

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

1807 13TH STREET, SUITE 103
 SACRAMENTO, CALIFORNIA 95811
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State of California
 Natural Resources Agency
 Department of Fish and Game
WILDLIFE CONSERVATION BOARD
 Minutes
 May 31, 2012

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** Withdrawn from consideration at this time

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** Withdrawn from consideration at this time

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WILDLIFE CONSERVATION BOARD

May 31, 2012

The Wildlife Conservation Board met on Thursday, February 23, 2012, at the State Capitol, Room 112 in Sacramento, California. Mr. Charlton H. Bonham, Director of the Department of Fish and Game and the Chairman of the Wildlife Conservation Board, called the meeting to order at 10:00 A.M. Mr. John Donnelly, Executive Director of the Wildlife Conservation Board, performed the roll call. The following Board members/staff were present: Chairman Charlton H. Bonham; Ms. Karen Finn, Program Budget Manager, Department of Finance; Mr. John Donnelly, Executive Director of the Wildlife Conservation Board; Ms. Natalya Kulagina, Mr. Donnelly's Executive Assistant; Ms. Rachelle Caouette, Senator Fuller's representative; Ms. Katharine Moore, Senator Pavley's representative; Mr. Tina Andolina, Senator Wolk's representative; and Ms. Diane Colborn, Assembly Member Huffman's representative.

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

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

Ana Matosantos, Member
Director, Department of Finance
Vice, Karen Finn

JOINT LEGISLATIVE ADVISORY COMMITTEE

Senator Jean Fuller
Vice, Rachelle Caouette

Senator Fran Pavley
Vice, Katharine Moore

Senator Lois Wolk
Vice, Tina Andolina

Assembly Member Jared Huffman
Vice, Diane Colborn

EXECUTIVE DIRECTOR

John P. Donnelly

WCB May 31, 2012 Board Meeting Minutes

Wildlife Conservation Board Staff Present:

John P. Donnelly, Executive Director
Dave Means, Assistant Executive Director
Peter Perrine, Assistant Executive Director
Cynthia Alameda, Budget and Fiscal Officer
Scott McFarlin, Public Land Management Specialist IV
Natalya Kulagina, Executive Assistant
Dawn Otiz-Drown, Grant Coordinator
Liz Yokoyama, Senior Land Agent
Colin Mills, Staff Counsel
Nancy Templeton, Staff Counsel
Brian Gibson, Senior Land Agent
Bill Gallup, Senior Land Agent (RA)
John Walsh, Associate Land Agent
Roxanne Woodward, Budget and Fiscal Officer (RA)

Erin Ingenthron, Office Technician
Jasen Yee, Associate Land Agent
Terry Roscoe, Public Land Management Specialist IV
Ken Anderson, Public Land Management Specialist IV
Chad Fien, Public Land Management Specialist IV
Celestial Baumbach, Office Technician
Mary Westlake, Staff Services Analyst
Ashley Lackey, Staff Services Analyst
Teri Muzik, Senior Land Agent
Marilyn Cundiff, Public Land Management Specialist IV
Kurt Weber, Associate Land Agent
Candice Marg, Associate Land Agent
Lloyd Warbel, Staff Services Analyst
Randy Nelson, Senior Land Agent (RA)

Others present:

David Mayer, Department of Fish and Game
Eric Haney, Department of Fish and Game
Larry Wyckoff, Department of Fish and Game
Brian Shelton, Department of Fish and Game
Jim Martin, Department of General Services
Chris Zimy, CALFIRE
Rick Gould, City of Santa Clarita
John Pinio, Monterey County
Meg Clovis, Monterey County
Melinda Marks, San Joaquin River Conservancy
Darla Guentzler, CA Council of Land Trusts
David Newbert, River Partners
J. Barnwell, Chalk Mountain Ranch
Les Barnwell, Chalk Mountain Ranch
Ben Morehead, Northcoast Regional Land Trust

Maya Kepner, American West Conservation
Steve Thompson, Steve Thompson, LLC
Jake Messerli, CA Waterfowl Association
Nita Vail, CA Rangeland Trust
Tim Pricer, Charles Mountain Ranch
Jackie Pricer, Charles Mountain Ranch
Bob Hammond, Rocky Mountain Elk Foundation
Sandy Dean, Mendocino Redwood Company
Bob Hill, The Land Conservancy of San Luis Obispo
Renee Spent, Ducks Unlimited, Inc.
Chris Kelly, The Conservation Trust
David Sutton, Trust for Public Lands
Carl Sommers, Trust for Public Lands
David Koehler, SJ River Parkway & Conservation Trust
Eric Eisenhammer, Howard Jarris Taxpayer Association

Mr. Donnelly welcomed everyone to the Board meeting. Mr. Donnelly commented that the second item on the agenda provides information about WCB's funding status and asked if there were any questions or comments about this item. There were none.

2. Funding Status – Informational

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

Budget Act	\$1,000,000.00
Previous Board Allocations	<u>-259,000.00</u>
Unallocated Balance	\$741,00.00

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

Budget Act	\$20,663,000.00
Previous Board Allocations	<u>-292,000.00</u>
Unallocated Balance	\$20,371,000.00

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

Budget Act	\$20,668,000.00
Previous Board Allocations	<u>-3,228,284.00</u>
Unallocated Balance	\$17,439,716.00

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

Budget Act	\$20,668,000.00
Previous Board Allocations	<u>-18,035,739.00</u>
Unallocated Balance	\$2,632,261.00

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

Budget Act	\$20,674,000.00
Previous Board Allocations	<u>-13,568,306.08</u>
Unallocated Balance	\$7,105,693.92

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

Budget Act	\$20,699,000.00
Previous Board Allocations	<u>-12,213,358.30</u>
Unallocated Balance	\$8,485,641.70

WCB May 31, 2012 Board Meeting Minutes

- (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>-13,877,941.50</u>
Unallocated Balance	\$1,346,058.50

- (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>-4,090,302.94</u>
Unallocated Balance	\$6,909,697.06

- (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>-219,873,842.05</u>
Unallocated Balance	\$53,126,157.95

- (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>-660,530,654.65</u>
Unallocated Balance	\$80,881,345.35

(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>-2,666,000.00</u>
Unallocated Balance	\$7,334,000.00

- (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>-4,097,646.00</u> |
| Unallocated Balance | \$19,902,354.00 |
- (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>-7,968,109.50</u> |
| Unallocated Balance | \$17,031,890.50 |
- (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>-14,063,156.00</u> |
| Unallocated Balance | \$10,936,844.00 |
- (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>-11,682,786.00</u> |
| Unallocated Balance | \$2,610,214.00 |

(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>-2,585,339.78</u>
Unallocated Balance	\$2,176,660.22
(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>-74,201,078.50</u>
Unallocated Balance	\$90,498,921.50
Continuously Appropriated (Section 75055(b))	\$123,525,000.00
Previous Board Allocations	<u>-78,344,544.53</u>
Unallocated Balance	\$45,180,455.47

RECAP OF FUND BALANCES

Wildlife Restoration Fund (a)	\$741,000.00
Habitat Conservation Fund (b), (c), (d), (e) and (f)	\$56,034,312.62
Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (g) and (h)	\$7,648,815.05
California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund (i), (j) and (k)	\$60,249,165.50
Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (l) and (m)	\$91,700,046.00
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)	\$211,715,902.21
TOTAL – ALL FUNDS	\$428,089,241.38

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

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 04/27/12	Encumbrances through of 03/31/12	Cash Balances Includes Encumbrances
Proposition 12	\$12,621,973.31	\$7,264,420.87	\$311,864.25	\$5,045,688.19
Proposition 40	\$52,763,470.74	\$42,047,066.56	\$21,582,497.89	-\$10,866,093.71
Proposition 50	\$99,161,920.79	\$40,174,166.32	\$37,743,279.53	\$21,244,474.94
Proposition 84	\$185,719,637.97	\$177,364,287.23	\$31,398,395.37	-\$23,043,044.63
Proposition 1E	\$37,485,238.22	\$25,580,812.71	\$9,608,897.33	\$2,295,528.18
Grand Totals	\$387,752,241.03	\$292,430,753.69	\$100,644,934.37	-\$5,323,447.03

3. Proposed Consent Calendar (Items 4—10, and 12—25)

Mr. Donnelly commented that all of the projects on the Consent Calendar are well supported and most of them are small in nature .

Mr. Donnelly reported that we received letters of support for the following projects from Consent Calendar:

#*6. North Coast Interagency Visitor Center (Del Norte County)

Letter of support received from: Mr. Tyrone Kelley, Forest Supervisor, USDA Forest Service, Six Rivers National Forest.

#*7. Little Shasta Conservation Easement (Townley), (Siskiyou County)

Letters of support received from: Supervisor Jim Cook, Siskiyou County Board of Supervisors (BOS), 1st District; Mr. Kerry Mauro, President, Mount Shasta Area Audubon; Ms. Janet Zalewski, Executive Director, Siskiyou Land Trust; Mr. Matt Rogers, President, CA Deer Association.

#*8. Charles Mountain CE, Phase II (Humboldt County)

Letters of support received from: Congressman Mike Thompson, Congress of United States, House of Representatives, 1st District, California; Assembly Member Wesley Chesbro, CA State Assembly, First District; Supervisor Clif Clendenen, County of Humboldt Board of Supervisors, 2nd District; Ms. Virginia Bass, Chair, Humboldt County Board of Supervisors; Ms. Nancy Finley, Field Supervisor, USDA Fish and Wildlife Service; Mr. Tyrone Kelley, Forest Supervisor, USDA Forest Service, Six Rivers National Forest; Ms. Linda Roush, Arcata Field Manager, US Department of the Interior, Bureau of Land Management.

#*23. Rose Creek Watershed Invasives Control Project (San Diego County)

Letters of support received from: Senator Christine Kehoe, CA State Senate, 39th District; Ms. Deborah Knight, Director, Friends of Rose Canyon.

Mr. Donnelly clarified item #*9 (Doyle Wildlife Area (Utility Easement), Lassen County)). The agenda item indicated that project had a negative declaration on the environmental findings; however, it should read “a mitigated negative declaration”. Mr. Donnelly also clarified that the funding allocation amount for item #*10 (Gray Lodge Wildlife Area Enhancement, Butte County) the Staff Recommendation section stays the same, but the correct split should read as follows: \$153,274.00 from the Habitat Conservation Fund 2786(d) Inland Wetlands Conservation Program, and \$546,726.00 from Habitat Conservation Fund 2786(d)(Proposition 1E).

Chairman Bonham clarified that the approval of the Consent Calendar includes the approval of February 23, 2012, Board meeting minutes and commented he was not at attendance, so he assumes the accuracy of the notes, but could not confirm them. Chairman Bonham also said he is comfortable with all the projects on the Consent Calendar and added that he was pleased to see the investment proposed on the following projects which he highlighted as ones of particular interest: Sierra Nevada Research Laboratory which is an important corner stone for the Department of Fish and Game’s research on yellow-legged frog and other aquatic habitat in the Sierras; and Pointe Pinole, which is one of the most popular recreational fishing piers.

Supervisor Jim Cook from Siskiyou County BOS, 1st District, introduced himself and spoke on agenda item #*7 (Little Shasta Conservation Easement (Townley), (Siskiyou County)). Supervisor Cook said that he is here in support of this project and he is very familiar with the land itself. Supervisor Cook stated that this is an excellent project, and it was well put together. Supervisor Cook expressed his appreciation to the Board for considering this project.

Chairman Bonham asked if there were any questions about any items on the Consent Calendar. There were none.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve Consent Calendar Items 4—10 and 11—25 as proposed in the individual agenda explanations.

Motion carried.

***4. Approval of Minutes – February 23, 2012**

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve the Minutes of the February 23, 2012, meeting.

Motion carried.

***5. Recovery of Funds**

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

\$3,128.00 to the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

\$19,840.18 to the Habitat Conservation Fund

\$12,482.50 to the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

\$6,933.46 to the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

\$58,659.00 to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

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

Saddle Creek, Orange County

Allocated	\$3,371,881.00
Expended	<u>-3,371,881.00</u>
Balance for Recovery	\$0.00

Western Riverside County MSHCP, Expansion 5, Riverside County

Allocated	\$72,000.00
Expended	<u>-68,872.00</u>
Balance for Recovery	\$3,128.00

Total Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund \$3,128.00

HABITAT CONSERVATION FUND

Heart K Ranch, Plumas County

Allocated	\$1,090,000.00
Expended	<u>-1,089,229.00</u>
Balance for Recovery	\$771.00

Honey Lake Wildlife Area Pipeline, Lassen County

Allocated	\$308,000.00
Expended	<u>-308,000.00</u>
Balance for Recovery	\$0.00

Los Banos Wildlife Area Lift Pumps, Merced County

Allocated	\$250,000.00
Expended	<u>-249,988.82</u>
Balance for Recovery	\$11.18

Wheeler Ridge, Expansion 4, Mono County

Allocated	\$730,000.00
Expended	<u>-720,000.00</u>
Balance for Recovery	\$10,000.00

Yuba Highlands, Phase I, Yuba County

Allocated	\$15,000.00
Expended	<u>-5,942.00</u>
Balance for Recovery	\$9,058.00

Total Habitat Conservation Fund \$19,840.18

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

Escondido Creek, San Diego County

Allocated	\$200,000.00
Expended	<u>-187,517.50</u>
Balance for Recovery	\$12,482.50

Total California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund \$12,482.50

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

Devereux Slough Restoration, Santa Barbara County

Allocated	\$261,000.00
Expended	<u>-260,998.59</u>
Balance for Recovery	\$1.41

Imperial Wildlife Area Wetland Enhancement, Imperial County

Allocated	\$438,000.00
Expended	<u>-431,067.95</u>
Balance for Recovery	\$6,932.05

Total Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 \$6,933.46

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

Arroyo Toad, Long Potrero (2006 RLA), San Diego County

Allocated	\$46,000.00
Expended	<u>-36,897.00</u>
Balance for Recovery	\$9,103.00

Central Coast Corridor Restoration, Santa Cruz County

Allocated	\$184,600.00
Expended	<u>-184,600.00</u>
Balance for Recovery	\$0.00

East Elliott and Otay Mesa Regions (Sunroad), San Diego County

Allocated	\$5,000.00
Expended	<u>-4,560.00</u>
Balance for Recovery	\$440.00

Hedgerows for Habitat and Restoration, Santa Cruz/Madera/Fresno County

Allocated	\$117,000.00
Expended	<u>-117,000.00</u>
Balance for Recovery	\$0.00

Saddle Creek, Orange County

Allocated	\$8,288,119.00
Expended	<u>-8,279,133.00</u>
Balance for Recovery	\$8,986.00

San Diego County MSCP/HCPLA 2009 (Gibson), San Diego County

Allocated	\$885,000.00
Expended	<u>-876,368.00</u>
Balance for Recovery	\$8,632.00

Western Riverside County MSHCP (2006), Expansions 2-6, Riverside County

Allocated	\$35,000.00
Expended	<u>-19,968.00</u>
Balance for Recovery	\$15,032.00

Western Riverside County MSHCP (2006), Expansions 6-9, Riverside County

Allocated	\$1,704,000.00
Expended	<u>-1,688,184.00</u>
Balance for Recovery	\$16,466.00

Total Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 **\$58,659.00**

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve the Recovery of Funds for the projects listed on pages 7 through 10 of the agenda and close the project accounts. Recovery totals include \$3,128.00 to the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund; \$19,840.18 to the Habitat Conservation Fund; \$12,482.50 to the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund; \$6,933.46 to the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002; and \$58,659.00 to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006.

