries) | \$119,690.00 |
| Save The Bay | <u>\$641,724.00</u> |
| TOTAL | \$1,251,414.00 |

Project costs will be for restoration implementation; native plant propagation; monitoring and data analysis; ecotone management plans (site specific and Bay-wide); travel and transportation; equipment and supplies; and project administration.

FUNDING SOURCE

The proposed funding source for this project is the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(c). This source provides funding for the restoration and enhancement of coastal wetlands and adjacent upland areas within the San Francisco Bay Area and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

As lead agency, the DFG and FWS prepared an Environmental Impact Report/Environmental Impact Statement, pursuant to the provisions of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act. Staff has considered the Environmental Impact Report/Environmental Impact Statement and prepared proposed written findings in compliance with CEQA. Following the Board's approval of the project, staff will file a Notice of Determination with the State Clearinghouse.

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

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$415,000.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(c); authorize staff and the Department of Fish and Game 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.

- *14. Central Coast Farm Restoration \$165,000.00
Santa Cruz, Monterey and San Benito Counties

This proposal is to consider the allocation for a grant to the Wild Farm Alliance (WFA) for a cooperative project with the Natural Resources Conservation Service and the National Oceanic to develop native plant hedgerows that provide wildlife habitat and corridors and help improve agricultural operations by providing vegetation that attracts pollinators, suppresses non-native weeds and improves water quality through slope stabilization, on three farms, near the towns of Tres Pinos in San Benito County, Prunedale in Monterey County, and Soquel in Santa Cruz County.

LOCATION AND SURROUNDING USES

The project is located on privately owned land in California's Central Coast region. The properties are located in the Soquel Creek watershed in southern Santa Cruz County, the Elkhorn Slough watershed in northern Monterey County, and the Tres Pinos Creek watershed in northern San Benito County.

PROJECT DESCRIPTION

For this project WFA will assist three landowners on California's Central Coast with installing riparian and upland plantings that promote biodiversity, provide wildlife connections, stabilize soil and create beneficial insect habitat. These conservation practices will demonstrate that agriculture can be ecologically and financially compatible. To further the impact of this conservation work, WFA will incorporate outreach and educational opportunities into the planting phases, and will conduct a demonstration field tour to the sites.

WCB PROGRAM

The proposed project will be funded through the Wildlife Conservation Board's Ecosystem Restoration on Agricultural Lands Program and meets program's goal of assisting farmers in integrating agricultural activities with ecosystem restoration and wildlife protection.

MANAGEMENT OBJECTIVES AND NEEDS

The landowners have each agreed to manage and maintain their properties for twenty-five years, pursuant to the terms and conditions of the Grant Agreement. If at any time during the life of the project the landowners do not manage and maintain the project improvements, the Grant Agreement requires an amortized amount of funds to be refunded to the State of California 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 | \$165,000.00 |
| Natural Resources Conservation Serv. | 3,200.00 |
| Volunteers (in-kind) | 9,600.00 |
| Landowners | <u>41,800.00</u> |
| TOTAL | \$219,600.00 |

Project costs will be for materials, nursery supplies, vegetation maintenance, and project management and administration.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(d)(4). The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for projects to assist farmers in integrating agricultural activities with ecosystem restoration and wildlife protection.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

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

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$165,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(d)(4); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *15. San Joaquin River Parkway, Sycamore Island, \$361,000.00
North Channel Crossing Construction
Madera County

This proposal is to consider the allocation for a grant to the Department of Water Resources (DWR) to construct a steel arch culvert crossing at the North Channel of Sycamore Island, within the San Joaquin River Parkway (Parkway) located downstream of the State Highway 41 crossing in Madera County.

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 San Joaquin River Conservancy (SJRC) was created by legislation 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 proposed project is within the 347± acre Sycamore Island Fishing Access site, acquired by the Wildlife Conservation Board (WCB) in 2004, and located within the Parkway, approximately two miles west of Highway 41, north of the San Joaquin River and south of Avenue 7½. The WCB transferred jurisdiction of the Sycamore Island Fishing Access site to SJRC in 2005.

Prior to public acquisition, the Sycamore Island site had supported a privately operated public fishing and camping area. There are six large ponds (former gravel mining pits) on the site that, for a fee, have been used by local anglers fishing for bass and other warm water fish since the early 1960's. At the time of the public acquisition of the property in 2005, the area was closed pending the implementation of public safety and environmental protection improvements. Once these improvements were implemented, the nonprofit San Joaquin River Parkway & Conservation Trust operated the facility on an interim basis. Currently, the SJRC manages the site and collects user fees to cover the costs of waste management, sanitation, area oversight, and visitor information.

In 2006 the WCB and the SJRC approved funding to make improvements necessary to protect the environment and public health and safety while continuing to accommodate public fishing access. Improvements consisted of signage, eight picnic tables, a restroom and re-grading of the entrance road.

In June 2011 the WCB and the SJRC approved funding for DWR for reviewing bridge alternatives, completing design, performing environmental compliance and obtaining permits.

PROJECT DESCRIPTION

Sycamore Island is open for public use. The area includes a small boat launch, fishing ponds, and river access. A safe, stable bridge is necessary to allow the SJRC to provide for and oversee public use and service the picnic grounds, temporary restrooms, and garbage cans; the DFG Game Wardens and Madera County Sheriffs to patrol and respond to emergencies and river rescues; and the fire protection agency to gain emergency access to contain and put out wildfires and protect adjacent urban residential and commercial development.

The North Channel of the San Joaquin River bisects Sycamore Island and is crossed by a public access road. The existing unarmored culvert bridge at the channel is inadequate to convey normal flows, and the roadway is eroded and soon will be too narrow for the safe passage of emergency response vehicles. The pipe is not only too small but also too short, creating a very steep slope on both sides of the road at the bridge. The road is necessary to reach one-half of the property, not only for public access to the river and ponds, but also for patrolling, monitoring, and emergency response.

The existing culvert, being too small to handle the high flows that routinely pass through this channel, also causes problems for native fish. First, the high velocities of water that pour through the pipe prevent upstream fish passage during flood events and can be hazardous for smaller fish moving downstream. Second, those high velocities cause erosion downstream of the culvert resulting in excessive sedimentation downstream. Third, the elevation of the pipe could prevent fish from re-entering the San Joaquin River when flood waters recede. And finally, this channel may be enhanced in the future to provide additional fish habitat, and the proposed culvert bridge has been designed to accommodate any additional flows that may occur as a result of that possible future work.

A substantial bridge is required to provide for the anticipated vehicle loads because the crossing is on a primary side channel of the San Joaquin River and is within the floodway and 100-year floodplain. As such, this channel is identified in the San Joaquin River Restoration Program (SJRRP) as a potential habitat restoration site. The SJRRP is a comprehensive long-term effort, spearheaded by the DWR but with many other State, federal and local agencies and non-governmental organizations, to restore flows to the San Joaquin River from Friant Dam to the confluence of Merced River and restore a self-sustaining Chinook salmon fishery in the river while reducing or avoiding adverse water supply

impacts from restoration flows. Flows in the river of at least 4,000 cfs will occur in 50% of years, as identified by the SJRRP, and spring flood flows to 8,000 cfs commonly occur. Consequently, with DWR's authority under the SJRRCP, DWR has designed the bridge and will construct it to safely convey North Channel flows during these periods and so that it will not obstruct or become dislodged during higher flows.

DWR selected three alternatives for thorough analysis: a steel plate arch culvert, a concrete box culvert, and a prefabricated bridge. The recommended alternative and alternative selected by the SJRC is a steel plate arch culvert with a gravel base. This alternative is expected to have a lifespan of between 75 and 100 years and has the lowest construction and maintenance cost. The design also meets fisheries needs by incorporating a natural riverbed and the following DWR evaluation criteria:

- The structure must allow for salmonid passage;
- The structure must allow for rural fire response vehicles;
- The project area must not exceed one acre to minimize permitting requirements;
- The structure must continue to provide year-round pedestrian and vehicle passage;
- The structure must account for future channel modifications and flows;
- The structure must meet flow requirements.