Motion carried.

- *6. North Coast Interagency Visitor Center \$283,500.00
Del Norte County

This proposal was to consider the allocation for a grant to the Crescent City Harbor District (District) for a cooperative project with the National Park Service, the U.S. Forest Service, and the Crescent City Chamber of Commerce for planning and design, California Environmental Quality Act (CEQA) compliance and permitting of a North Coast Interagency Visitor Center.

LOCATION AND SURROUNDING USES

The proposed North Coast Visitor Center is to be located on harbor district property at the corner of Citizens Dock Road and Highway 101, in Crescent City, Del Norte County in northern California. The harbor at the south end of Crescent City's commercial district serves both commercial fishing vessels and many private small ocean water craft. Several restaurants dot the harbor district property and a popular surf and swim beach is immediately south of the harbor.

PROJECT DESCRIPTION

The District envisions the North Coast Interagency Visitor Center will accommodate fourteen entities that own land, have facilities, or in some way provide services or recreation amenities along the north coast. These entities include the Department of Fish and Game (DFG) and several other public agencies, local Native American tribes, and other visitor-oriented entities such as the Crescent City Chamber of Commerce.

This grant will fund the site schematic design, the preliminary (30%) construction plans, and theme and design exhibits. The 30% plans are sufficient in scope and detail to allow the District to prepare and complete environmental review to comply with the CEQA and to apply for the necessary Coastal Development Permit (CDP). Also during this phase construction funding will be identified, pursued and secured.

WCB PROGRAM

The proposed project will be funded through the 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

Tourism is Del Norte County's largest private sector employer and a critical component of the area's economy. Different agencies and organizations provide visitor information and interpretive services at a number of scattered locations throughout the area. This project will provide the necessary planning and environmental review to allow 14 different entities to be consolidated into one building to provide tourism information to the public. This facility will provide a

one-stop destination to all public and many private recreational properties on the north coast. The National Park Service has agreed to staff and maintain the facility when constructed.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$283,500.00
Redwood National Park	12,000.00
Six Rivers National Forest	7,500.00
Crescent City Chamber of Commerce	3,200.00
Crescent City Harbor District	<u>5,625.00</u>
TOTAL	\$311,850.00

The funding from the participating partners is an estimate of staff time needed to assist in developing the planning documents. Project costs will be for preliminary planning and design documents and the preparation and completion of environmental review and CDP application for the proposed North Coast Visitor Center.

FUNDING SOURCE

The proposed funding sources for this project are the Wildlife Restoration Fund, Local Assistance, and the California Clean Water, Clean Air, Safe Neighborhood Parks, and the Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a). The purposes of this project are consistent with the proposed funding sources, which allow for the development of public access facilities for hunting, fishing and other wildlife compatible recreational activities.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project calls for the preparation and completion of preliminary planning and design documents, environmental review and CDP application for the proposed North Coast Visitor Center, pursuant to the California Environmental Quality Act (CEQA). The DFG has reviewed this proposal and recommends it for funding by the WCB.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$239,000.00 from the Wildlife Restoration Fund, Local Assistance, and \$44,500.00 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$239,000.00 from the Wildlife Restoration Fund, Local Assistance, and \$44,500.00 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.

Motion carried.

- *7. Little Shasta Conservation Easement (Townley) \$1,332,900.00
Siskiyou County

This proposal was to consider the allocation for a grant to the Rocky Mountain Elk Foundation (RMEF) to acquire a conservation easement over 3,104± acres of land for protection of critical winter range for elk and other regional California wildlife and protection of grasslands that sustain working landscapes. The project will allow dry land farming and livestock operations to continue under the terms of the conservation easement while at the same time protecting the property's natural resource values.

LOCATION AND SURROUNDING USES

The subject property (Property) is located east of the City of Yreka and six miles northeast the town of Montague in Siskiyou County, at the junction of Ball Mountain and Townsend Roads. The general terrain is characterized by rolling hills within flat valley bottoms containing vast rangeland and grasslands, interspersed with wetland and riparian areas. The Property is intersected by two ephemeral streams, Webb Gulch and Hovey Gulch and includes several ponds on the site. The Property is part of the upper eastern watershed of the Shasta River, a major tributary to the Klamath River. Protection and conservation of both the Shasta and Klamath river watersheds are important contributors to the recovery salmonid species.

The Property is located approximately two miles southwest of the Department of Fish and Game's (DFG) Shasta Valley Wildlife Area and approximately two miles to the east are portions of the Klamath National Forest. The property is also within the view shed and watershed areas of the north side of Mount Shasta, thereby providing excellent views of Mt. Shasta to the south and the Shasta Valley to the west.

The project area and surrounding properties currently support agricultural livestock grazing and/or dry farming operations, suitable for growing annual crops that employ dry farming on a summer fallow basis. Approximately four miles to the north, several sections of grazing land have been subdivided into single-family dwellings or ranchettes, demonstrating the subdivision potential and habitat fragmentation that could occur on the property if left unprotected.

PROJECT DESCRIPTION

The Property topography ranges from a relatively flat to moderately steep terrain utilized for dry farming and agricultural grazing. The land supports both irrigated and non-irrigated pastures, as well as farming for hay, wheat and barley used to feed and support the Property's natural range fed beef operation. To the east of the property lies the seasonal migration path of Roosevelt elk. As such, the Property provides crucial winter habitat for the elk and other wildlife species such

as coyotes, foxes, pronghorn antelope and deer. Numerous other migratory and local species including eagles, raptors, quail, dove, pheasants and Canadian geese also frequent the property throughout the year and several aquatic species (pond turtles and amphibians) are dependent upon the gulches, ephemeral streams and ponds found on the Property.

The Property is an open space component of the Shasta River and Klamath River watersheds, absorbing rainfall and providing seasonal inflow. Furthermore, the landowners have actively improved the watershed and water quality conditions on the Property through the construction of in-stream structures, streamside plantings, and developing and maintaining buffer/filter strips along its gulches. These restoration enhancements along with protection of the land provide water quality and habitat benefits downstream for both the Shasta and Klamath rivers and their dependent species.

This project also denotes the first large conservation easement in the Shasta Valley and represents the first easement project for the RMEF as part of the Siskiyou Initiative Focus Area Landscape, an effort to protect and conserve large ranch and landscape properties from future fragmentation. It is contemplated that if this conservation easement is successful, additional large acreage landowners may also be interested in pursuing agricultural or conservation easements on their properties to help further expand and protect open space and rangeland properties in the Shasta River watershed in perpetuity.

WCB PROGRAM

The proposed grant for this project is being considered under Wildlife Conservation Board's (WCB) Rangeland, Grazing Land and Grassland Protection Program (Program). Grant proposals are evaluated and selected for funding by WCB staff based on established criteria. The Program provides funding for the acquisition of conservation easements on private properties for the protection of rangeland, grazing land and grasslands. The Program seeks to prevent the conversion of rangeland, grazing land and grassland to nonagricultural uses, protect the long-term sustainability of livestock grazing and ensure continued wildlife, water quality, watershed and open-space benefits to the State of California from livestock grazing.

MANAGEMENT OBJECTIVES AND NEEDS

RMEF, a non-profit conservation organization committed to conserving natural habitats for the protection of wild free-ranging elk, will be responsible for monitoring and managing the property according to the terms of the "Deed of Conservation Easement" with the property owners. Allowable uses include cattle grazing, dry land grain production, a 5% (150 acre) set aside for more intensive agriculture, and three building envelopes, one 10-acre ranch headquarters, one five acre existing residence, and one five acre set-aside for a future residence.

All these uses were considered and taken into consideration in the appraisal and valuation of the conservation easement. A baseline report will have been completed by the Grantee and approved by the WCB. The conservation easement does not convey a general right of access to the public but allows access to both RMEF and WCB for monitoring purposes.

TERMS

The property owners have agreed to sell the conservation easement to RMEF for its appraised fair market value of \$1,327,900.00, which has been approved by the Department of General Services (DGS). The terms and conditions of the proposed grant provide that WCB staff must review and approve all title documents, appraisals, preliminary reports, documents connected with the purchase and sale, including escrow instructions, and instruments of conveyance prior to disbursement of funds into the established escrow account. In the event of a breach of the grant terms, the WCB can seek specific performance or require that title to the conservation easement be transferred to WCB or another qualifying entity. The project lands are encumbered by Land Conservation Contracts under the Williamson Act will not be affected by the terms of the conservation easement.

PROJECT FUNDING

The WCB proposes to make a grant to RMEF for the \$1,327,900.00 for the purchase price:

Wildlife Conservation Board	\$1,327,900.00
Other Project-Related Costs	\$ 5,000.00
Total WCB Allocation	\$1,332,900.00

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

FUNDING SOURCE

The funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(d)(1). The purposes of this project are consistent with the proposed funding source that allows for the acquisition of the conservation easements on agricultural properties for the protection of rangeland, grazing land and grassland protection and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The 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.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,332,900.00 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)(1) 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 to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$1,332,900.00 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)(1) 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.

Motion carried.

- *8. Charles Mountain Ranch Conservation Easement, Phase II
Humboldt County \$1,200,000.00

This proposal was to consider an allocation for a grant to the California Department of Forestry and Fire Protection (CAL FIRE) to acquire a working forest conservation easement over 4,437± acres, and to assist CAL FIRE in administering matching federal Forest Legacy Program (FLP) funds. This project will help to protect forest land, important scenic forest landscape, fish, wildlife, riparian and other ecological values under the California Forest Legacy Program.

LOCATION AND SURROUNDING USES

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

PROJECT DESCRIPTION

On February 24, 2011, the Wildlife Conservation Board (WCB) approved Phase I of the Charles Mountain Ranch conservation easement project, a grant to the Northcoast Regional Land Trust to acquire a 2,903± acre conservation easement comprised of the northernmost portion of the Charles Mountain Ranch. In the proposed second phase of this project, CAL FIRE will purchase a conservation easement over the majority of the remaining areas on the Ranch, located adjacent and south of Phase I. Phases I and II will encumber the entire Ranch property with a conservation easement resulting in 7,340± acres of protected land.

The Property includes some of the largest intact stretches of privately-owned forestlands that include true oak forests, natural Douglas fir and mixed conifer-hardwood forest ecosystems in Humboldt County. The Property's sustainable timber contributes to the local timber industry, and its rangeland and riparian corridors support and protect wildlife habitat and endangered fish populations. Numerous wildlife species can be found on the ranch including the western pond turtle, mountain lion, bald and golden eagles, red-trailed hawk, red tree vole, Columbian black-tailed deer and Roosevelt elk. The Property is also part of the Larabee Creek and Van Duzen River drainage systems that comprise two of the

most productive and largest salmonid spawning tributaries on the northcoast for both Coho and Chinook salmon and steelhead.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Forest Conservation Program (Program). Grant proposals are evaluated and selected for funding by WCB staff based on established criteria approved by the Board on November 17, 2007, in most cases utilizing a peer review process involving biological and forestry expertise and including the Department of Fish and Game (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 habitats for native fish and wildlife and plants found on these lands. One of the primary objectives of the Program is the protection and conservation of working forests and productive managed forest lands. Selected projects promote the restoration and/or maintenance of the ecological integrity and economic stability of the Property in the context of the surrounding landscape and regional economy.

The matching federal FLP funds provided for this project have been approved through both the State and federal Forest Legacy Program project selection processes, and have been further reviewed by WCB for compliance and consistency with State program and funding requirements. CAL FIRE has entered into an agreement with the WCB to assist in the administration of this project according to Public Resources Code Section 12840, which establishes the California Forest Legacy Program. Once approved by the WCB, the project will undergo review and processing by the Department of General Services (DGS) for consideration and approval by the State of California, Public Works Board (PWB), which approves CAL FIRE property acquisitions.

MANAGEMENT OBJECTIVES AND NEEDS

Consistent with the purposes of the WCB's Forest Conservation Program and the FLP guidelines, the conservation easement will prevent the future conversion of forest land and forest resources from development in Humboldt County. The conservation easement allows the continuance of existing forestry operations, ranching, agricultural uses and hunting activities and will: (i) protect water quality and supplies; (ii) protect wildlife habitat and maintain habitat connectivity to ensure biodiversity; (iii) protect riparian areas and associated ecosystems; and (iv) maintain forest sustainability. More specifically, the easement area can continue to operate as a sustainable working timber forest and cattle ranch.

Although CAL FIRE will hold, manage and be responsible for the monitoring of the easement, the conservation easement allows engaging a locally based agent

("Local Stewardship Agent") with the ability to establish and maintain community trust and involvement with the Property as a means of monitoring the terms of the conservation easement. Since the NRLT monitors Phase I of the project and has an established relationship with the property owners, CAL FIRE has engaged NRLT as Local Stewardship Agent for Phase II of the project through a memorandum of understanding (MOU) to assist in monitoring the Property for compliance with the terms of this easement.

A baseline report will be completed by the CAL FIRE and approved by the WCB prior to close of escrow. The conservation easement deed permits access to the Property by CAL FIRE, NRLT and WCB staff for monitoring purposes.

TERMS

The conservation easement has a fair market value of \$4,885,000.00 based on an independent appraisal of the Property, reviewed and approved by the DGS. The property owner has agreed to sell the conservation easement at less than its approved appraised value, for \$3,700,000.00. The terms and conditions of the proposed grant provide that staff of the WCB will review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance. Furthermore, the project will require additional transaction review by DGS staff in preparation for approval by the PWB 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	\$1,200,000.00
2009 FLP grant award	500,000.00
2010 FLP grant award	<u>\$2,000,000.00</u>
Purchase Price	\$3,700,000.00
TOTAL WCB Allocation	\$1,200,000.00

CAL FIRE will be responsible for all administrative and internal project-related costs pertaining to appraisal, appraisal review, title and escrow.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a). This funding source allows for forest conservation and protection projects to promote the ecological

integrity and economic stability of California's diverse native forests through forest conservation, preservation and restoration of productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitats for native fish, wildlife and plants found on these lands and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,200,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a) for the grant to the California Department of Forestry and Fire Protection; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$1,200,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(a) for the grant to the California Department of Forestry and Fire Protection; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *9. Doyle Wildlife Area (Utility Easement) \$0.00
Lassen County

This proposal was to consider a grant of a permanent easement to the Plumas-Sierra Rural Electric Cooperative (PSREC) over 6± acres (a strip ±0.51-mile long by 100 feet wide) on the Department of Fish and Game's (DFG) Doyle Wildlife Area (Wildlife Area) in Lassen County. The easement will be used to construct a portion of a utility transmission line as part of the PSREC's Fort Sage to Herlong 120kV Interconnect Project that will address regional power capacity limitations.

PSREC PROJECT OVERVIEW

PSREC plans to construct a 120 kilovolt transmission line known as the Fort Sage to Herlong 120kV Interconnect Project (Project) that originates from PSREC's Fort Sage Substation in the state of Nevada to a new proposed Herlong Substation in Lassen County, California. The transmission line will cross lands belonging to the U.S. Bureau of Land Management (BLM), California State Lands Commission, the Doyle Wildlife Area (Wildlife Area) and various private property owners. All aspects of this undertaking were reviewed and approved by: Bureau of Land Management Core of Engineering, California State Lands Commission (CSLC), U.S. Fish and Wildlife Service, and the Environmental Assessment Team under the National Environmental Policy Act (Parties) to ensure that all required State, federal and local requirements have been met.

The Wildlife Area that was originally acquired as wintering range for the Rocky Mountain mule deer. DFG has worked with PSREC to develop a Mitigation Plan (Plan) to avoid adverse impacts to the mule deer and other species found in the Wildlife Area. The Plan and the Environmental documents completed for this project ensure there will be no significant impacts on the Wildlife Area and area consistent with all State and federal law and regulations. The Plan has been approved by DFG.

LOCATION AND SURROUNDING USES

The utility easement as it crosses the Wildlife Area will be ±0.51-mile long by 100 feet wide covering approximately 6 acres of land situated in an area north of the intersection of Turtle Mountain Road and Fort Sage Road in Section 8, T26N, R17E, MDM, in Lassen County. The transmission line will be placed in an area on the Wildlife Area that poses the least amount of disturbance to critical mule deer winter range and avoids the antelope bitterbrush shrubs located in the area. The easement does encompass portions of riparian habitat along Long Valley Creek located within the Wildlife Area.

PROJECT DESCRIPTION

Construction of transmission lines will be supported by three tower structures along the easement area. To minimize surface disturbance and cause minimal impact to the wildlife and vegetation in the area, the Plan requires the hand drilling of poles to enable the use of a helicopter for pole placement. This method omits the need to drive heavy equipment along the entire length of the easement and to require additional temporary access routes into the Wildlife Area. Furthermore, the time necessary to complete the project will be reduced to 10 to 15 hours of flight time as opposed to standard construction methods that could require 10 to 15 days.

WCB PROGRAM AND AUTHORITY

Granting of the proposed permanent utility easement is being considered under the Wildlife Conservation Board's (WCB) Land Acquisition Program. The Land Acquisition Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, et seq.) and the WCB is authorized to transact real property or rights in real property on behalf of the Department of Fish and Game. Section 1348(c)(2) of the Fish and Game Code authorizes the WCB to sell or transfer any interest in real property acquired by or held under the jurisdiction of the Board or the Department of Fish and Game and requires the proceeds from this transaction to be deposited to the Wildlife Restoration Fund.

MANAGEMENT OBJECTIVES AND NEEDS

The Plan provides that PSREC will be responsible for periodic ground maintenance patrols to inspect and maintain the transmission line on the Wildlife Area. PSREC is required to coordinate its pole access with DFG for purposes of routine maintenance that includes replacing damaged insulators, tightening nuts and bolts, and general line and structure repair. This type of maintenance would be intermittent and under most conditions accomplished from existing roads or on foot. No new permanent access routes will be required for line operations or maintenance.

TERMS

The utility easement has been appraised as having a fair market value of \$925.00. PSREC has agreed to acquire the utility easement for the appraised fair market value of \$925.00 plus an administrative fee of \$500.00, representing the staff time attributed to the project. The terms and conditions of the proposed utility easement provide that staff of the WCB must review and approve the appraisal, title documents, preliminary title reports and instruments associated with the transfer of interest in State property required for the Project.

The CSLC served as the lead State Agency responsible for reviewing and approving the Plan, completing all CEQA requirements on behalf of the State,

and for the filing of the Notice of Determination for the Project. The Project was presented to the CSLC Board on September 1, 2011, and approved as presented.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Sale of Easement Interest in Property	\$925.00
Documentation/Administrative Fee	\$ 500.00
TOTAL TO WILDLIFE CONSERVATION FUND	\$1,425.00

The Administrative Fee represents the cost to cover administrative staff charges in connection with the project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The State Lands Commission, as lead agency, prepared a Mitigated Negative Declaration for the Fort Sage to Herlong 120kV Interconnect Project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Environmental Impact Report and has prepared proposed, written findings as a responsible agency documenting WCB's compliance with CEQA. Subject to approval of this proposal and findings by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; accept payment of \$1,425.00 from Plumas-Sierra Rural Electric Cooperative for the utility easement; 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; accept payment of \$1,425.00 from Plumas-Sierra Rural Electric Cooperative for the utility easement for remittance to the Wildlife Restoration Fund; 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.

Motion carried.

- *10. Gray Lodge Wildlife Area Enhancement \$700,000.00
Butte County

This proposal was to consider the allocation for a grant to the California Waterfowl Association (CWA) for a cooperative project with the Department of Fish and Game (DFG) to enhance and restore 711± acres of wetland and upland habitat on the DFG's Gray Lodge Wildlife Area.

LOCATION AND SURROUNDING USES

The project is located within the 9,100 acre Gray Lodge Wildlife Area located approximately 6 miles west of the City of Gridley in Butte County. The Wildlife Area is located just north of the Sutter Buttes, and consists of a mixture of habitats including wetlands, riparian habitat, uplands and wildlife friendly agricultural practices including grazing and rice. The surrounding lands are a mix of privately owned wetlands and rice and other agricultural crops.

PROJECT DESCRIPTION

Over the last few years, Gray Lodge Wildlife Area has worked diligently with partners to successfully complete the construction of a master water delivery system. The new infrastructure has dramatically increased management capability to deliver water supplies with increased efficiency and control to the entire wildlife area. Now that the water delivery infrastructure is complete, the deficiencies with the individual wetland units on the property have become clear. Every year, the Wildlife Area staff disk or mow up to a third of the entire wetland acreage on the 9,000 acre wildlife area to provide the wetland benefits necessary to support the hundreds of thousands of migratory waterfowl that descend on the area each winter. Eventually, these manipulations are not sufficient to manage the habitats, and a different type of manipulation is needed. At that time, shallow swales are developed through the wetland units to provide better water management, existing berms are renovated and new structures are installed.

This current project will help to improve habitat conditions at the wildlife area by installing suitable wetland infrastructure (i.e. weirs, culverts, swales, ditches, levees, etc.); this will allow for increased management capabilities of desired habitat types by DFG managers. The project will enhance and restore 711± acres into wetland and upland habitats. The project will improve wetland topography to provide wetland diversity and improve water management, install water control structures, and restore native grasses. The project will benefit waterfowl and other wetland dependent wildlife by providing wintering and migratory wetland habitat.

WCB PROGRAM

The proposed project will be funded through the Inland Wetland Conservation Program and meets the program's goal of assisting the Central Valley Joint

Venture's mission to protect, restore, and enhance wetlands and associated habitats.

MANAGEMENT OBJECTIVES AND NEEDS

The project will be on a portion of DFG's Gray Lodge Wildlife Area, and management of this project will be incorporated into the existing management of Gray Lodge Wildlife Area. The improved water management capabilities associated with this wetland enhancement will allow the DFG managers to provide improved wetland habitat through more efficient water delivery and drainage, with less staff time.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$700,000.00
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Project costs will be for surveys, earthwork, water control infrastructure, signage, and project management and administration.

FUNDING SOURCE

The proposed funding sources for this project are the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Inland Wetlands Conservation Program and the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d)(Proposition 1E), Inland Wetlands Conservation Program. These funding sources allow for the acquisition, enhancement or restoration of wetlands within a floodplain or flood corridor in the Central Valley, and are consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304 as a minor alteration to land. 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 recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$132,081.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Inland Wetlands Conservation Program and \$567,919.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d)(Proposition 1E), Inland Wetlands Conservation Program; 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$153,274.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Inland Wetlands Conservation Program and \$546,726.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d)(Proposition 1E), Inland Wetlands Conservation Program; 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.

Motion carried.

- *11. Little Chico Creek Oak Woodland Conservation Easement Butte County \$0.00

This proposal was withdrawn from consideration at this time.

- *12. Sierra Nevada Aquatic Research Laboratory Facility Improvements Mono County \$1,412,000.00

This proposal was to consider the allocation for a grant to the Regents of the University of California to construct a new classroom/lecture hall, install underground utilities, improve existing roadway and parking areas, and replace water control structures at the Sierra Nevada Aquatic Research Laboratory (SNARL).

LOCATION AND SURROUNDING USES

The SNARL is a unit in the University of California Natural Reserve System (NRS) administered by UC Santa Barbara (UCSB) and located approximately 8 miles east of Mammoth Lakes, California, along the eastern escarpment of the Sierra Nevada Mountains. The station was established in 1935 and has served as an experimental site and as a base of operations for research across eastern California and western Nevada, including large parts of the Sierra Nevada. Researchers from throughout the United States are regular users of the facilities, and the studies range widely among the life and physical sciences.

PROJECT DESCRIPTION

The project will consist of replacing aging water control infrastructure, reconstructing and repaving the existing asphalt roadway and parking areas, extending utilities under the roadway, and constructing a new classroom/lecture hall.

WCB PROGRAM

Under Proposition 84, the Wildlife Conservation Board (WCB) received funding to provide matching grant dollars to the UCNRS for land acquisitions, and construction and development of facilities that will be used for research and training to improve the management of natural lands and the preservation of California's wildlife resources. The mission of the UCNRS is to contribute to the understanding and wise management of the earth and its natural systems by supporting university-level teaching, research, and public service at protected areas throughout California. To implement this funding, the WCB and the UCNRS developed guidelines for selecting eligible projects. This also included establishment of a UCNRS Ad Hoc Advisory Subcommittee to review and set priorities for project proposals prior to submittal to the WCB.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$1,412,000.00
National Science Foundation	657,106.00
Private Donations	342,818.00
University of California, Santa Barbara	487,470.00
TOTAL AVAILABLE FUNDING	\$2,899,394.00

Project costs will be for water control infrastructure replacement, road reconstructions and utilities, classroom design and construction, and project management.

FUNDING SOURCE

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund (Proposition 84), Public Resources Code Section 75055(b)(3). This funding may be granted to the UCNRS for the construction and development of facilities that will be used for research and training to improve the management of natural lands and the preservation of California's wildlife resources and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE

The Regents of the University of California, as lead agency, prepared a Mitigated Negative Declaration for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Mitigated Negative Declaration and has prepared proposed, written findings documenting WCB's compliance with CEQA as a responsible agency. Subject to approval of this proposal by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse. The project was vetted through the UCNRS's Ad Hoc Subcommittee and recommended for funding.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$1,412,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(b)(3); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

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

findings and approve this project as proposed; allocate \$1,412,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(b)(3); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *13. Point Pinole Fishing Pier Improvements \$234,000.00
Contra Costa County

This proposal was to consider the allocation for a grant to the East Bay Regional Park District (EBRPD) to replace an existing vault toilet with an ADA accessible restroom, construct an ADA parking space, improve an ADA path, and conduct a structural engineering inspection of the Point Pinole Fishing Pier.

LOCATION AND SURROUNDING USES

Point Pinole Fishing Pier is located in Point Pinole Regional Shoreline Park in the City of Richmond in Contra Costa County. The park is a short drive west from Interstate 80 via Hilltop Drive. The park serves western Contra Costa County including the cities of Richmond, Pinole, San Pablo and El Sobrante.