For this project DWR will construct a 32 foot-wide, 9 foot high structural steel plate arch culvert. The culvert will be anchored in a base of gravel so that it will not rust from coming in constant contact with water. The inlet and outlet of the culvert will be tapered to match a 2:1 embankment slope. Cobble riprap will be placed around both the inlet and outlet. Initial estimates assume 100 tons of riprap will be needed. Geo-fabric will be placed below the riprap to prevent erosion of fine material.

DWR is proposing to widen the crossing to 20 feet and place 100 feet of standard guardrails on each side of the road. This will allow the crossing to accommodate Madera County Fire Department emergency response vehicles.

Upon approval, project construction is expected to commence June 2012 with an anticipated completion date of November 2012. This timing takes into consideration the flow and environmental conditions of the river.

WCB PROGRAM

The WCB's Public Access Program provides the basis for WCB's ability to provide public access statewide. In addition, funds were allocated to the WCB from the Safe Drinking Water, Water Quality and Supply, Flood

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

MANAGEMENT OBJECTIVES AND NEEDS

The channel is a side channel of the San Joaquin River. It is degraded and of particular importance in the restoration of the river for salmonids. DWR has the particular expertise and data to determine the modified flows, channel configuration, and bridge design needed to meet the SJRRP objectives. Under the earlier grant DWR has already performed the preliminary design and will be completing the final design and permitting.

Once constructed, it is expected that the crossing will provide safe access to the southern half of Sycamore Island and the San Joaquin River for recreation, patrolling, monitoring, and emergency responses for 75 – 100 years, with little or no annual maintenance.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------------|---------------------|
| Wildlife Conservation Board | \$361,000.00 |
|------------------------------------|---------------------|

Project costs include project management and operations oversight, construction labor and materials for the development and installation of a structural steel plate arch culvert, and will include road surface, guardrails, geo-fabric, and cobble riprap.

FUNDING SOURCE

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

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project was among the SJRC's highest priorities as established in June 2010, and was approved by the SJRC Board on September 14, 2011 to be considered by the WCB. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3), Section 15302, Class 2, replacement or reconstruction of existing structures. Subject to approval of this proposal by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$361,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *16. Castle Wetland Hydrology Enhancement \$85,000.00
Merced County

This proposal is to consider the allocation for a grant to Ducks Unlimited, Inc. (DU), for a project to enhance 240± acres of wetland habitat on privately owned land protected with a permanent U.S. Fish and Wildlife Service (USFWS) conservation easement, located southwest of the City of Merced in Merced County.

LOCATION AND SURROUNDING USES

The project is located on Castle Duck Club, in the East Grasslands section of the Grasslands Ecological Area (GEA), approximately ten miles southwest of the City of Merced. The GEA is one of the most important wetland areas in California, containing nearly one third of all managed wetlands in the State. Most of the 180,000± acres of wildlife habitat within the GEA are privately owned, but the area also includes nearly 50,000 acres of wetlands and uplands on the USFWS' National Wildlife Refuges and nearly 19,000 acres of wildlife habitat on the DFG's Los Banos, North Grasslands and Volta Wildlife Areas. The Central Valley Joint Venture (CVJV) considers this area to be of critical importance to breeding and wintering waterfowl and other wetland dependent species. The CVJV Implementation Plan calls for the protection and enhancement of an additional 20,000± acres of restorable lands within the San Joaquin Basin, which includes the GEA, and the enhancement of more than 6,700 acres of existing wetland habitats each year.

PROJECT DESCRIPTION

The project will enhance 240± acres of wetland habitat by deepening a deep well and increasing the horsepower of the motor to improve water flows. These actions will allow for the flooding and optimal management of several wetland units that are currently unable to flood due to low water output of the present deep well pump.

WCB PROGRAM

The proposed project will be funded through the Inland Wetland Conservation Program and meets the program's goal of assisting the CVJV's mission to protect, restore, and enhance wetlands and associated habitats.

MANAGEMENT OBJECTIVES AND NEEDS

The landowner has agreed to manage and maintain the project for twenty-five years, pursuant to the terms and conditions of the Grant Agreement. If at any time during the life of the project the landowner does not manage and maintain the project improvements, the Grant Agreement requires an amortized amount of funds to be refunded to the State of California 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 | \$85,000.00 |
| Landowner | <u>12,272.00</u> |
| TOTAL | \$97,272.00 |

Project costs will be for well improvement, earthwork, and project management and administration.

FUNDING SOURCE

The proposed funding source for this project is the Habitat Conservation Fund, Fish and Game Code Section 2786(d), Inland Wetlands Conservation Program. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the enhancement or restoration of wetlands in the Central Valley.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3), Section 15302, Class 2, as replacement or reconstruction of an existing structure. Subject to approval by the Wildlife Conservation Board (WCB), a Notice of Exemption will be filed with the State Clearinghouse.

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

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$85,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Inland Wetlands Conservation Program; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *17. Lower Owens River Basin Saltcedar Control, Phase II \$385,000.00
Inyo County

This proposal is to consider allocation for a grant to the Inyo County Water Department for the final phase of a 10-year cooperative project with the City of Los Angeles, Department of Water & Power (LADWP), to remove the nonnative invasive plant, saltcedar (*Tamarisk* spp.), from 400 acres of the Lower Owens River floodplain to restore native plant diversity.

LOCATION AND SURROUNDING USES

The project is located on 400± acres within the Lower Owens River valley, approximately 10 miles northeast of the City of Independence in Mono County.

PROJECT DESCRIPTION

The Lower Owens River Project (LORP) Long Term Water Agreement provides for the re-watering and restoration of 60 miles of the Lower Owens River channel below the Los Angeles aqueduct, including the Owens River Delta Habitat area, off-river lakes and ponds, and the Blackrock Waterfowl Habitat Area. A 1991 Environmental Impact Report outlined LADWP's water management in the Owens Valley, and the LORP was identified as compensatory mitigation for impacts resulting from LADWP's water exports. The goal of the LORP is to reestablish wetlands and riparian areas to an ecologically functioning system that will support the region's natural diversity of flora and fauna. The LORP includes the reestablishment of a fishery, habitat for endangered species, and recreation areas.

This proposal seeks to cut and treat 400± acres of saltcedar-dominated land near the Lower Owens River. The Inyo County Water Department has previously received funding from the Wildlife Conservation Board (WCB) and the City of Los Angeles for the removal of 16,000 acres of saltcedar from the Lower Owens River floodplain (in 2001, 2004, and 2006). Those projects were a key to restoring the Lower Owens River channel and riparian habitat. The release of water flows to a previously dry portion of the channel began in December 2006. Together these projects have resulted in a remarkably successful restoration of riparian and wetland habitat along approximately 60 miles of the Lower Owens River over the last 10 years. However, populations of saltcedar remain near the restored areas, which provide a seed source for reinfestation of previously treated areas.

This final phase will remove additional 400± acres of saltcedar from the Lower Owens River Basin and restore native plant diversity to sites previously cleared. Methods will include chainsaw removal of the trees, and herbicide applications by well-trained and proven Inyo County

Saltcedar crew. Mechanical mowing and chipping will be followed by application of systemic herbicide to resprouts. Appropriate management practices that favor desirable native plants over non-native species will be implemented.