The 2,147-acre park has a rocky, driftwood littered shoreline. To the east is a salt marsh area known as Whittell Marsh. Near the pier is a large blue gum eucalyptus forest, planted by the Hercules Powder Plant, a former owner of the peninsula. The park contains many miles of popular hiking trails through a variety of habitat types, including grasslands with native needle grasses and coastal scrub and dunes.

Besides hiking and nature viewing, the most popular attraction at the park is the fishing pier. The pier is one of the most heavily utilized fishing piers on the San Francisco Bay. The 1,225 foot-long pier juts out from Point Pinole into a deep water channel in the bay. It is a well-designed pier that provides excellent fishing opportunities in an attractive location.

The pier was initially constructed in the mid 1970's, with financial assistance from the Wildlife Conservation Board (WCB).

PROJECT DESCRIPTION

The existing restroom at the Point Pinole Fishing Pier is old and dilapidated, and does not meet current ADA accessibility standards. A new ADA accessible restroom with an ADA accessible parking space and pathway to the pier will be constructed adjacent to the existing restroom. Not only will the new vault toilet meet ADA standards and have a sink for hand washing, but the new vault restrooms have a vent system that removes excess water from the vault. The vent system keeps the restroom fresh and reduces the need for sanitary service, which will lower maintenance costs. The existing restroom is under a wood lattice structure. The old restroom will be removed, but the lattice structure will be repurposed as a picnic area and/or kayak storage area.

Finally, the support braces for the water line under the pier will be replaced, and a structural engineering inspection of the pier itself will be performed. Being on

the bay, the pier is exposed to corrosion and structural failure. Several of the brackets supporting the water line serving the pier are corroded and have failed. These will be replaced. An engineering inspection will be performed on the pier to determine if the pier is structurally sound or in need of future structural retrofits.

WCB PROGRAM

The proposed project will be funded through the 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 EBRPD will provide the long-term management of the project. The District has maintained and operated Point Pinole Regional Park since 1976. The park currently has a staff of 7.5 full-time employees. This includes a park supervisor, 5.75 rangers and 0.75 gate attendant. All of their time is allocated to the operations and maintenance of the park and this project. The EBRPD's police and fire departments patrol and respond to emergencies in the park.

The EBRPD manages and operates over 110,000 acres of park land in Alameda and Contra Costa Counties with 65 regional parks, recreation areas, wilderness, shorelines, preserves and land bank areas. The EBRPD manages 6 other fishing piers on the San Francisco Bay, many of which were funded by WCB. All the EBRPD parks and outdoor facilities, including the Point Pinole Pier, are open from 5:00 a.m. to 10 p.m.

The new restroom building will be constructed entirely from precast concrete, an extremely durable material requiring minimal repairs, maintenance and upkeep. The project site as a whole will be maintained by the rangers at the park who will provide daily operation and cleanup of the facility and address all graffiti and maintenance issues. The project improvements are expected to last at least 25 years, which is the life of this project. If at any time during the life of the project the EBRPD does not manage and maintain the project improvements, the Grant Agreement requires them 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	\$234,000.00
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Project costs will be for engineering, permits, project construction of the restroom, parking and travel paths, pier work and construction management.

The EBRPD will submit a grant application for federal reimbursement under the Land and Water Conservation Fund (LWCF), administered by the California Department of Parks and Recreation. If LWCF reimbursement is approved, the WCB will be reimbursed for 50% of its project costs.

FUNDING SOURCE

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

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 facilities at the same site and with substantially the same purpose and capacity; Section 15303, Class 3, new construction or conversion of small facilities or structures; and Section 15304, Class 4, as a minor alteration to land, water and/or vegetation, which does not involve the removal of healthy, mature, or scenic trees. Subject to approval of this proposal 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 recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$234,000.00 from the Wildlife Restoration Fund, Local Assistance; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$234,000.00 from the Wildlife Restoration Fund, Local Assistance; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *14. San Joaquin River Parkway, Sycamore Island Pond Isolation, \$232,000.00
Planning and Design
Madera County

This proposal was to consider the allocation for a grant to the Department of Water Resources (DWR) for a cooperative project with the San Joaquin River Conservancy (SJRC) to complete preliminary and final design alternatives, prepare analyses and conduct environmental review to comply with the California Environmental Quality Act (CEQA), and prepare permit documents to allow for the enhancement of habitat and stabilization of ponds on the Conservancy's Sycamore Island property in Madera County adjacent to the San Joaquin River.

LOCATION AND SURROUNDING USES

The San Joaquin River Parkway is 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 (Public Resources Code Section 32510). The SJRC was created in 1992 to preserve and enhance the San Joaquin River's extraordinary biological diversity, protect its valued cultural and natural resources and provide educational and recreational opportunities to the local communities. The SJRC's mission includes both public access and habitat restoration within the Parkway.

The 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.

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

PROJECT DESCRIPTION

This project became necessary as the result of a failure of a berm on SJRC property. The berm separated the San Joaquin River from a warm water fishery

pond, which was formed from an abandoned gravel pit, resulting in the river's "capture" of the pond. Both the SJRC and the DWR have identified the need to re-create a stable berm within the breach between the abandoned gravel pit and the San Joaquin River. Replacing the breach with a stable berm and gravel access road and restoring native vegetation and habitat along the berm will meet objectives of both entities.

The DWR's involvement stems from the San Joaquin River Restoration Program (SJRRP), the result of the settlement of the *Natural Resources Defense Council v. Rodgers* lawsuit, which has the stated goal of maintaining fish populations in "good condition" in the main stem of the San Joaquin River below Friant Dam. The settlement identifies the DWR as a party to the implementation of the settlement. Among the improvements contemplated by the settlement is "filling and/or isolating the highest priority gravel pits". Restoring the berm would keep native fish species out of the pit, protecting them from warm water predators, facilitating migration, and otherwise helping meet SJRRP goals for salmon habitat restoration.

The grant will provide funding to complete preliminary and final design alternatives, prepare analyses and environmental review to comply with CEQA, and prepare permit documents. Among the project goals will be to improve property management, facilitate emergency response and improve public safety, as well as help the SJRC fulfill its mandate for habitat enhancement, public access and recreation. The project will identify ways to isolate the pond from the river channel, which will have the potential for creating a warm-water fishery off-channel to maintain or improve recreational fishing.

Project objectives include:

- Fully integrate the planning, design, and implementation of the project to serve both San Joaquin River Parkway Master Plan and SJRRP goals and objectives. Recreate and enhance a breached berm between the San Joaquin River and a "captured" gravel pit to:
 - Provide a gravel road between the SJRC's public fishing access site at Sycamore Island and its Proctor-Broadwell-Cobb property, for the purposes of emergency and property management vehicle access/egress.
 - Provide design, structural measures, and revegetation to minimize future erosion and failure of the berm under design conditions.
 - Improve stream bank vegetation and associated habitat to improve floodplain habitat to the extent feasible.
 - Isolate the captured gravel pit from the river channel to reduce predation by warm water fish species on reintroduced salmon,

- reduce the pond's effect on river water temperature, and improve salmon migration.
- Isolate the gravel pit to provide additional off-stream recreational fishing, to partially mitigate the SJRRP's potential impacts on in-stream recreational fishing.

Re-creating and enhancing the berm and access road is important to provide alternate egress from the site for 6,500 annual visitors to Sycamore Island in the event of an emergency. A safe, stable berm will provide access between the SJRC's 262-acre Proctor Broadwell Cobb and the 347-acre Sycamore Island properties. This will enhance the SJRC's ability to oversee public use and service of the picnic grounds, temporary restrooms, and garbage cans; allow the Department of Fish and Game (DFG) Game Wardens and Madera County Sheriffs to patrol and respond to emergencies and river rescues; and provide emergency access for fire protection agencies to contain and put out wildfires and to protect adjacent urban residential and commercial development.

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 within the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 (Proposition 40), Public Resources Code Section 5096.650(b)(5), which provides for the acquisition, development, rehabilitation, restoration and protection of land and water resources located within the boundaries of the SJRC and is consistent with the objectives of this project.

MANAGEMENT OBJECTIVES AND NEEDS

The SJRC has an immediate need for the berm improvement and has capital improvement funding available for habitat enhancement, public access and recreation projects. Since the DWR South Central Region Office has primary authority, responsibility, and expertise for state capital improvements associated with the SJRRP, the SJRC has requested DWR to develop a proposal to provide environmental compliance and design services for the proposed project.

Once constructed, it is expected that the saddle will provide safe access between the SJRC's Proctor Broadwell Cobb and Sycamore Island properties on the San Joaquin River for recreation, patrolling, monitoring, and emergency responses. This will allow for easier and more effective long-term management of the property.

PROJECT FUNDING

The proposed funding for the project is as follows:

Wildlife Conservation Board

\$232,000.00

Project costs will be for reviewing restoration and equalization saddle alternatives, completing design and conducting environmental review and permitting.

FUNDING SOURCE

The proposed funding source for this project is the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 (Proposition 40), Public Resources Code Section 5096.650(b)(5), which allows for acquisition, development, rehabilitation, restoration and protection of land and water resources located within the boundaries of the SJRC and is consistent with the purposes of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The proposed project calls for the preparation and completion of environmental review for the enhancement of habitat and stabilization of ponds on the SJRC's Sycamore Island property, within the Parkway. The proposed project is included among the high priority projects recommended by the Interagency Project Development Committee, whose role is to evaluate projects to be considered by the SJRC Board. The project was accepted by the SJRC Board, which includes a representative with the DFG, on March 14, 2012.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$232,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$232,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *15. San Joaquin River Parkway, \$190,000.00
Camp Pashayan #2
Fresno County

This proposal was to consider the acquisition in fee of 11± acres of land by the San Joaquin River Conservancy (SJRC) for the protection of riparian and oak woodlands habitat, and to provide future public use opportunities. The acquisition of the subject property (Property) from the San Joaquin River Parkway and Conservation Trust (Trust) was approved by the SJRC on January 11, 2012 for expansion of open space and river access within the San Joaquin River Parkway (Parkway). The Parkway is a 22-mile regional greenspace and wildlife corridor along both sides of the river extending from Friant Dam to Highway 99, with an interconnected trail system and recreational and educational features.

LOCATION AND SURROUNDING USES

The Property is located at 7695 N. Weber Avenue, along the south bank of the San Joaquin River, just east of State Highway 99. The Property is adjacent to the Department of Fish and Game's (DFG) 20-acre Camp Pashayan Unit (Reserve Unit), part of the San Joaquin River Ecological Reserve. The State acquired the Reserve Unit in 1995 to provide for preservation and restoration of riparian habitat, and for inclusion in the Parkway.

The site is situated within the Parkway boundary at its downstream western terminus. The immediate area is rural in nature. The Fresno County Peace Officers Association shooting range and PG&E land leased to the Ram Tap equestrian center are adjacent south of the site. Other nearby land uses within the floodplain include livestock grazing, farming, rural residences, gravel extraction and some limited commercial development, including golf courses. Outside the floodplain on the nearby river bluff there is a substantial number of residential subdivisions developed with both production and custom homes, and interspersed with small commercial retail stores.

PROJECT DESCRIPTION

The Property has a rolling, unimproved topography with river frontage and is zoned for agricultural use. In the recent past the Property has been used as a recreational campground area for local community youth and is partially developed including a gravel parking area, picnic tables, trails and a large restroom structure with a septic system. Recreational fishing is available from the Property's river frontage. Domestic water is available on-site, provided by a well and pump, both of which are in service. The Property contains woodland, riparian, riverine and grassland habitats. Wildlife known to frequent and forage on the site includes deer, waterfowl, songbirds, coyotes, and raptors.

One of the intended uses of the Property will be the continued management by the Trust in cooperation with DFG Reserve Unit. Both the Property and the adjoining DFG Reserve Unit are well-developed for low-intensity recreation. The adjoining DFG Reserve Unit has a stabilized boat launch suitable for small trailer-launched or hand-carried boats, a lagoon for off-stream paddling, and a picnic shelter.

WCB PROGRAM

The purposes of the proposed acquisition are consistent with the proposed funding source, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), Public Resources Code Section 75050(f), that allows for river parkway projects identified by the SJRC.

MANAGEMENT OBJECTIVES AND NEEDS

The Trust, in cooperation with the DFG and its adjoining property, opened and managed Camp Pashayan for public access on weekends during the summer from 1995 to 2009. The Trust closed the site the past two years due to budget limitations. To maintain operations on the property and enhance public use, the Trust has submitted to the SJRC and DFG a detailed proposal to provide basic operations and maintenance services for opening the entire site to the public seasonally.

The Trust proposes to open the site eight hours per day on weekends and State holidays from May through September using seasonal employees or subcontractors. They would be responsible for all costs of opening and closing the site, garbage collection, chemical toilets or restrooms, visitor information, graffiti removal, etc. They may collect day use fees at rates to be approved by the State agencies and not greater than the rates at the SJRC's Sycamore Island property. Ten percent of net proceeds (if any) would be paid to the SJRC and DFG. The Trust's responsibilities under the proposed agreement will be limited to a net cost of \$15,000.00 per year. If the Trust's net costs exceed this amount, the schedule, duties, and obligations will be adjusted through an amendment to the agreement, or the agreement terminated.

Since the ultimate Camp Pashayan managed area will combine the subject property and the DFG Reserve Unit, both the SJRC and DFG must be parties to the operations agreement(s). At a future San Joaquin Conservancy Board meeting authorizing an operations agreement will be considered, possibly in the form of a pilot project concession agreement. The operations agreement will recommence public recreational use of the area, which was last open in 2009. Before approving any agreement to reestablish that use, California Environmental Quality Act (CEQA) must be considered by the SJRC and DFG. It is likely a CEQA Categorical Exemption will be appropriate.

TERMS

The property has been appraised as having a fair market value of \$180,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the property for the approved appraised fair market value. The terms and conditions of the proposed WCB acquisition 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. Once approved by the WCB, the transaction must also be reviewed and approved by the DGS.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board (WCB)	\$180,000.00
Other Project-Related Costs	<u>\$10,000.00</u>
WCB TOTAL ALLOCATION	\$190,000.00

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

FUNDING SOURCE

The purposes of this project are consistent with the proposed funding source, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), Public Resources Code Section 75050(f), that allows for river parkway projects identified by the SJRC.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed for compliance with the CEQA requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse. The project has been approved by the SJRC during its January 11, 2012 Board meeting.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$190,000.00 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(f) for the acquisition and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$190,000.00 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(f) for the acquisition and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

Motion carried.

- *16. San Joaquin River Parkway, Spano River Ranch, \$207,000.00
Habitat Enhancement, Planning and Design
Fresno County

This proposal was to consider the allocation for a grant to San Joaquin River Parkway and Conservation Trust (Trust) for a cooperative project with the San Joaquin River Conservancy (SJRC) to complete preliminary and final design alternatives, prepare analyses and conduct environmental review to comply with the California Environmental Quality Act (CEQA), and prepare permit documents to allow for habitat restoration on the SJRC's River West Fresno (Spano) property, located immediately west of State Highway 41 in Fresno County.

LOCATION AND SURROUNDING USES

The San Joaquin River Parkway (Parkway) is 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 (Public Resources Code Section 32510). The SJRC was created in 1992 to preserve and enhance the San Joaquin River's extraordinary biological diversity, protect its valued cultural and natural resources and provide educational and recreational opportunities to the local communities. The SJRC's mission includes both public access and habitat restoration within the Parkway.

The proposed project is within the 360±-acre Spano property (Property), located within the Parkway, west of Highway 41 and Woodward Park and south of the San Joaquin River. The purchase of the Property was approved by the Wildlife Conservation Board (WCB) at its August 2001 Board meeting; one of six Parkway property acquisitions approved on that date for a total of 1,000± acres. The Property was purchased for preservation, restoration and enhancement of habitat and to provide appropriate public recreational and educational opportunities.

PROJECT DESCRIPTION

The grant funds will assist the Trust to develop a plan to enhance and restore riparian, wetland, and woodland habitat on 34± acres within the Property. The first phase of the project will provide for design and environmental review to comply with CEQA. Once the SJRC has complied with its obligations as lead agency under CEQA, the SJRC's Board may approve the restoration project and consider authorizing and/or seeking funding for construction and revegetation.

The Property is within the floodplain of the San Joaquin River. Over many years, changes in river flows and floods, construction of Highway 41, agriculture, and gravel mining have altered the habitat values of the site. The project will be a plan to establish diverse types of riparian, upland, wetland and open water habitats on the Property. The SJRC's statutory mission and the San Joaquin

River Parkway Master Plan provide for conserving, enhancing, and restoring floodplain habitat, improving the diversity of habitat, and creating a contiguous habitat corridor for wildlife movement. The project will seek to identify suitable low-impact public access and recreation opportunities. Restoring habitat at the site will contribute to future nature observation, environmental education, community involvement, shade, and aesthetic values.

The project will include plans for grading and planting the slopes of the “H” pond on the site to create riparian terraces, and planting woodlands on the upland area between the pond and the river. The project will also identify planting methods, plant selection, and irrigation methods that will to allow the plants to become self-sustaining within a few years.

The irrigation system, grading plan, and planting plan will be designed to enhance and not interfere with the River West Fresno, Lewis S. Eaton Trail Extension Project being planned by the SJRC. Further, the project planning and design team will consult with the San Joaquin River Restoration Program and other resources management and regulatory agencies to ensure the project is compatible with other programs’ goals.

The workplan for this phase includes completing conceptual and preliminary design, analyses and environmental review to comply with CEQA, permit documents, final engineering design, an engineer’s cost estimate, a summary report and other deliverables. Design elements include a grading plan, irrigation plan, and planting plan. Permits will include floodway encroachment, streambed alteration, and discharges of fill to waters of the U.S. (404 permit).

WCB PROGRAM

The proposed project will be funded through the Habitat Enhancement and Restoration Program and meets the program’s goal of providing for native fisheries restoration, restoration of fresh water and riparian habitats, threatened and endangered species habitats, and in-stream restoration projects including removal of fish passage barriers and other obstructions. In addition, funds were allocated to the WCB within California Clean Water, Clean Air, Safe Neighborhood Parks, and the Coastal Protection Bond Act of 2002 (Proposition 40), Public Resources Code Section 5096.650(b)(5), which provides for the acquisition, development, rehabilitation, restoration and protection of land and water resources located within the boundaries of the SJRC and is consistent with the objectives of this project.

MANAGEMENT OBJECTIVES AND NEEDS

Developing the River West Fresno area for public access and recreation is among the SJRC's highest priorities. Habitat restoration will contribute to the values of the site for wildlife and for public use, and is consistent with the goals and objectives of the San Joaquin River Parkway Master Plan and the statutory mission of the SJRC. The project will identify the most cost effective plan for the long-term management of the Property.

PROJECT FUNDING

The proposed funding for the project is as follows:

Wildlife Conservation Board

\$207,000.00

Project costs will be for developing restoration and public access plan alternatives for the Property, completing design and conducting environmental review and permitting.

FUNDING SOURCE

The proposed funding source for this project is the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 (Proposition 40), Public Resources Code Section 5096.650(b)(5), which allows for acquisition, development, rehabilitation, restoration and protection of land and water resources located within the boundaries of the SJRC, and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The proposed project calls for the preparation and completion of environmental review for the restoration of 34 acres within the SJRC's 360± acre Spano property, within the Parkway. The proposed project is included among the high priority projects recommended by the Interagency Project Development Committee, whose role is to evaluate projects to be considered by the SJRC Board. The project was accepted by the SJRC Board, which includes a representative with the DFG, on May 9, 2012.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$207,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

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

project as proposed; allocate \$207,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(b)(5); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *17. Shaver Lake Boat Launch Parking Lot \$268,000.00
Fresno County

This proposal was to consider the allocation for a grant to the County of Fresno for a project to enhance the upper parking lot, replace an existing storm drain with an integrated grease and sand separator, and restore the launch ramp maneuvering area at the Shaver Lake Boat Launch Facility (SLBLF).

LOCATION AND SURROUNDING USES

Shaver Lake is located approximately 50 miles northeast of Fresno County in the Sierra Nevada Mountains. The SLBLF lies adjacent to the Sierra Marina, on the north end of the lake on property owned by the Southern California Edison Company. The property is surrounded mainly by lands owned and managed by the U.S Forest Service.

Shaver Lake is a reservoir owned and managed by the Southern California Edison Company, a regional power generating company that manages several reservoirs for recreation and power generation in the area.

The SLBLF is the primary boat launching area for the general public at Shaver Lake. Many types of boating activities take place on the lake such as fishing, water skiing, sailing, and house boating. The boat launch area also provides foot traffic access to shoreline fishing. Based on numbers provided by the Sierra Marina, the SLBLF provides access to over 25,000 launches per year.

PROJECT DESCRIPTION

The project will provide a safe and environmentally sound boat launching facility. There will be three main components to the project:

- In 2008, a slope failure occurred, caused by surface and spring water run-off. The failure deposited rock and sand onto a portion of the upper parking lot, forcing the closure of the lot for safety concerns. The slope needs to be stabilized and the debris removed, making the parking lot once again available to the public.
- The lower vehicle parking area has an open storm drain that needs to be replaced with an integrated oil/sand separator, to prevent oil and debris from flowing into Shaver Lake. This will improve water quality in the lake.
- Lastly, the easterly launch ramp maneuvering area is in need of concrete asphalt pavement improvements and repairs. This includes new vehicle parking stop barriers, stripping, slurry seal and repair of degraded and damaged concrete asphalt at the entry. These repairs and improvements

will improve boating access to the lake, improve water quality and create a safer environment for the public to put in their water craft.

WCB PROGRAM

The proposed project will be funded through the 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 SLBLF is the primary boat launching facility for the general public at Shaver Lake, providing over 25,000 launches per year. Fresno County is responsible for the long term management of that property per the Grant Agreement between the County and the WCB. If at any time during the life of the project, Fresno County does not manage and maintain the project improvements, the Grant Agreement requires the County 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 project will be funded entirely by the Wildlife Conservation Board:

Wildlife Conservation Board	\$268,000.00
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Project costs will be for design, permits, construction, and contract management.

FUNDING SOURCE

The proposed funding source for this project is the Wildlife Restoration Fund, Local Assistance, which allows for the development of public access facilities for hunting, fishing and other wildlife compatible recreational activities and is consistent with the objectives of this project. The project qualifies for a federal Sport Fish Restoration Act (SFRA) grant that will reimburse the WCB for 75% of project costs.

ENVIRONMENTAL COMPLIANCE

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3) Section 15302, Class 2, as the replacement or reconstruction of existing facilities at the same site and with substantially the same purpose and capacity as the facilities replaced and Section 15304, Class 4, as a minor alteration to land. Subject to approval of this proposal by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse. The DFG has reviewed this project and recommends the Board approve it.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$268,000.00 from the Wildlife Restoration Fund, Local Assistance; authorize acceptance of a Sport Fish Restoration Act grant; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$268,000.00 from the Wildlife Restoration Fund, Local Assistance; authorize acceptance of a Sport Fish Restoration Act grant; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *18. Marks Ranch \$552,076.00
Phase II
Monterey County

This proposal was to consider the allocation for a grant to the Monterey County Parks Department (County) to acquire a fee title to 113± acres to protect native grasslands, oak woodlands, riparian woodlands and seasonal wetlands that serve as an important wildlife corridor in the region, as well as to provide future opportunities to enhance local wildlife-oriented public access and use.

LOCATION AND SURROUNDING USES

The subject property (Property) is located approximately 3.5 miles west of the City of Salinas, adjacent to Toro Park, along Highway 68. The Land Acquisition Evaluation from the Department of Fish and Game (DFG) (Marks Ranch Acquisition Project) was completed in 2007 and the project was recommended for acquisition by DFG in 2008. Without protection, this Property would likely be developed because of its close proximity to Highway 68, which connects the Salinas Valley to the Monterey Peninsula. Further evidence of development potential is the large residential development that has occurred just a quarter-mile east of the Property.

The Property is directly adjacent to Toro Park which is owned by the County. This acquisition would help provide habitat connectivity between Fort Ord to the north and west and the Santa Lucia Range via the Dorrance Ranch and Hastings Reserve in the south of the range. Fort Ord is virtually surrounded by urban lands and agriculture, creating a high degree of isolation of habitat and wildlife populations. The Santa Lucia Mountain range is the largest protected core area most proximate to Fort Ord. Without at least occasional wildlife exchange between these two areas, the unique biodiversity of Fort Ord will diminish. Just recently, in April of 2012, Fort Ord was designated as nation's newest national monument. This designation recognizes and protects its important natural resources, while allowing a variety of outdoor recreational uses by outdoor enthusiasts. The Marks Ranch provides an anchor point to establish baseline data for an increasingly constrained section of the Fort Ord-Santa Lucia-Ventana corridor that can help inform and develop future wildlife and land use decisions in the areas, and at the same time where appropriate help expand public use trail access throughout the region.

PROJECT DESCRIPTION

In 2006, the Wildlife Conservation Board (WCB) approved the allocation of a grant to the County to assist with the acquisition of 624± acres of the Marks Ranch owned by the Big Sur Land Trust (BSLT). This proposed acquisition is adjacent to that property and will further expand the acreage of Toro Park.

The subject property is characterized by four basic habitat types: valley/purple needlegrass grassland, oak woodland and oak savanna, riparian woodland and seasonal wetlands. The property also contains several sensitive plant species, including Monterey manzanita, Monterey ceanothus and Eastwood's goldenbush. Among the wildlife species found on the property are gray fox, bobcat, coyote, raccoons, turkeys, deer and mountain lion. The North American badger, a species of special concern, has also been found on the Property.

Ongoing passive recreational activities take place on a regular basis on Toro Park and the Phase I property. The BSLT leads nature hikes during the spring, summer and fall months. The Ventana Wildlife Society, a local wildlife research, restoration and education non-profit organization, has carried out year-round environmental education programs at the property since 2005. For the past 15 years, the Monterey Bay Chapter of the California Native Plant Society has hosted an annual spring wildflower hike.

The subject property has also served as a grazing property for over 100 years. The Property has become a mainstay for a multi-generational, family run cattle business, providing grazing land for up to 30 head of cattle.

WCB PROGRAM

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

MANAGEMENT OBJECTIVES AND NEEDS

The County is working with the BSLT to develop management concepts to divide the Property into three zones, relating to topography, access and habitat. The County intends to add the subject property to the management plan for Toro Park.

Public access to the subject property will be available through the current Toro Park gate. Vehicle access to the Property will be limited to security and emergency vehicles, education program vehicles and possibly tours for physically challenged persons. Continued grazing will be allowed on portions of the Property to help manage vegetation.

TERMS

The Property was appraised in August 2011. The appraisal was submitted to the Department of General Services (DGS) and the appraised value of \$800,000.00 was reviewed and approved by the DGS. The BSLT has agreed to sell the property for \$542,076.00, less than the approved appraised value. The terms and conditions of the proposed grant to the County 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. The WCB is also applying for a \$270,000.00 National Park Service, Land and Water Conservation Fund grant for reimbursement of up to 50% of the acquisition costs.

PROJECT FUNDING

The WCB proposes to make a grant to the County for the full amount of the purchase price (\$542,076.00).