WCB PROGRAM

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

MANAGEMENT OBJECTIVES AND NEEDS

The goal of this project is to monitor and maintain previously cleared saltcedar worksites in and adjacent to the Lower Owens River channel and reduce the remaining populations of tamarisk in the Lower Owens River Basin. The Inyo County Water Department estimates that, during the three-year implementation period covered by the proposed grant, the project will remove approximately 400 acres of monoculture saltcedar stands and restore native plant diversity to sites cleared of saltcedar. The Inyo County Water Department has agreed that the long-term monitoring, maintenance and treatment of saltcedar will continue in the Lower Owens River Program area for the 25-year project life. New and successful saltcedar control methods appropriate to these populations will be used adaptively during the project life.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|--------------------------------------|---------------------|
| Wildlife Conservation Board | \$385,000.00 |
| Los Angeles Dept. of Water and Power | 385,000.00 |
| Inyo County Water Department | <u>200,000.00</u> |
| TOTAL | \$970,000.00 |

FUNDING SOURCE

The proposed funding source for this project is the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (1E). The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the restoration or enhancement of riparian habitat statewide to protect a flood protection corridor or bypass.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

As lead agency, the County of Inyo has prepared a Mitigated Negative Declaration pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff has considered the Mitigated Negative Declaration and prepared proposed written findings documenting WCB's

compliance with CEQA. Following the Board's approval of the project, staff will file a Notice of Determination with the State Clearinghouse.

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

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$385,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code 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.

- *18. Santa Rosa Mountains, Expansions 11—13
Riverside County \$146,250.00

This proposal is to consider the acceptance of a Recovery Land Acquisition grant in the amount of \$240,890.00 and a Habitat Land Acquisition grant in the amount of \$243,750.00 from the U.S. Fish and Wildlife Service (USFWS) for the direct acquisition in fee of 50± acres of land on behalf of the Department of Fish and Game (DFG) for a cooperative project with Coachella Valley Mountains Conservancy (CVMC) and the USFWS for the protection of Peninsular bighorn sheep (PBS) habitat and to provide potential future wildlife-oriented public use opportunities, as an expansion to the DFG's Santa Rosa Wildlife Area.

LOCATION AND SURROUNDING USES

The proposed acquisition involves three separate parcels. The properties are located south of the City of La Quinta and west of Interstate 10. The properties are irregularly-shaped and a mix of terrain from mountainous to alluvial fan habitat. Acquiring these properties is part of a larger conservation strategy by USFWS, DFG, CVMC and the Bureau of Land Management to link together public and private lands to create a landscape-scale reserve that will protect extensive sheep corridors and prevent habitat fragmentation.

The DFG Santa Rosa Mountain Wildlife Area is essentially a checkerboard area of lands owned by the State and the Bureau of Land Management. These lands link up with the San Bernardino National Forest situated in the San Rosa Mountains to the west. Together these protected lands provide for over 100,000 acres of significant landscape level habitat rising up from the western Coachella Valley into the Santa Rosa Mountains.

These subject properties are also located within the larger Coachella Valley Natural Community Conservation Plan (NCCP) boundary that encompasses the entire Coachella Valley extending from the San Bernardino County line in the North to the Imperial County line in the south, covering over 1 million acres. The plan covers and seeks to protect over 27 species, including the Coachella Valley fringe-toe lizard, desert tortoise and Peninsular bighorn sheep to name a few.

PROJECT DESCRIPTION

The subject properties are designated as three expansions to the DFG's Santa Rosa Mountain Wildlife Area.

Expansion 11 is a 20-acre vacant, unimproved, desert, alluvial plain parcel with an appraised fair market value of \$300,000.00.

Expansion 12 is a 25-acre vacant, unimproved, desert, alluvial plain parcel with an appraised fair market value of \$375,000.00

Expansion 13 is a 5-acre vacant, unimproved, desert, alluvial plain parcel with an appraised fair market value of \$75,000.00.

The acquisition of the subject parcels will provide core habitat, linkages, and transport corridors which are important for the PBS. Placement of these areas in public ownership will add a significant buffer from the developing residential lands to the east and north, in particular the proposed Travertine development which has been approved for the properties proposed for acquisition. The subject properties have multiple species values including habitat for desert tortoise, least Bell's vireo, and the southwestern willow flycatcher. There is also potential habitat for several sensitive bat species including the western yellow bat, pallid bat, California leafnosed bat, spotted bat, pocketed free-tailed bat, and western mastiff bat. Protection of the properties would also benefit many other species that inhabit the area including mountain lion, mule deer, golden eagle, and prairie falcon.

WCB PROGRAM

The proposed acquisitions are being considered under the WCB's Land Acquisition Program. 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.) authorizing the WCB to acquire real property or rights in real property 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 the program the WCB acquires or provides funds for the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities.

The project has been reviewed and approved by the DFG under its Natural Community Conservation Plan program substantiating the biological values of the properties and recommending the project for funding. The USFWS grants proposed for acceptance for this project have also been reviewed and approved by DFG as a participant in the USFWS Land Acquisition Grant selection and review process.

MANAGEMENT OBJECTIVES AND NEEDS

The DFG has identified the subject properties as being within a Significant Natural Area and has recommended the purchase of the properties which would be incorporated into and managed in conjunction with other existing wildlife areas and ecological reserves in the region.

TERMS

The owners have agreed to sell the properties for their combined appraised value of \$750,000.00, as approved by the Department of General Services (DGS). The USFWS has awarded two Recovery Land Acquisition Program grants in an amount not to exceed \$484,640.00, to be applied toward the purchase price of the properties. The CVMC has agreed to provide funds in the amount of no less than \$134,110.00 to assist in this acquisition. The terms and conditions of the proposed sub-grants 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.

Currently, at the time of printing this agenda, the staff is working with the DFG to determine if funds the DFG is holding from an agreed upon court settlement, resulting from a project in the area, can be used to acquire Peninsular bighorn sheep habitat and be used to assist in this acquisition. If it is determined that these funds are eligible to assist in this acquisition, the WCB's allocation would be reduced by up to \$131,250.00.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------------|---------------------|
| Wildlife Conservation Board | \$131,250.00 |
| USFWS Section 6 Grant (E-27-RL-3) | 240,890.00 |
| USFWS Section 6 Grant (E-30-HL-1) | 243,750.00 |
| CMVC Grant | <u>\$134,110.00</u> |
| TOTAL | \$750,000.00 |
| | |
| Other Project-Related Costs | \$15,000.00 |
| TOTAL WCB ALLOCATION | \$146,250.00 |

It is estimated that an additional \$15,000.00 will be needed to cover project-related expenses, including DGS review costs, bringing the total recommended allocation for this proposal to \$146,250.00.

FUNDING SOURCE

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

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 project has been reviewed by DFG and has been recommended for approval.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of a Recovery Land Acquisition grant in the amount of \$240,890.00 and a Habitat Land Acquisition grant in the amount of \$243,750.00 from the USFWS; allocate \$146,250.00 for the acquisitions and internal project-related expenses from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund (Proposition 84), Public Resources Code Section 75055(c); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *19. Western Riverside County MSHCP, Expansion 6 \$5,000.00
Riverside County

This proposal is 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 Jurupa Area Recreation and Park District (Park District), for a cooperative project with the Redevelopment Agency of the County of Riverside and the Riverside Land Conservancy to acquire in fee 138± acres of land. The acquisition will help to protect core areas of habitat for the benefit of the federally and State-listed as threatened California coastal gnatcatcher, preserve key regional wildlife linkages and help implement the existing Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), a joint Habitat Conservation Plan and Natural Community Conservation Plan.

LOCATION AND SURROUNDING USES

The MSHCP, approved by federal and State wildlife officials in 2004, designates certain areas for wildlife preserves and other areas where development is allowed. The key component of the plan is to assemble a 500,000 acre conservation area to secure survival of 146 species. This acreage goal includes approximately 347,000 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 45,000 of the 153,000 acres of habitat have been acquired using a combination of local, State and federal funding.