Wildlife Conservation Board grant	\$542,076.00
Total Purchase Price	\$542,076.00
Other Project-Related Costs	10,0000.00
TOTAL WCB ALLOCATION	\$552,076.00

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

FUNDING SOURCE

The proposed funding source for this project is the California Clean Water, Clean Air, Neighborhood Parks and Coastal Protection Act of 2002, (Proposition 40), Public Resources Code Section 5096.650 (2) that allows the protection of habitat that promotes the recovery of threatened and endangered species and provides corridors linking separate habitat areas to prevent habitat fragmentation and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$552,076.00 from the California Clean Water, Clean Air, Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40), Public Resources Code Section 5096.650 to cover the grant amount and internal project-related expenses; accept reimbursement of \$276,000.00 LWCF grant, if approved; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn the Wildlife Conservation Board approve this project as proposed; allocate \$552,076.00 from the California Clean Water, Clean Air, Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a) to cover the grant amount and internal project-related expenses; accept reimbursement of \$276,000.00 Land and Water Conservation Fund grant, if approved; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *19. Quiota Creek Fish Passage \$398,000.00
Santa Barbara County

This proposal was to consider the allocation for a grant to the Cachuma Operation and Maintenance Board (COMB) for a cooperative project with the Department of Fish and Game (DFG) to replace a low-water Arizona crossing with an arched culvert at Refugio Road Crossing #7 of Quiota Creek in southern Santa Barbara County.

LOCATION AND SURROUNDING USES

The project is located approximately four miles south of Highway 246 on Refugio Road. The nearest town is Santa Ynez, located approximately five miles north of the project site. Refugio Road is a county road, open to the public and maintained by the County of Santa Barbara (County). Quiota Creek is a tributary to the Lower Santa Ynez River (LSYR) below Lake Cachuma and is located in an area zoned for agriculture.

PROJECT DESCRIPTION

The LSYR watershed has been identified by the National Marine Fisheries Service (NMFS) as a Core 1 watershed for the southern California steelhead, a species listed as endangered by the NMFS. A Core 1 classification of a stream means that the stream would support significant populations of steelhead if any barriers to migration were removed. Quiota Creek is a major tributary of the LSYR and the quality of the riparian corridor in this creek is high.

Initial fish passage and hydrologic analyses for the Quiota Creek drainage were completed by COMB through a stakeholder driven and community based watershed planning effort. The Quiota Creek Watershed Fish Passage Enhancement Plan (Plan) identified nine crossings of Quiota Creek by Refugio Road, each of which was a partial barrier to steelhead migration during at least some flow regimes. The Plan generated the supporting documentation that determined the type of fix for each crossing as well as prioritization of construction for each of the nine crossings. The Plan utilized DFG criteria to prioritize each crossing by barrier severity with the objective of producing a guidance document for a long-term restoration and road safety effort that is currently underway.

The two highest priority crossings, Crossing 2 and 6, have been replaced with arch culverts that allow passage under all flow regimes. The objective of this project is to improve steelhead passage at Crossing 7. The project proposes to remove the passage impediment at Crossing 7 and replace it with a 60-foot bottomless-arched culvert, similar to those at Crossings 2 and 6, with two in-stream weirs installed below the culvert for grade control. The structures are designed to enable full fish passage while meeting County road safety standards and flood conveyance criteria. The stream length affected by the project will be

approximately 100 feet with a project area of less than 0.3 acres. The project area will be re-vegetated with native plants and seeds that have been approved by DFG. Specific de-watering, fish relocation, erosion control, road access, maintenance and monitoring, and re-vegetation plans have been approved by DFG and the NMFS.

The planning process undertaken to develop these projects created stakeholder and landowner collaboration for all the proposed projects. Hence, there is a high level of support for the project among regulators, public representatives, the County, landowners, and the community. In addition, the completed projects have shown immediate ecological improvements, with spawning and over-summer rearing of steelhead/rainbow trout the following years. When all projects are completed, more than four miles of outstanding steelhead habitat will be useable by these fish in all years and at all flow rates.

WCB PROGRAM

The proposed project will be funded through the Habitat Enhancement and Restoration Program and meets the program's goals of providing for native fisheries restoration and in-stream restoration projects including removal of fish passage barriers and other obstructions.

MANAGEMENT OBJECTIVES AND NEEDS

COMB has conducted a long-term steelhead/rainbow trout monitoring program throughout the LSYR watershed since 1993. This includes snorkel surveys, migrant trapping, water quality and flow monitoring. COMB is well positioned to track facility performance of the project over the short- and long-term.

Monitoring and maintenance plans have been approved by NMFS and DFG for this project. COMB staff will perform all of the tasks outlined in those plans and will be responsible for annual performance reports which will be distributed to all parties of interest. In order to assess the overall effectiveness of this project in terms of fish passage, snorkel surveys will be conducted three times a year at the end of the spring, summer and fall. Monthly surveys of steelhead spawning nests (redds) will be conducted below, within and above the project site during the steelhead spawning season (January-May).

Long-term management and maintenance will be performed by the County for the road, guardrails and arched culvert while COMB will be responsible for maintaining the instream elements. COMB's maintenance tasks will be funded through the annual COMB budget.

If at any time during the life of the project, COMB or the County does not manage and maintain the project improvements, the Grant Agreement requires COMB 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	\$398,000.00
Department of Fish and Game	442,736.00
COMB	<u>159,250.00</u>
TOTAL AVAILABLE FUNDING:	\$999,986.00

Project costs will be for construction of the bottomless-arched culvert including dewatering, excavation, footings, installation of the 60-foot arch, backfill and compaction, fencing, erosion control and revegetation.

FUNDING SOURCE

The proposed funding source for this project is the WCB's Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 1E). This source provides funding for the acquisition, restoration or enhancement of riparian habitat and aquatic habitat for salmonids and trout to protect or enhance a flood protection corridor or bypass and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE

COMB, as lead agency, prepared an EIR for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the EIR and has prepared proposed, written findings documenting WCB's compliance with CEQA. Subject to approval of this proposal by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$398,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$398,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 1E); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *20. Santa Margarita River Ecological Reserve, Expansion 4, Riverside County \$25,000.00

This proposal was to consider the acquisition in fee of 21± acres of land as an expansion to the Department of Fish and Game's (DFG) Santa Margarita Ecological Reserve in a cooperative project with The Nature Conservancy (TNC) with the purpose of protecting riparian and coastal sage scrub habitat within the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP).

LOCATION AND SURROUNDING USES

The subject property (Property) is located about a quarter of a mile west of Interstate Highway 5 at the southwest corner of the intersection of Camino Estribo and Camino Potro in the community of Santa Rosa in unincorporated southwestern Riverside County just outside the city limits of Temecula.

The Santa Margarita River flows through a canyon area on the Property. Numerous studies document the Santa Margarita River as the single largest, finest example of a riparian system and estuary in southern California. The watershed is the least disturbed along the Southern California coast, and the Santa Margarita River is the longest free flowing, undammed river in this region. The Santa Margarita River and its estuary have largely escaped typical development and channelization of its lower 27 miles such that it supports the largest populations of several federally or State-listed endangered and threatened riparian species. The relatively intact functioning physical features of the river's floodplain and estuary make this diversity of habitats and abundance of wildlife possible. The general terrain in the area is mostly undisturbed coastal riparian corridor flanked by chaparral and coastal sage-covered hillsides.

PROJECT DESCRIPTION

Though the Property is unimproved, zoning allows residential and agricultural uses. It is irregularly shaped and the topography ranges from gently rolling to steep sloping as one approaches Temecula Canyon in the southeasterly portion of the Property, where the Santa Margarita River flows through the Property.

The chaparral and coastal sage-covered hillsides on the Property provide habitat that support numerous rare and sensitive species, including the endangered California gnatcatcher, orange-throated whiptail and coast horned lizard. The Property also serves as part of a vital corridor for numerous wildlife species and helps provide landscape connectivity which allows not only short-term movements of wildlife, but will also allow longer-term shifts and distributions of plant and animal species to favorable sites within the Santa Margarita Ecological Reserve and other MSHCP conservation lands in response to potential climate changes impacts.

The Property is included in the Santa Ana-Palomar Mountain Linkage Conceptual Area Protection Plan (CAPP) approved by the DFG and Wildlife Conservation Board (WCB) in 2005, as well as in the Western Riverside County MSHCP. It adjoins several other parcels owned by the State and managed by the DFG and San Diego State University Foundation (SDSU) as part of the Santa Margarita Ecological Reserve and will be owned and managed as part of the Reserve.

WCB PROGRAM

The proposed acquisition is being considered under the WCB's Land Acquisition Program. The Land Acquisition Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Section 1300, *et seq.*) authorizing the WCB to acquire real property or rights in real property on behalf of the DFG, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the program the WCB acquires 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/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 DFG will manage the Property on a temporary basis. The SDSU manages the majority of the surrounding lands within the Reserve. It is intended that SDSU will ultimately take over management of the Property. In the meantime, the DFG will incur minimal management costs, estimated at approximately \$700.00 a year, which will be funded by currently held endowment funds for the Santa Margarita Ecological Reserve. Public access will be subject to evaluation and agreement between the DFG and the entity that manages the Property.

TERMS

The property has been appraised as having a fair market value of \$800,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner, The Nature Conservancy, has agreed to sell the property for \$20,000.00. The \$20,000.00 essentially equates to a recovery of disposal related costs incurred as part of this acquisition.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$20,000.00
TOTAL Purchase Price	\$20,000.00
Other Project-Related Costs	5,000.00
TOTAL WCB ALLOCATION	\$25,000.00

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

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)(3), that allows for the acquisition or restoration of habitat for threatened and endangered species or for the purpose of promoting recovery of those species.

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$25,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Public Resources Code Section 5096.350(a)(3) for the acquisition and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$25,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Public Resources Code Section 5096.350(a)(3) for the acquisition and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *21. Santa Rosa Mountains, \$10,000.00
Expansion 16
Riverside County

This project was to consider the acceptance of a U.S. Fish and Wildlife Services (USFWS) Habitat Conservation Planning Land Acquisition grant and the approval to subgrant these federal funds to the Coachella Valley Conservation Commission (CVCC) to acquire 1,342± acres of land for the protection of Peninsular bighorn sheep (PBS) habitat, and to provide potential future wildlife oriented public use opportunities.

LOCATION AND SURROUNDING USES

The subject property (Property) is located south of the City of La Quinta and west of Interstate 10 in the Santa Rosa Mountain, southern alluvial fans near Thermal, California. The Property is irregularly-shaped, with terrain varying from mountainous to lower elevation, alluvial fans and desert floor areas. Acquiring the Property would further a conservation strategy by USFWS, Department of Fish and Game (DFG), and CVCC to link together public and private lands to create a landscape-scale preserve that will provide sheep foraging corridors and prevent habitat fragmentation. The Wildlife Conservation Board (WCB) previously approved a number of grants for Expansions 1 through 15 within the Santa Rosa Mountains. With this acquisition, the total area protected within the Santa Rosa and Santa Jacinto Mountains National Monument area would be approximately 120,000 acres.

PROJECT DESCRIPTION

The proposed acquisition is undeveloped vacant land totaling 1,342± acres. The acquisition of the Property will provide core habitat, linkages, and foraging corridors which are important for the PBS. Placement of this area in public ownership will add a significant buffer from the nearby developing residential lands to the east and north. The Property has 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 Property would also benefit many other species that inhabit the area including mountain lion, mule deer, golden eagle, and prairie falcon.

WCB PROGRAM

The proposed acquisition 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 acquire real property or rights in real property on behalf of the DFG, grant funds to other governmental

entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the program the WCB acquires or provides funds to assist with 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 (NCCP) program, substantiating the biological values of the property and recommending it for funding. The USFWS grant proposed for acceptance for this project has also been reviewed and approved by DFG as a participant in the USFWS Land Acquisition grant selection and review process.

MANAGEMENT OBJECTIVES AND NEEDS

The Property would be owned and managed by the CVCC and will be managed in conjunction with existing DFG wildlife areas and ecological preserves in the region. It is anticipated that the subject properties will offer potential future opportunities for both passive and consumptive recreational uses.

TERMS

The owners have agreed to sell the Property for \$1,785,785.00. The appraised fair market value of the land, as approved by the Department of General Services (DGS), is \$2,952,900.00. The USFWS will provide Habitat Conservation Land Acquisition Program grant funding, in an amount not to exceed \$1,795,785.00, with \$1,785,785.00 to be applied toward the purchase price of the Property and \$10,000.00 for reimbursement of other project-related costs, including appraisal, appraisal review and closing costs. CVCC will contribute the non-federal match portion needed for the federal funds in the amount of \$769,600.00. The terms and conditions of the proposed grants provide that staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

USFWS Section 6 Grant (total purchase price)	\$1,785,785.00
Other Project-Related Costs	\$ 10,000.00
TOTAL WCB ALLOCATION	\$ 10,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project-related expenses, including DGS review costs, bringing the total recommended allocation for this proposal to \$10,000.00. WCB intends to invoice and seek reimbursement of project-related costs from USFWS.

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), which allows for the acquisition and protection of habitat that implements or assists in the establishment of NCCPs.

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve the project as proposed; authorize the acceptance of a portion of the Habitat Conservation Planning Land Acquisition grant from USFWS in the amount of \$1,785,785.00, and approve the subgrant of these federal funds to the Coachella Valley Conservation Commission for the purchase of land and reimbursement of internal project-related costs; allocate \$10,000.00 to cover internal project-related reimbursable expenses from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055 (c); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve the project as proposed; authorize the acceptance of a portion of the Habitat Conservation Planning Land Acquisition grant from USFWS in the amount of \$1,785,785.00, and approve the subgrant of these federal funds to the Coachella Valley Conservation Commission for the purchase of land and reimbursement of internal project-related costs; allocate \$10,000.00 to cover internal project-related reimbursable expenses from the Safe

Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055 (c); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *22. Upper Mission Creek / Big Morongo Canyon \$5,000.00
Conservation Area, Expansion 5
Riverside County

This proposal was to consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Planning Land Acquisition grant and the approval to subgrant these federal funds to the Coachella Valley Conservation Commission (CVCC) to acquire in fee a property totaling 9± acres. This acquisition will allow for the protection of desert dune and blow-sand habitat which is essential for recovery of the Coachella Valley fringe-toed lizard, a California State endangered and federal threatened species, by encroaching development that is occurring in the southern and western reaches of the Coachella Valley. The properties will also help expand on efforts to protect habitat linkages, fluvial and aeolian sand transport corridors, alluvial fan habitat and mountainous habitat areas.