The subject property is situated within the MSHCP area on the east side of Pyrite Road, north of Granite Hill Drive and State Highway 60, just northwest of the community of Sunnyslope in an area of Riverside County known as the Jurupa Valley. The westerly and northerly boundaries of Jurupa Valley area extend, respectively, about one-half mile west of Interstate Highway 15 and two miles north of State Highway 60 before abutting the San Bernardino County line. The Jurupa Valley's southerly and easterly boundaries are generally formed by the Santa Ana River and the northerly boundaries of the Cities of Norco and Riverside. In addition to Sunnyslope, the Jurupa Valley includes the communities of Belltown, Eastvale, Glen Avon, Mira Loma and Rubidoux.

Sunnyslope is a largely rural community consisting of scattered single family residences and mobile homes. The western portion of the Jurupa Valley area is primarily flat, with gentle rolling foothills scattered throughout the Glen Avon and Mira Loma areas. North of State Route 60 lies the dramatic sloping terrain of the Jurupa Mountains, the area in which the subject property is located, that provides a natural backdrop for the communities of Sunnyslope and Belltown. The Santa Ana River flows

along the southern boundary of the valley floor providing a riparian habitat corridor.

Located between the northern boundary of the Jurupa Valley area and State Route 60, the Jurupa Mountains are the dominant visual resource of the northern portion of the valley. Industrial and mineral extraction uses are found in Pyrite Canyon, located southwest of Mount Jurupa. The Stringfellow Superfund Site is also located in this canyon, north of Highway 60, in Glen Avon. The site, which was operated from 1956 to 1972, was used to dispose of liquid hazardous waste. The California Department of Toxic Substances Control (DTSC) is the lead State agency conducting environmental clean up of the Stringfellow site.

In the early 1980's the Santa Ana Regional Water Quality Control Board removed the liquid hazardous waste from the ponds and covered the site with soil. Since 1986, the United States Environmental Protection Agency (U.S. EPA) and the DTSC have installed hundreds of groundwater monitoring wells, extraction wells and several treatment plants to contain and remediate contaminated groundwater migrating from the Stringfellow site.

PROJECT DESCRIPTION

The subject property is a portion of a larger 170± acre property zoned W-2, Controlled Development Area. The property is being divided into two parcels; one being the 138± acre subject property and the other being a 32±-acre remainder. Under the current General Plan, the 138± acre subject property is designated OS-RUR, Open Space-Rural Use. This designation is applied to remote, privately owned open space areas with limited access and a lack of public services. The 32±-acre portion of the property is zoned H1, High Industrial.

The topography of the subject property consists of moderately to steeply sloping hillsides and mountainous terrain. Elevations range from approximately 1,088 to 2,108 feet above mean sea level with the lowest elevations along the property's westerly boundary and the highest elevation along the easterly/north-easterly property boundaries. The property drains generally to the west and south.

The subject property is undeveloped, and although there is a number of unpaved, dirt roadways in the southeast, east and northwest portions of the subject property, there is no recorded legal access to the site. Aerial photos of the subject show Pyrite Road and parallel unpaved roads extending northeast from Granite Hill Drive through private properties and property owned by the State in connection with the Stringfellow Superfund Site, into the property.

The proposed acquisition site contains primarily coastal sage scrub habitat along with some riparian and grasslands. The subject property and surrounding areas also support the federally and State-listed as threatened California coastal gnatcatcher. Other species that occur in close proximity to the property are the federally-listed as endangered Delhi Sands flower-loving fly and burrowing owl, a species of special concern. Several hundred acres within close proximity of the subject are owned and managed by the Western Riverside Regional Conservation Authority and support the Western Riverside MSHCP. Acquisition of the site will help to establish a regional wildlife corridor that will connect existing habitat reserve areas. By preserving habitat that supports the Western Riverside MSHCP, core foraging and breeding habitat linkages will be protected and the long-term prospects for survival of listed species will be significantly enhanced.

The 32± acre remainder portion mentioned above is located in an area identified as part of the Stringfellow Superfund Site. Subject to approval by the State Public Works Board, these 32± acres are to be transferred directly from the current owner to the State of California for DTSC to manage and monitor as part of its environmental clean up of the Stringfellow site. As part of the separate transaction involving the 138± acre acquisition, the Park District is receiving assurances from the DTSC and the U.S. EPA that the subject property is outside the area identified as the contaminated Stringfellow Superfund site.

WCB PROGRAM

The proposed subgrant of federal funds for the acquisition project is being considered under the Wildlife Conservation Board's (WCB) Land Acquisition Program. 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 accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties.

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

MANAGEMENT OBJECTIVES AND NEEDS

The 138±-acre portion of the property will be owned and managed by the Park District and referred to as the Jurupa Mountains Preservation Area. The Park District proposes to manage the property to provide permanent protection of habitat for populations of federal and State-listed threatened

species that occupy the property, and to increase regional wildlife habitat cores and linkages. There is an existing Jurupa Mountain trail system in portions of the Jurupa Valley from the Mary Vagle Nature Center in Fontana from the north, and from the Jurupa Mountain Cultural Center to the south. Although there is no recorded legal access to the site, the Park District envisions that at some time it may be possible to provide access to the site through the existing trail system and expanding the system to include some trails which exist on the subject property.

Management costs for the acquisition property will be provided from the Park District's General Fund Budget. The trail system could be designed and developed in various phases as funds and resources become available. The Park District would also ask for the support of various community groups such as Boy Scouts, Girl Scouts and local equestrian groups.

TERMS

The property has been appraised as having a fair market value of \$455,000.00. The appraisal has been reviewed by the WCB staff and reviewed and approved by the Department of General Services (DGS) and the USFWS. The USFWS funds in the amount of \$295,750.00 require a non-federal match in the amount of \$159,250.00. The Redevelopment Agency for the County of Riverside has entered into an agreement with the Park District to provide the non-federal match.

The terms and conditions of the proposed subgrant of the USFWS grant funds provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. The subject property will be encumbered by a notice of the terms of the subgrant agreement. In the event of a breach of the grant terms, the WCB can require the subgrantee to encumber the property with a conservation easement in favor of the State or another entity approved by the State and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|-----------------------------|---------------------|
| WCB-Subgrant of USFWS Funds | \$295,750.00 |
| County of Riverside Funds | 159,250.00 |
| TOTAL | \$455,000.00 |
| Other Project-Related Costs | \$ 5,000.00 |
| TOTAL WCB ALLOCATION | \$ 5,000.00 |

It is estimated that a total of \$5,000.00 will be needed to cover internal project-related administrative costs, including the DGS appraisal review. The subgrantee, with assistance from the Riverside Land Conservancy, will fund all appraisal, survey, escrow and title insurance costs.

FUNDING SOURCE

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

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for 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 the acquisition proposal and recommends it for approval.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of a Habitat Conservation Planning Land Acquisition grant from the USFWS in the amount of \$295,750.00 and approve the subgrant of the federal funds to the Jarupa Area Recreation and Park District; allocate \$5,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Public Resources Code Section 5096.350(a)(5) to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish the project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

20. Bear Creek Working Forest \$7,805,000.00
Siskiyou and Shasta Counties

This proposal is to consider the allocation for a grant to the Pacific Forest Trust (PFT) to acquire a forest conservation easement over 8,230± acres of land from the Roseburg Resources Company. The conservation easement (Easement) will allow continued forest harvesting that will help sustain long-term timber production in the region while at the same time protecting the property from conversion to non-forest uses and enhancing the protection of the Upper Bear Creek watershed, an important native trout fishery and a major tributary to the Fall River. The Easement will also enhance protection of habitat areas supporting special status wildlife species and wildlife corridors, provide habitat connection and linkages with the neighboring Shasta-Trinity National Forest and allow for passive public recreational access and use.

LOCATION AND SURROUNDING USES

The Easement straddles the border between Shasta and Siskiyou Counties on the southeast side of Mt. Shasta, within the southern extent of the Cascade Range, about 25 miles east of McCloud and 15 miles north of Lake Britton-McArthur Burney Falls State Park and Fall River Mills. The property is bisected by State Route 89 which runs east to west. The Easement parcels are distributed in a checkerboard-fashion adjoining and connected with lands owned by Bascom Pacific and protected by an existing 9,200-acre working forest conservation easement held by Pacific Forest Trust that was funded in part by the Wildlife Conservation Board (WCB) in May of 2006. Portions of the proposed Easement also abut the Shasta-Trinity National Forest, including two U.S. Forest Service-designated Late Successional Reserves. This project will help complete the conservation of the Upper Bear Creek watershed, which flows southeast toward the Fall River, and eventually flows in to the Pit River and on into Shasta Lake. Portions of the property also drain southwest into the upper watershed area of the McCloud River, another tributary to Shasta Lake.

This project will help achieve landscape-level conservation goals by enhancing ecosystem functionality across ownerships. Coupled with the existing conservation easement on lands checker boarded with this project, the project will create a 13,000-acre block of conserved, privately owned forestland adjacent to the Shasta-Trinity National Forest and an 11,500-acre Late Successional Reserve.

PROJECT DESCRIPTION

The proposed Easement encompasses 8,230± acres of largely forested, highly productive and unfragmented conifer forest, over two-thirds of which is in Sierran mixed-conifer and the remainder in associated conifer

types. The Easement will ensure this forest is forever undeveloped and that the sustainable forestry practiced on the property and certified by the Forest Stewardship Council (FSC) is maintained through time at standards that exceed those required by California's regulations. No residential or agricultural conversion will be allowed, although limited grazing is permitted as a vegetation management tool. The Easement will also strengthen protection of more than 50 miles of Class I, II, and III watercourses through setbacks and canopy retention requirements. Increased watershed protection will benefit the water quality of Bear Creek and the Fall River, which is listed as impaired for sedimentation under the Clean Water Act. Within the area subject to the Easement, approximately 910 acres will be managed as Special Habitat Management Zones for the conservation of sensitive and rare habitat types, including a 130 acre "Mature Forest Reserve" area.

Interspersed among the conifer forests on the property and adding significantly to the diversity of habitat types are areas of riparian forest, wet meadow, aspen groves, and montane chaparral. Together, these lands provide habitat for a number of important or listed species including the willow flycatcher, northern goshawk, bald eagle, Pacific fisher, northern spotted owl, and Klamath fawn lily, among others. Data from the Department of Fish and Game (DFG) indicate that 185 species will benefit from the Special Habitat Management Zones and the forest management practices provided under the Easement. Of equal importance, these habitats are home for many species, contributing to landscape level diversity and providing an important buffer against future population declines. The project will also permanently protect the spawning reaches for the world famous Fall River rainbow trout.

The Easement allows the landowner, Roseburg Resources Company, to continue to operate the property as an economically sustainable forest, as this is one of the objectives of the funding source, providing additional benefits to the regional economy, and local wage earners, in an area where unemployment is at 16%. The Easement also encompasses two miles of the Pacific Crest National Scenic Trail that will continue to be open to the public and will create scenic buffers along the trail. The project will also create scenic buffers along State Route 89, known as the National Volcanic Legacy Scenic Byway.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Forest Conservation Program (Program). Grant proposals are evaluated and selected for funding by WCB staff based on established criteria approved by the Board November 17, 2007 utilizing a peer review process involving biological and forestry expertise and input from the DFG. The Program seeks to promote the ecological integrity and economic stability

of California's diverse native forests through conserving, preserving, and restoring productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural 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. Projects selected for funding 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

If this project is approved, the property will continue to be owned and managed by the family-owned Roseburg Resources Company subject to the terms and conditions of the Easement. The PFT will be responsible for the long-term monitoring and enforcement of the Easement per the terms of the WCB grant agreement. Prior to closing, the PFT must provide the WCB with a copy of the baseline conditions report to review. At closing, Roseburg Resources Company will make a donation to the PFT of funds that PFT will dedicate to underwriting its perpetual monitoring and enforcement costs. The PFT has over 18 years of experience developing and managing working forest conservation easements on productive forest properties. The PFT currently holds working forest conservation easements on over 40,000 acres of productive working forest properties. Subject to the Easement restrictions, the subject property will be managed for sustainable timber harvesting, provision of renewable energy, and enhancement of the watershed, wildlife, fishery, and plant resources. The Easement will also offer the potential to enhance public recreation opportunities on the property and protect the viewshed of the Pacific Crest Trail.

TERMS

Roseburg Resources Company has agreed to sell the easement to the PFT for \$7,800,000.00, which is less than the Department of General Services (DGS)-approved fair market value of \$7,817,000.00. The appraisal and the fair market value determination were made by a licensed real estate appraiser according to the Uniform Standards of Professional Appraisal Practice and have been review and approved by the DGS. The timber valuation portion of the appraisal has been reviewed and supported by a registered professional forester retained by the WCB. 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 grant agreement or require the PFT to convey its interest in the conservation easement to the WCB or at the

election of the 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 the PFT.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------------|-----------------------|
| Wildlife Conservation Board | \$7,800,000.00 |
| Other Project-Related Costs | \$ 5,000.00 |
| TOTAL WCB ALLOCATION | \$7,805,000.00 |

It is estimated that an additional \$5,000.00 will be needed to cover project-related administrative costs, including DGS appraisal review and timber harvest appraisal review. The PFT will fund the appraisal, escrow and title insurance costs.

PFT's goal is to use the WCB's investment of funds for this project to solicit and help leverage additional funding and investment from other federal, State and philanthropies for future conservation projects within the Mount Shasta Headwaters conservation area. This conservation area is currently being analyzed and defined through the early development of a Mount Shasta Headwaters Conceptual Area Protection Plan. PFT hopes to build on the momentum of this project to attract other land owners and funders to engage in multiple projects to protect an area encompassing 250,000 acres of existing forest lands.

FUNDING SOURCE

The proposed funding source for this conservation easement acquisition is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a). This fund source is available for use for projects that promote the 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 existing natural conditions, including open space and habitats.

The project has been reviewed under the WCB's Forest Conservation Program and by the DFG and has been recommended for approval.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$7,805,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a) 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.

21. Lassen Foothills, Expansion 8 \$1,100,000.00
(Lower Deer Creek Falls)
Tehama County

This proposal is to consider the allocation for a grant to the Northern California Regional Land Trust (NCRLT) for a cooperative project with Western Rivers Conservancy (WRC) and the Department of Fish and Game (DFG) to acquire fee title to 599± acres of land for the expansion of the Lassen Foothills Conservation Area, located northeast of Chico along a State Highway 32 in Tehama County. The project will protect approximately 1.4 miles of riparian corridor along Deer Creek, including Deer Creek Falls and surrounding conifer forest and oak woodlands, and continue to provide appropriate wildlife-oriented public use. The proposed acquisition area includes habitat for deer and mountain lions, spring-run Chinook salmon and mountain yellow-legged frog.

LOCATION AND SURROUNDING USES

The property is located in eastern Tehama County, about 34 miles east of Red Bluff and about 31 miles northeast of Chico. The rectangular shaped site is nearly a full section. It is mountainous with Deer Creek Canyon running through the center of the parcel in an east to west direction. The uses surrounding the proposed acquisition are the Ishi Wilderness and the Tehama Wildlife Area to the west. The Lassen National Forest nearly surrounds the subject parcel to the east, north and south.

Beginning in 2001 the Wildlife Conservation Board (WCB) approved a number of grants for Expansions 1 through 6, to assist in the acquisition of conservation easements protecting nearly 35,500± acres of land under the Lassen Foothills Conceptual Area Protection Plan (CAPP). The TNC has protected additional 55,000± acres in this vicinity using combinations of other public funds and private donations. To date over 90,000 acres of habitat lands have been protected.