LOCATION AND SURROUNDING USES

The subject property (Property) is located within the sphere of influence west of the City of Desert Hot Springs, north of Interstate Highway 10, east of State Highway 62 and approximately 5 miles north of the City of Palm Springs. The surrounding topography is mostly desert dunes, with blow-sand habitat areas, found specifically within the Coachella Valley. Historically these habitat areas have been eliminated or degraded by the direct and indirect effects of urban and residential growth that has occurred throughout the Coachella Valley. This includes ongoing building and related infrastructure development, off-road vehicle use and invasive species. The inclusion of structures and non-native plant species with the Coachella Valley restrict what were once free-moving sand deposits, thus preventing replenishment of the blow-sand habitats.

The Property is identified for protection within the Upper Mission Creek/Big Morongo Canyon Conservation Area, a designated conservation area within the Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan approved for the Coachella Valley portion of Riverside County (Coachella Valley MSHCP). Protection and placement of the subject property into public resource stewardship will expand on and provide habitat buffer areas from the surrounding residential and agriculture lands. With the support of other resources partners, the State and the federal government have helped conserve approximately 48,000 acres within the Coachella Valley MSHCP.

PROJECT DESCRIPTION

The Property is vacant desert land zoned for residential development. The acquisition will protect the property from residential subdivision, providing core habitat, linkages, and fluvial and aeolian sand transport corridors which are important for the Coachella Valley fringe-toed lizard. The land also provides

habitat for several endemic species, including the Palm Springs pocket mouse, Coachella Valley round-tailed ground squirrel, flat-tailed horned lizard, Barrow's dune beetle, Coachella giant sand-treader cricket, Coachella Valley grasshopper, Coachella Valley Jerusalem cricket, and the Coachella Valley milk-vetch.

WCB PROGRAM

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

MANAGEMENT OBJECTIVES AND NEEDS

When acquired, the Property will be managed by the CVCC in conjunction with other properties managed by the CVCC and located within the immediate area and the Coachella Valley MSCHP. Potential future Property uses may include passive recreational uses where appropriate and compatible with resource values and protection.

TERMS

CVCC proposes to purchase the Property at the appraised fair market value of \$70,000.00, as approved by the Department of General Services (DGS). The proposed Agreement to Subgrant the federal funds provided by the USFWS Habitat Conservation Planning Land Acquisition grant will provide the entire purchase price. The non-federal funds requirement will be provided by the CVCC through the encumbrances of in-kind match properties, with a minimum appraised value \$70,000.00 or more, as approved by DGS. The terms and conditions of the proposed subgrant to the CVCC provide that staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of 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:

USFWS Section 6 Grant:	\$70,000.00
Other Project-Related Costs	<u>\$ 5,000.00</u>
TOTAL WCB ALLOCATION	\$ 5,000.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related expenses, including DGS appraisal review costs. Escrow and title insurance expenses will be paid by CVCC. WCB intends to invoice and seek reimbursement of project-related costs from USFWS.

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), which allows for the acquisition and protection of habitat that implements or assists in the establishment of Natural Community Conservation Plans.

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve the project as proposed; authorize the acceptance of the USFWS Habitat Conservation Planning Land Acquisition grant in the amount of \$70,000.00 and approve subgrant of these federal funds to the Coachella Valley Conservation Commission for the purchase of land and reimbursement of internal project-related costs; allocate \$5,000.00 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) to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve the project as proposed; authorize the acceptance of the USFWS Habitat Conservation Planning Land Acquisition grant in the amount of \$70,000.00 and approve subgrant of these federal funds to the Coachella Valley Conservation Commission for the purchase of land and reimbursement of internal project-related costs; allocate \$5,000.00 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) to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *23. Rose Creek Watershed Invasives Control Project \$330,000.00
San Diego County

This proposal was to consider the allocation for a grant to The Chaparral Lands Conservancy for a project to remove the non-native invasive plants pampas grass and giant reed on 22± acres to restore riparian habitat on public and privately-owned land in the Rose Creek watershed in San Diego County.

LOCATION AND SURROUNDING USES

Rose Creek Canyon is located in western-central San Diego County and provides a riparian corridor linking Mission Bay to more interior floodplain and upland habitats—notably the Marine Corps Air Station Miramar and undeveloped lands in the upper watershed to the east. The Rose Creek Canyon is currently open space and includes Marian Bear Memorial Park and Mission Bay Park; however, one third of the watershed is developed and includes housing and commercial development, including much of the University of California San Diego campus.

PROJECT DESCRIPTION

The project calls for the control of non-native invasive species in the riparian areas of the Rose Creek watershed downstream of the Marine Corps Air Station Miramar. Species targeted for removal include pampas grass, giant reed, eucalyptus, and tamarisk. Consistent with the Biological Resources Assessment for the Rose Creek Watershed Invasive Non-Native Plant Control Program (Resources Assessment), prepared for the State Coastal Conservancy in 2009, areas will be surveyed prior to treatment for sensitive and listed species and avoidance measures taken.

Project implementation will be guided by the Resources Assessment. Sensitive plant and wildlife species are being increasingly impacted by colonization of invasive weed species in the watershed. The removal of exotic invasive plant species will result in improvement to these habitats, enhancing its use by several rare species including coastal California gnatcatcher, least Bell's vireo, and southwestern willow flycatcher.

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 project is part of a comprehensive program to control invasives in the watershed and includes numerous cooperating agencies in the area including

U.C. San Diego, San Diego Earthworks, and the Rose Creek Watershed Alliance. Long-term removal, control, maintenance and management will occur over time as funding becomes available to ensure success into the future. The project also supports the goals of the San Diego Multi-Species Conservation Program and falls within lands that are part of the preserve system identified in that plan. If at any time during the life of the project The Chaparral Lands Conservancy does not manage and maintain the project site, the Grant Agreement requires the County to refund to the State of California an amortized amount of funds based on the number of years left on the project life.

An outreach program has been in effect for several years to increase awareness and gain cooperation with private landowners in San Diego County in reducing impacts from importation and planting of invasive exotic species. Landowners living adjacent to the treatment area are being contacted regarding their participation in the program to reduce seed source and recruitment of nuisance species from nearby areas.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$330,000.00
The Chaparral Lands Conservancy	<u>182,959.00</u>
TOTAL AVAILABLE FUNDING	\$482,959.00

Project costs include permitting, planning, public outreach, biological monitoring, and project implementation.

FUNDING SOURCE

The proposed funding source for this project is the Wildlife Conservation Board's (WCB) Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 50 SoCal), which provides funding for the acquisition, restoration or enhancement of riparian habitat in coastal wetlands, upland areas adjacent to coastal wetlands and coastal watershed lands in southern California and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE

The City of San Diego, as lead agency, prepared a Mitigated Negative Declaration for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Mitigated Negative Declaration and has prepared proposed, written findings documenting WCB's compliance with CEQA. Subject to approval of this proposal by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings, and approve the project as proposed; allocate \$330,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 50 SoCal); 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.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board adopt the written findings, and approve the project as proposed; allocate \$330,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 50 SoCal); authorize staff to enter into appropriate agreements necessary to accomplish the project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *24. San Diego County MSCP/HCPLA 2009 (El Cajon) \$5,000.00
San Diego County

This proposal was to consider the acceptance of a Habitat Conservation Planning Land Acquisition grant (Grant) from the U.S. Fish and Wildlife Service (USFWS) and the authorization to subgrant the federal funds to the Endangered Habitats Conservancy (EHC) to facilitate the acquisition of 47± acres of property in San Diego County. This project will greatly enhance the existing San Diego Multiple Species Conservation Plan (MSCP) by expanding key regional wildlife linkages and preserving core areas of habitat.

LOCATION AND SURROUNDING USES

The subject property (Property) is located along Suncrest Boulevard, east of Camino Monte Sombra and west of South Lane within the western limits of the Crest/Dehesa/Harbison Canyon/Granite Hills Subregional Plan area of San Diego County. The property is approximately 15 miles east of the City of El Cajon and south of Interstate 8.

The Property is located within the San Diego MSCP, which is a comprehensive habitat conservation planning program that addresses multiple species habitat needs and preservation of natural communities for an approximate 900 square mile area in southwestern San Diego County. The MSCP creates a process for the issuance of federal and State permits and other authorizations under the State and federal Endangered Species Acts and the Natural Community Conservation Planning Act of 1991, which provides for mitigations of impacts to plants, wildlife and their habitats from authorized development activities. In addition to the 65,200 acres already conserved to date, 12,246 acres of private land has been committed for conservation through the MSCP and will be dedicated to the County as development permits are processed.

The Property will be added to the Crestridge Ecological Reserve (Reserve), a 3,000± acre open space preserve jointly managed by EHC and the Department of Fish and Game (DFG). The Reserve is a large island of habitat almost entirely surrounded by residential development. The Reserve consists of existing blocks of habitat that are connected to form a larger preserve with corridors and regional linkages to other preserve areas. Onsite vegetation includes Diegan coastal sage scrub, chaparral, oak woodland (including many specimens of the rare Engelmann Oak) and riparian habitat.

PROJECT DESCRIPTION

The northern two-thirds of the Property comprises a gently rolling to sloping elevated mesa/ridgetop; the southern third of the site is steep sloping and mountainous with numerous rock outcroppings and an elevated knoll/peak that is

afforded panoramic view potential to the west, northwest and southwest over the El Cajon Valley.

The Property and the Reserve are home to many sensitive and endangered species, including the California gnatcatcher, the San Diego horned lizard, the orange-throated whiptail lizard, the Hermes copper butterfly and Lakeside ceanothus, a rare wild lilac. Other larger species such as bobcat, raptors and coyote frequent the Property as well.

WCB PROGRAM

The proposed subgrant 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.) and enables the WCB to pursue acquisitions on behalf of the DFG and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to other governmental entities and nonprofit organizations to assist with the acquisition 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 DFG as a participant in the USFWS Land Acquisition grant selection and review process.

MANAGEMENT OBJECTIVES AND NEEDS

EHC presently manages several properties in the vicinity of the Property totaling approximately 4,000 acres, including properties within the Reserve. These properties are managed to MSCP (NCCP) standards for covered species and reserve function, including wildlife corridor function. Biological management and monitoring activities include habitat restoration, invasive plant control, species-specific and rare plant monitoring, corridor use, and environmental education. Maintenance and baseline stewardship activities include public access control, security, trail maintenance and repair, and fencing, signage, and community outreach. As a condition of the subgrant, EHC must make a written commitment to fund management of the Property in perpetuity in accordance with the purposes of the subgrant.

TERMS

The Property has been appraised as having a fair market value of \$468,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS) and USFWS. The property owner has agreed to sell the Property for \$468,000.00. The non-federal match required by USFWS is being provided through in-kind match property owned by EHC and valued at \$163,800.00. The value of the land used for the match has been established by a fair market value appraisal and along with the Property, the

match property will be encumbered by the terms of the subgrant. The terms and conditions of the proposed subgrant to EHC 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 subgrant terms, the WCB can require EHC to encumber the property with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breaking for the project is as follows:

Subgrant of USFWS funds	<u>\$468,000.00</u>
TOTAL Purchase Price	\$468,000.00
Other Project-Related Costs	\$5,000.00
TOTAL WCB ALLOCATION	\$5,000.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related administrative costs, including DGS appraisal review. EHC will fund the environmental site assessment, 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 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c), which allows for the acquisition and protection of habitat that implements or assists in the establishment of Natural Community Conservation Plans.

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; authorize acceptance of the Habitat Conservation Planning Land Acquisition grant from the U.S. Fish and Wildlife Service in the amount of \$468,000.00 and approve the subgrant of these federal funds to the Endangered

Habitats Conservancy; allocate \$5,000.00 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) to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; authorize acceptance of the Habitat Conservation Planning Land Acquisition grant from the U.S. Fish and Wildlife Service in the amount of \$468,000.00 and approve the subgrant of these federal funds to the Endangered Habitats Conservancy; allocate \$5,000.00 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) to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- *25. San Diego County MSCP/HCPLA 2009 (Michelsen) \$5,000.00
San Diego County

This proposal was to consider the acceptance of a Habitat Conservation Planning Land Acquisition grant (Grant) from the U.S. Fish and Wildlife Service (USFWS) and the authorization to subgrant the federal funds to the Endangered Habitats Conservancy (EHC) to facilitate the acquisition of 92± acres of property in San Diego County. This project will greatly enhance the existing San Diego Multiple Species Conservation Plan (MSCP) by securing key regional wildlife linkages and preserving core areas of habitat.

LOCATION AND SURROUNDING USES

The subject property (Property) is located south of Dehesa Mountain Lane, east of the Eucalyptus Drive junction within the Crest/Dehesa/Harbinson Canyon/Granite Hills Subregional Plan area of unincorporated eastern San Diego County. The Property is approximately 15 miles east of the City of El Cajon and south of Interstate 8.

The MSCP is a comprehensive habitat conservation planning program that addresses multiple species habitat needs and preservation of natural communities for an approximate 900 square mile area in southwestern San Diego County. The MSCP creates a process for the issuance of federal and State permits and other authorizations under the State and federal Endangered Species Acts and the Natural Community Conservation Planning Act of 1991, which mitigates impacts to plants, wildlife and their habitats, and allows development activities to proceed. In addition to the 65,200 acres already conserved to date, 12,246 acres of private land has been committed to be conserved through the MSCP and will be dedicated to the County as development permits are processed.