Major habitat types include oak woodlands, conifer forest, riverine, riparian and grasslands. These protected lands help provide habitat for a host of important species including bear, deer, burrowing owls, red-legged frog and mountain lion. The area also includes a number of important salmonid streams and rivers that feed into the Sacramento River. In the lower reaches vernal pools can also be found providing habitat for fairy shrimp and other species.

PROJECT DESCRIPTION

The property is currently vacant and is classified in the Tehama County General Plan for timber production. Deer Creek, as noted above, flows in an east-west direction through the center of the property and has carved a significant canyon. After the acquisition, the NCRLT will maintain existing recreational uses, including hiking and fishing. No hunting is currently allowed and that policy will continue after the transaction is completed.

Management of the land will be the responsibility of the NCRLT with WCB having the right to monitor through the terms and conditions set forth in the grant.

This acquisition is part of a larger conservation strategy identified in the Lassen Foothills CAPP developed by DFG to link public and private lands to create a landscape-scale reserve that will protect extensive wildlife corridors and prevent habitat fragmentation. Deer Creek, which bisects the property, is an important spawning and rearing habitat for spring run of Chinook salmon. The creek and riparian zones also provide important habitat for steelhead trout and breeding habitat and migratory corridors for migrant bird species. The property has a fish ladder that is maintained by DFG.

The overall strategic goal and purpose of this acquisition is to sustain, protect and enhance critical anadromous fisheries, essential water resources, forest health, diversity, productivity, significant cultural resources and wildlife habitat, while allowing continued outdoor recreation.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Land Acquisition Program. 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, which evaluates the biological values of property through development of a CAPP. The CAPP is then submitted to DFG's Regional Operations Committee for review and approval and, if approved, later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

NCRLT, a non-profit conservation protection organization, will be responsible for managing the property according to the terms of the grant which provides that the property will be used primarily as a working landscape, open space for the protection of habitat and public access. The grant allows WCB to access the subject property every three years for monitoring purposes.

TERMS

The property owners have agreed to sell the property for the appraised market value of \$1,085,000.00, 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, escrow instructions and instruments of conveyance prior to disbursement of funds into an escrow account established for the

transaction. In the event of a breach of the grant terms the WCB can require the grantee to encumber the property with a conservation easement in favor of the State or another entity approved by the State and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------------|------------------------------|
| Wildlife Conservation Board | <u>\$1,085,000.00</u> |
| TOTAL | \$1,085,000.00 |
| Other Project Related Costs: | \$15,000.00 |
| TOTAL WCB ALLOCATION | \$1,100,000.00 |

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

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund, Fish and Game Code Section 2786(b/c)(1E) which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species to protect or enhance a flood protection corridor or bypass.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The 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 recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$1,100,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c)(1E) for the acquisition and to cover 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.

22. Goodwin Sierra Valley Ranch Conservation Easement \$2,214,500.00
Plumas County

This proposal is to consider the allocation for a grant to the California Rangeland Trust (CRT) for a cooperative project with the Sierra Nevada Conservancy (SNC) to acquire a conservation easement over 2,946± acres of working ranch land allowing for continued livestock grazing and other permitted agricultural uses while enhancing the protection of meadow, watershed, riparian, fisheries and wetland resources.

LOCATION AND SURROUNDING USES

The Goodwin Sierra Valley Ranch is north and south of Highway 70, just east of the small town of Beckwourth in the Sierra Valley area of Plumas County, approximately 45 miles north of the town of Truckee. The proposed acquisition reflects a multi-year effort to protect and conserve a working landscape with important resource and wildlife corridor values in and around the Sierra Valley. More broadly, the project builds upon over a decade of private and public investments to protect this working lands corridor. Specifically, the Wildlife Conservation Board (WCB) has supported a significant number of fee and conservation easement acquisitions within the region, such as the 3,904± acre Goodwin Red Clover Valley Ranches conservation easement, the 1,740± acre Crocker Meadows Wildlife Area acquisition, the 5,640± acre Antelope Valley Wildlife Area acquisition, the 13,110± acre Sierra Valley Conservation Area conservation easement and the 1,455± acre Lemon Canyon Ranch conservation easement.

PROJECT DESCRIPTION

The property is zoned for agricultural use and is operated as a ranch, with central ranch operation facilities and a residence and supporting pasture areas. The property has an irregular shape and is bisected by State Route 70 which runs east to west through the property. The southern portions of the property, located south of State Route 70, are on the valley floor and within a floodplain. This southern area is bisected by a rail line that tends to separate the more flooded and wetter areas on the property to the south of the rail line from drier pasture areas north of the rail line. North of State Route 70 the property rises up into steeper, hilly terrain. The property generally drains to the west and south to the Feather River.

The property is used primarily for domestic livestock grazing and hay production. The landowners have implemented stewardship practices that recognize the precious resources on the ranch thus promoting the economic and resource sustainability of their ranching operation. Well-managed grazing techniques on the ranch have helped facilitate successful preservation of the property's resource values.

On the property there is a variety of habitats and native plants supporting wildlife that migrate through and occupy the Sierra Valley region. These include alpine meadow, grasslands, wetlands, marshes, ponds, chaparral and year round springs. Species known to frequent the region include migrating waterfowl, sandhill cranes, mule deer, black bear, badgers, trout, eagles and other raptors.

WCB PROGRAM

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

MANAGEMENT OBJECTIVES AND NEEDS

The conservation easement will be owned and managed by CRT which holds other similar ranching based conservation easements in the vicinity. A baseline conditions report will be required of the grantee along with annual monitoring to assure conformance with the terms of the conservation easement. As with most ranching based conservation easements, it does not convey a general right of access to the public now or in the future.

TERMS

The conservation easement has been appraised as having a fair market value of \$2,650,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the conservation easement for \$2,550,000.00. The terms and conditions of the proposed WCB grant to CRT provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can seek specific performance of the grant or require CRT to transfer the conservation easement to WCB or another qualified holder.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------------|-----------------------|
| Wildlife Conservation Board | \$2,204,500.00 |
| Sierra Nevada Conservancy | <u>\$ 345,500.00</u> |
| | |
| TOTAL | \$2,550,000.00 |
| | |
| Other Project-Related Costs | \$ 10,000.00 |
| | |
| TOTAL WCB ALLOCATION | \$2,214,500.00 |

It is estimated that an additional \$10,000.00 will be needed to cover project-related administrative costs, including DGS appraisal review. The grantee will fund appraisal, escrow and title insurance costs.

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the Habitat Conservation Fund, Fish and Game Code Section 2786(a)(1E), that provides funding for the acquisition of habitat to protect deer and mountain lions and the preservation or enhancement of wildlife values to protect or enhance a flood protection corridor or bypass, including the conservation of water resources and natural habitats for native fish, wildlife and plants found on these lands.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and habitat and to allow continued agricultural use of the area. 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 recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$2,214,500.00 from the Habitat Conservation Fund, Fish and Game Code Section 2786(a)(1E) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

23. Webber Lake/Lacey Meadows \$5,010,000.00
Sierra and Nevada Counties

This proposal is to consider the allocation for a grant to the Truckee Donner Land Trust (TDLT) for a cooperative project with the Northern Sierra Partnership (NSP), the Sierra Nevada Conservancy (SNC) and the Trust for Public Land (TPL) to acquire 2,995± acres of land for the protection of significant alpine and wet-meadow habitat, protection of the upper watershed and source of the Little Truckee River, and allow for continued conservation-based management and wildlife-oriented public use of the property.

LOCATION AND SURROUNDING USES

The subject property is located just beneath the Sierra Nevada Crest on the south side of Jackson Meadows Road (a.k.a Forest Service Road 07) approximately 8 miles west of its intersection with State Route 89, and approximately 15 miles northwest of Truckee. The property is an in-holding within the Tahoe National Forest.

This proposal complements other projects approved by the Wildlife Conservation Board (WCB). Most recently, on June 2, 2011, the WCB approved funding for the Sierra Crest Phase III Conservation Easement, a cooperative project with TDLT and the TPL to acquire a conservation easement on 2,683± acres in close proximity to this property. Other WCB fee and conservation easement projects in the region include 4,365± acres known as Sierra Crest Phases I and II, 741± acres for the Truckee River Wildlife Area, 1,481± acres known as Waddle Ranch, 4,011± acres for the Truckee River Canyon Wildlife Area, 1,350± acres known as Gray Creek Canyon, 982± acres at Perazzo Meadows, and 2,325± acres known as Independence Lake. These properties are interconnected in many places with federal forest lands. Together all these properties help preserve a large landscape of forest, riverine, lake and alpine wildlife habitat, running north from Lake Tahoe, extending along the Little Truckee River and through the Sierra Nevada mountains, across the Henness Pass, and north to Sierra Valley.

PROJECT DESCRIPTION

The subject property consists of two defined areas referred to as Lacey Meadows and Webber Lake. Lacey Meadows, comprising 1,900± acres of the property upstream of Webber Lake, is one of the largest meadow complexes in the Northern Sierra Nevada ecoregion. The property provides habitat for a number of federal and State-listed species including the western willow flycatcher, pine marten, mountain yellow-legged frog and the greater sandhill crane as well as other important species including deer, mountain lion, black bear, osprey and bald eagle.

Webber Lake, which is fully contained within the property, is a natural lake forming the principal headwater of the Little Truckee River. Also within the boundaries of the property are 3.5± miles of Lacey Creek. The property is a key part of a larger conservation effort in the Little Truckee River Watershed. The Truckee River, a major Great Basin river, drains 2,720± square miles of the eastern slopes of the Sierra Nevada and Bald Mountain ranges in California. The water supports numerous riparian, meadow, upland, and lake ecosystems including Lake Tahoe and Pyramid Lake, and supplies most of the drinking and irrigation water for the Reno-Sparks metropolitan area. The Webber Lake/Lacey Meadows property is in the Little Truckee Basin, the largest sub-basin in the Truckee River watershed.

For over sixty years Webber Lake has been leased to fishing groups as a private campground and fishing resort. The members pay to have the lake stocked with large rainbow and brown trout. There are 86 season-long campsites, including 11 cabins and a historic hotel. The current concession, Webber Lake Ranch, operates on a lease that has been renewed annually. In accordance with the wishes of the property owner, Webber Lake Ranch will be allowed to continue operations for up to five years after TDLT purchases the property. The public will continue to have access to the property for hiking, site-seeing, snowmobiling, and other existing uses. Day use fishing passes will be available to purchase. During the five year period that Webber Lake Ranch continues in operation, it has agreed to pay TDLT 25% of gross revenues, which TDLT estimates will be approximately \$50,000.00. TDLT has agreed to re-invest these funds into the property to cover expenses for restoration, property taxes, staffing, and other operating costs.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Land Acquisition Program. 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 or fund the acquisition of 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, which evaluates the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to DFG's Regional Operations Committee for review and approval and, if approved, later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

The property will be owned by TDLT and managed in conjunction with its other protected and public use lands in the area.

TERMS

The property has been appraised as having a fair market value of \$8,750,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the property for \$8,000,000.00. The terms and conditions of the grant between the WCB and TDLT provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can seek specific performance of the grant, require the grantee to encumber the property with a conservation easement in favor of WCB or another qualified holder and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------------|---------------------------|
| Wildlife Conservation Board | \$5,000,000.00 |
| Northern Sierra Partnership | \$1,500,000.00 |
| Sierra Nevada Conservancy | \$1,000,000.00 |
| Private Donation | \$ <u>500,000.00</u> |
| TOTAL | \$8,000,000.00 |
| Other Project Related Costs | \$ 10,000.00 |
| TOTAL WCB ALLOCATION | \$5,010,000.00 |

It is estimated that an additional \$10,000.00 will be needed to cover project-related administrative costs, including DGS appraisal review costs. The grantee will fund escrow and title insurance costs.

Although TDLT and TPL are collectively named as “Buyer” in the Option Agreement, the property will be deeded to TDLT only. TPL will not enter the chain of title. To date, Buyer has deposited into escrow option funds in the amount of \$350,000.00. It is Buyer’s intention that all option funds shall be returned to Buyer at the close of escrow.

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Public

Resources Code Section 5096.650(a) 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 pursuant to the Wildlife Conservation Law of 1947.

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 recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$5,010,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a), for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

24. San Joaquin Multi-Species Conservation Plan 2008 \$1,010,750.00
(Affinito)
Contra Costa County

This proposal is 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), as well as to consider a Wildlife Conservation Board (WCB) grant to ECCCHC, for a cooperative project with the East Bay Regional Park District (EBRPD) to acquire 116± acres of land for the protection and preservation of existing regional wildlife linkage, 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.

LOCATION AND SURROUNDING USES

The property is located in within the Diablo Range, in the vicinity of Kirker pass in the western rural area of the City of Pittsburg, in eastern Contra Costa County. This acquisition is part of the East Contra Costa County Multi Species Conservation Plan (MSCHP), a joint State and federal Natural Community Conservation Plan/Habitat Conservation Plan. The proposed acquisition will help protect a contiguous patch of annual grasslands and vernal pool habitat in the lower elevations, as well as oaks and scrub habitat areas located along the upper elevations.

The property is located within a habitat linkage running from the Concord Naval Weapons Base south to the Los Vaqueros Reservoir and beyond to the Altamont Pass and eventually to the northern portions of the San Joaquin Valley. Over the past year the WCB, USFWS, ECCCHC and EBRPD have partnered to acquire just over 6,159 acres within the MSCHP planning area, protecting essential habitat and connectivity for multiple species whose populations or habitat span the two counties covered by MSCHP.

PROJECT DESCRIPTION

The majority of the property proposed for acquisition is rolling grass lands. Residential subdivision development has been encroaching on rural lands where the property is located from the north and east, as the Bay Area continues to grow in population. While the subject property is zoned for agricultural use, several similar agricultural properties in the area near Pittsburg have undergone conversion to more intensive residential development, encroaching into the rural areas of the Diablo Range.

The property has two residential homes, which will be occupied by the current owner under a life estate. Upon expiration of the life estate the residential improvements will be used by East Bay District as offices and park caretaker house.

The subject parcel 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. The proposed acquisition will help further establish a northwest-southeast movement corridor for the federally and State-listed San Joaquin kit fox and will protect habitat for the conservation of the federally and State-listed 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 considered under the WCB's Land Acquisition Program. 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 (DFG) and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties.

The project has been reviewed and approved by the DFG under its Natural Community Conservation Plan program, substantiating the biological values of the property and recommending it for funding. The USFWS grant proposed for this project has also been reviewed and approved by the DFG as a participant in the USFWS Land Acquisition grant selection and review process.

MANAGEMENT OBJECTIVES AND NEEDS

When acquired, this property will be managed by the EBRPD. EBRPD anticipates that 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. EBRPD also anticipates that the area will offer passive recreational uses, as the habitat will be maintained in conjunction with other properties in the area managed by EBRPD.

TERMS

The property has been appraised as having a fair market value of \$2,235,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS) and the USFWS. The property owner has agreed to sell the property for the fair market value of \$2,235,000.00. The USFWS funds require a non-federal match that is being provided by EBRPD tax revenues and the proposed WCB grant to ECCCHC. The terms and conditions of the proposed WCB grant and the USFWS subgrant to the ECCCHC provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the

event of a breach of the grant terms, the WCB can seek specific performance of the grant, require the grantee 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:

| | |
|--|-----------------------|
| Wildlife Conservation Board Grant | \$1,005,750.00 |
| WCB – Subgrant of USFWS funds | 1,005,750.00 |
| East Bay Regional Park District | <u>223,500.00</u> |
| TOTAL | \$2,235,000.00 |
| Other Project-Related Costs: | 5,000.00 |
| TOTAL WCB ALLOCATION | \$1,010,750.00 |

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 purposes of this project are consistent with the authorized uses of the proposed funding source, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c), (SB8) that allows for the acquisition and protection of habitat for areas in and around the Sacramento-San Joaquin Delta that assist in the establishment of Natural Community Conservation Plans.

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.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; approve the acceptance of a Habitat Conservation Planning Land Acquisition grant from the USFWS in the amount of \$1,005,750.00 and approve the subgrant of the federal funds to the East Contra Costa County Habitat Conservancy; allocate \$1,010,750.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c)(SB8) for the grant to East Contra Costa County Habitat Conservancy and to cover the project-related costs; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

25. Black Mountain Preserve, Expansion 4 (Kimblor) \$1,240,000.00
Fresno County

This proposal is to consider the allocation for a grant to the Sierra Foothill Conservancy (Conservancy) to acquire two contiguous and separately owned conservation easements over 2,011± acres of land for the protection of grazing lands, grasslands, and blue oak woodlands that benefit sensitive and protected species, and to advance the development of a corridor among existing protected areas for migrating wildlife.

LOCATION AND SURROUNDING USES

The subject properties are located between the communities of Prather and Tollhouse and between Lodge and Tollhouse Roads in Fresno County. The community of Prather is about three miles to the northwest and Tollhouse lies about three miles east of the subject properties. Lands bordering the subjects on the north and east are protected by conservation easement and fee purchases by the Conservancy. The conservancy has identified other adjacent lands for potential future acquisition. Millerton Lake is located approximately ten miles to the west.

This subject properties are located within the Department of Fish and Game (DFG) Millerton Conceptual Area Protection Plan (CAPP) which covers over 100,000 acres in Fresno and Madera Counties. One of the purposes of the CAPP is to link existing public ownerships in the Sierra Nevada to the San Joaquin Valley floor. Protection of the subject parcels by these conservation easements will contribute to that linkage.

The subject properties are also located within the Black Mountain Preserve (Preserve) boundary managed by the Conservancy. The Conservancy has been working since 1996 to preserve key habitat areas. One of the first acquisitions within the Preserve was funded by the Wildlife Conservation Board (WCB) in 2002 protecting approximately 360 acres. In 2008 another 360 acre acquisition was funded by the WCB. The subject properties adjoin and lie in the middle of these two prior acquisitions.

The Preserve has two quite distinct habitats: dense, woody chaparral on the north-facing slope and grassland/oak woodland on the south-facing slope. There are 218 native plant species documented on Black Mountain. Because of its elevation, about 3600 feet above sea level, Black Mountain receives an above normal amount of rainfall for the region, including occasional snow, receiving about twice as much precipitation as the valley floor. As a result of this extra moisture, the plant life is abundant and extremely varied. In March, April and May over a hundred different kinds of flowering plants cover the slopes with their blooms. Animal life is also abundant including two species of deer mice, kangaroo rats, fox,

bobcats, mountain lions, deer, the occasional bear, California newts, slender salamander, and ring-neck snakes.

PROJECT DESCRIPTION

The lands proposed to be protected by conservation easements comprise two irregularly-shaped, unimproved ownerships situated on the western slopes of Black Mountain. The topography ranges from rolling to steep rugged terrain. The sizes of the conservation easements are 1,500 and 511 acres in size. The property is unimproved. Historic use of the subject property has been open space and limited grazing, and that use is expected to continue should the property be acquired.

The conservation easements would preserve blue oak woodland and grassland areas that support a number of important species, including mule deer, mountain lions, bald eagles and black bears. A rare plant, carpenteria or bush anemone, native to the foothills of Fresno County, is found on both properties.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Land Acquisition Program. 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.) authorizing the WCB to grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property. Under the program the WCB is providing funds to facilitate the acquisition of conservation easements over lands that can successfully sustain wildlife. The DFG evaluated the biological values of property through development of the CAPP, which was reviewed and approved by DFG's Regional Operations Committee and transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

The conservation easements will be owned and managed by the Conservancy which holds other conservation easements in the vicinity. A baseline conditions report will be required of the grantee along with annual monitoring to assure conformance with the terms of the conservation easements.

The conservation easements do not convey a general right of access to the public now or in the future. Under the terms of the easement, both the Conservancy and WCB will have access to the property for compliance monitoring.

Docent-led hikes are currently held on adjacent land that is owned in fee by the Conservancy. There are no plans for public hikes on the subject properties.

TERMS

The conservation easements have been appraised for a total value of \$1,230,000.00. The appraisals have been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owners have agreed to sell the conservation easements over their lands for the appraised values. The terms and conditions of the grant agreement between the WCB and the Conservancy provide that staff of the WCB shall review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for each acquisition.

The covenants and restrictions imposed by a Williamson Act Land Conservation Contracts that encumber the subject properties will not be affected by the proposed conservation easements.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

| | |
|------------------------------------|-----------------------|
| Wildlife Conservation Board | \$1,230,000.00 |
| TOTAL | \$1,230,000.00 |
| Other Project-Related Admin. Costs | \$ 10,000.00 |
| TOTAL WCB ALLOCATION | \$1,240,000.00 |

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

The grantee will fund appraisal, escrow and title insurance costs and the cost of preparing the baseline conditions report.

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a) that allows for the acquisition, development, rehabilitation, restoration and protection of habitat to promote the recovery of threatened and endangered species, to provide corridors linking separate habitat areas to prevent habitat fragmentation, and to protect significant natural landscapes and ecosystems and other significant habitat areas.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of 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 and to allow continued agricultural use. 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 recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$1,240,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

26. Strategic Planning

Informational/Action Item

This item is to provide information about a process being developed to complete a Strategic Plan for the Wildlife Conservation Board. Information will be provided regarding scope, public participation and estimated time of completion.

27. Disclosure of Appraisal Information

Informational

At the February 24, 2011 and September 13, 2011 meetings of the Wildlife Conservation Board (WCB), discussions were held regarding acquisition project appraisals. Members of the public offered comments and Board members asked questions concerning the appraisal review process and public disclosure of appraisal information. In response to the discussions at both meetings, on September 13, 2011 the Board directed staff to continue working on recommendations regarding appraisal reviews and public disclosure of appraisal information for acquisition projects involving large acreages of land.

This agenda item is informational and intended to provide the Board with an update on efforts to prepare recommendations in response to the Board's directive. The starting point for this effort is the proposed policy included as Item 27 in the Agenda for the September 13, 2011 WCB meeting, as it pertains to the review of appraisals on proposed land acquisitions of 5,000 acres or more and acquisitions subject to Public Resources Code section 5096.512.

Staff proposes to convene a working group comprised of approximately 25 representatives from State conservancies, the Natural Resources Agency, legislative staff, the land trust community, appraisal industry, land owners and the Department of General Services appraisal review unit to assist staff with a proposed policy and scope of work for the review of acquisition appraisals. Prior to convening the working group, staff proposes to meet with one or more independent appraisers to obtain a clear understanding of what professional appraisers consider to be a quality appraisal review. Staff also hopes to identify what options are available to WCB for possible inclusion in a scope of work for an appraisal review.

Following the discussions with independent appraisers, staff will prepare a working draft policy for discussion with the working group. Once the working group effort is complete, staff proposes to present a revised acquisition project appraisal review and disclosure policy to the Board in February 2012 or sooner for further review and action by the Board.

28. 2012 Wildlife Conservation Board
Tentative Meeting Schedule

Informational

February 23, 2012

May 31, 2012

August 23, 2012

November 29, 2012