The Property will be added to the Crestridge Ecological Reserve (Reserve), a 3,000± acre open space preserve jointly managed by EHC and the Department of Fish and Game (DFG). The reserve is a large island of habitat almost entirely surrounded by residential development. The Reserve consists of existing blocks of habitat that are connected to form a larger preserve with corridors and regional linkages to other preserve areas.

PROJECT DESCRIPTION

The Property is steep sloping and mountainous in character and bisected by an ephemeral blue-line stream that flows southeasterly off-site into Dehesa Valley. Onsite vegetation includes Diegan coastal sage scrub, chaparral, oak woodland (including many specimens of the rare Engelmann Oak) and riparian habitat. The Property and the Reserve are home to many sensitive and special status species, including the California gnatcatcher, the San Diego horned lizard, the

orange-throated whiptail lizard, the Hermes copper butterfly and Lakeside ceanothus, a rare wild lilac. Other larger species such as bobcat, raptors and coyote frequent the property as well.

WCB PROGRAM

The proposed subgrant 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.) and enables the WCB to pursue acquisitions on behalf of the DFG and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with the acquisition of properties. The project has been reviewed and approved by the DFG under its Natural Community Conservation Plan (NCCP) 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 DFG as a participant in the USFWS Land Acquisition grant selection and review process.

MANAGEMENT OBJECTIVES AND NEEDS

EHC presently manages several properties in the vicinity of the Property totaling approximately 4,000 acres, including properties within the Reserve. These properties are managed to MSCP (NCCP) standards for covered species and reserve function, including wildlife corridor function. Biological management and monitoring activities include habitat restoration, invasive plant control, species-specific and rare plant monitoring, corridor use, and environmental education. Maintenance and baseline stewardship activities include public access control, security, trail maintenance and repair, and fencing, signage, and community outreach. As a condition of the subgrant, EHC must make a written commitment to fund management of the Property in perpetuity in accordance with the purposes of the subgrant.

TERMS

The Property has been appraised as having a fair market value of \$905,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS) and USFWS. The property owner has agreed to sell the Property for \$905,000.00. The non-federal match required by USFWS is being provided through in-kind match property owned by the EHC. The value of the land used for the match, \$316,750.00, has been established by a fair market value appraisal and along with the Property will be encumbered by the terms of the subgrant. The terms and conditions of the proposed subgrant to EHC 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

subgrant terms, the WCB can require EHC to encumber the Property with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breaking for the project is as follows:

WCB-Subgrant of USFWS funds	<u>\$905,000.00</u>
TOTAL Purchase Price	\$905,000.00
Other Project-Related Costs	\$ 5,000.00
TOTAL WCB ALLOCATION	\$ 5,000.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related administrative costs, including DGS appraisal review. EHC will fund the environmental site assessment, 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 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c), which allows for the acquisition and protection of habitat that implements or assists in the establishment of Natural Community Conservation Plans.

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; authorize acceptance of the Habitat Conservation Planning Land Acquisition grant from the U.S. Fish and Wildlife Service in the amount of \$905,000.00 and approve the subgrant of these federal funds to the Endangered Habitats Conservancy; allocate \$5,000.00 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) to cover internal project-related expenses; authorize staff to enter into appropriate agreements

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

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; authorize acceptance of the Habitat Conservation Planning Land Acquisition grant from the U.S. Fish and Wildlife Service in the amount of \$905,000.00 and approve the subgrant of these federal funds to the Endangered Habitats Conservancy; allocate \$5,000.00 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) to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

26. Working and Learning Among the Oaks
San Luis Obispo County

Special Presentation

Mr. Donnelly reported that the Board has expressed the interest in bringing projects back to see the results of our success, as well as our partners' success out in the field. Mr. Donnelly added that this is a fantastic project that adheres to educational programs promoted in the Santa Margarita School District.

Mr. Donnelly welcomed Ms. Beverly Gingg, Director, Learning Among the Oaks; Mr. Nathan Sharon, Oak Ambassador, 6th Grade; Ms. Carson Ogburn, Oak Ambassador Alumna, 7th Grade; and Ms. Emma John, Oak Ambassador Alumna, 7th Grade.

The Oak Ambassador students from the Santa Margarita School located in San Luis Obispo County expressed their appreciation and thanked the Board for enabling the school to implement the Learning Among the Oaks program. In 2005 and 2008, the Board approved two grant proposals and allocated funds to the Regents of the University of California, Berkeley for an oak woodland public education and outreach project. The project is designed to communicate the social, economic, agricultural and biological benefits associated with the conservation of oak woodlands in San Luis Obispo County.

Consistent with the provisions of the Oak Woodlands Conservation Act, the project "Working and Learning Among the Oaks/Phase I and Phase II" represents a two-part educational effort designed to (1) provide an outdoor learning experience for K-6 grade students to understand and appreciate oak woodland ecology and conservation, and (2) provide local landowners and ranchers with tools and information to integrate oak woodland conservation practices into a working landscape.

The presentation before the Board will focus on the Learning Among the Oaks program and the unique partnership established with the landowners of the historic Santa Margarita Ranch, located directly adjacent to the Santa Margarita School. Ms. Marilyn Cundiff of the Wildlife Conservation Board briefly provided a brief description of this project and turned the presentation over to Ms. Gingg. Ms. Gingg said that she and the Oak Ambassadors, who are here representing Santa Margarita School, are thrilled to be here to share with us what they have done with the support the Board gave them seven years ago when the Board approved to allocate funding to the University of California for this program. Ms. Gingg added that it has been an incredible experience – they have developed an amazing array of partnerships and received a tremendous support from the ranch owners. Then Oak Ambassadors introduced themselves before the Board and Ms. Gingg started the presentation.

Nestled among majestic oaks about 8 miles north of San Luis Obispo, the 14,000 acre Santa Margarita Ranch, a former Mexican land grant, is located within the small town of Santa Margarita. Initially founded by Franciscan Fr. Junipero Serra in the mid-1770s, the ranch supplied the agricultural needs of Mission San Luis Obispo, as the ranch was a perfect site for raising cattle and growing grapes, wheat and a variety of other crops needed by the missionaries. During the mid-1800s, the land took on yet another role and became known as the "Queen of the Cattle Ranchos" for its elaborate fiestas and rodeos. This was a time when cattle roamed the countryside and life was simple. Today the Santa Margarita Ranch produces award-winning wine, prime natural beef and is the outdoor classroom for the Santa Margarita School K-6 grade students and home to the Learning Among the Oaks Program.

Learning Among the Oaks provides hands-on environmental, conservation and oak woodland educational opportunities for students attending the Santa Margarita School. The program has taken root and grown beyond initial expectations. A public elementary school surrounded by oak woodlands of the historic California cattle ranch has provided a golden opportunity to develop an innovative oak education program that has become a source of great pride for everyone involved. A strong network of partner agencies, university interns and volunteers has enabled the program to flourish. Cal Poly State University San Luis Obispo and their "Learn by Doing" approach has been a tremendous asset to the program. Cal Poly's Biological Sciences and Natural Resource management departments have shared their expertise, tools, and wildlife specimens. Also, they have provided a reliable source of committed university interns to serve as trail docents and special project leaders.

The program has attracted the collaboration and commitment of the landowners of the Santa Margarita Ranch, Cal Poly staff, student interns, University of California staff, community organizations, the local community 4-H Youth Development program, the California Conservation Corps, the Land Conservancy of San Luis Obispo County, parents, grandparents, teachers and most important of all, the students of the Santa Margarita School.

With minimal staffing and maximum reliance on the use of existing resources, collaborative opportunities and volunteers, the following accomplishments have been achieved to date:

- Over 700 students, teachers, parents, youth leaders and grandparents have participated in the outdoor trail classroom.
- The private landowners have donated access to a 15-acre hiking trail for supervised, public educational opportunities. The California Conservation

Corps constructed a 1/4 mile trail for grades K-3 and a 1/2 mile trail for grades 4-6.

- To maximize correlations with State Science Standards, study themes for grades K-6 provide a full range of oak learning experiences. Through collaboration with 4-H members and Cal Poly students, instructional materials for use on the trail and in the classroom provide trail activity booklets, one for K-3rd grade students and one for 4th – 6th grade students. These booklets have provided a fun way to prepare students for hikes and to enrich their learning experiences.
- Installed a trail entrance sign and gate with donated labor and materials.
- A Cal Poly internship program, supported by stipends paid by Santa Margarita Community Forestry has been established. Cal Poly students serve as trail guides, present lessons and assist with the development and organization of curriculum resources.
- A partnership with the Coyote Road School naturalist/interpretive specialist has been established to train student interns and volunteer docents to provide field lessons; e.g. wildlife tracking/observation skills. In partnership with Pacific Wildlife Care, USDA-NRCS, Santa Margarita Ranch, 4-H, Farm Bureau Ag Education Committee, Central Coast Natural History Association/State Parks Docents, and others provide curriculum materials and oak woodland enrichment activities.
- In collaboration with the Native Tree Committee, oak seedlings were planted along the trail along the trail and each of six 1st – 3rd grade classrooms planted their own grove of seedlings in celebration of Arbor Day; installed seven songbird nest boxes and developed two trail “camps,” one for K-3rd grade classes and one for 4th-6th grade classes. Working with a Cal Poly student, a classroom nature journal provides a place for classes to record their trail discoveries and to track the development of their oak seedlings.
- Thematic oak trail teaching trunks provide touchable learning tools that can be transported and shared with other schools. The trunks include an extensive collection of special topic/classroom aids covering a variety of subjects such as; (1) Oak Woodland Wildlife --- numerous oak woodland specimens, scat, tracks, skins, etc.; (2) People and Oaks --- Native tribes and cultural artifacts, native plants, historic uses of oak resources; and (3) The Land Where Oaks Grow --- rocks, soil, fossils, land survey tools, etc.

- Through special "talk on the trail" events, students and their families, ranching and non-ranching families are brought together for informal discussions on a variety of oak conservation and ranching topics.
- In partnership with the Land Conservancy of San Luis Obispo County, a trail map was developed. The California Conservation Corps continues to provide trail maintenance and install informational trail markers. An online trail nature journal, including photos and discovery notes in school newsletter has been created. Also, native vegetation has been planted in the trail entrance area showcasing native grasses and perennials valued by Native tribes and ranchers.
- In collaboration with the Cal Poly Biological Sciences Department, a wildlife camera project has been installed in the oak trail area.

While the Board provided the initial startup funds necessary to initiate the program, the community at large has come forward to memorialize this unique opportunity and to help ensure the continued success of oak woodlands, working landscapes and the students of the Santa Margarita School.

In summary, the program's success is best described by a parent of a Santa Margarita School Oak Ambassador who had this to say about the program in April of 2011:

"Thank you and all the other wonderful volunteers and community members who have worked so hard over the years to build something so special. I am grateful you've provided opportunities for kids and adults alike to learn about the environment, develop an appreciation for nature, and share this love with others. We're truly privileged to be a small part of it and we'd love to continue our involvement next year as well."

Ms. Gingg asked Oak Ambassadors about what they remember from their first hike. Ms. Ogburn said that she remembers it was the first time she has ever been on a ranch. Ms. John said that she remembers taking home some rocks with her from the first hike, and through the years she has been collecting them and added that it is such a great experience to have those memories. Ms. Gingg commented that it is always exiting for the kids to go out and learn something new. Mr. Sharon said that in the first year he learned about oak conservation, important role of trees and other native plants in Native Americans culture, as well as how native animals have adopted to live among the oaks.

Ms. John said that they did a presentation for some families and friends and she was in charge of teaching everyone about fossils and added that it was a great experience to be able to dig in and see and learn what used to be there long

before the oaks.

Ms. Ogburn, who moved to Santa Margarita from Elk Grove, said that it was interesting to talk with the ranchers about land conservancy and ranching, and added that it really helped out on their ranch.

Ms. Gingg commented that they have a number of families in Santa Margarita area that are ranchette owners, and the University of California has worked hard to connect with this community to educate about conservation practices.

Ms. John said that what they realized when they did Learning Among the Oaks, is that there is a whole another beautiful universe right out there in the backyard. Ms. John added that this is a great experience to have.

Mr. Sharon commented that he has been going on oak ambassador hikes since kindergarten, and each year on every hike he got more and more interested in local wildlife. Mr. Sharon started leading classroom hikes as an Oak Ambassador in fifth grade. As a Senior Oak Ambassador, Mr. Sharon's duties include participating in a presentation during the Santa Margarita Wildflower Festival, attending the San Luis Obispo Land Conservancy Annual Membership meeting, and training newly recruited Oak Ambassadors. Teaching other students on how to lead hikes and extend appreciation for environmental conservation in their peers is the role Mr. Sharon has a great pride in. Mr. Sharon went on to explain that these experiences have enabled him to become a confident speaker and reinforced his belief that people can make a difference advocating for environmental awareness and conservation at any age. Mr. Sharon said he would like to especially thank Ms. Gingg and other volunteers for their passion, hard work, generosity and dedication to the Learning Among the Oaks program.

Ms. Gingg thanked Mr. Sharon for his comments and said that to see these young people and what they are doing out there is just amazing. Ms. Gingg commented that they have had many spin-off projects through their collaboration with Cal Poly; also, they have a wildlife camera project; there is also after school science program and every month they have a Nature Challenge, which is very popular among the kids.

Ms. Gingg commented that Ms. John's aunt, Janet, is a docent for Los Flores Ranch which is another oak education program outside of Santa Maria and they were able to exchange ideas and help each other collaborate.

Ms. Gingg commented that she feels that this program has had an incredible impact on the children of Santa Margarita and their families, and everyone who has participated. Ms. Gingg expressed her appreciation to the Board for helping

to initiate the Learning Among the Oaks program and also thanked all the families that came with them to the Board meeting. Ms. Gingg personally thanked Ms. Marilyn Cundiff of the Wildlife Conservation Board for being very supportive and encouraging and huge part of the program's success.

Chairman Bonham asked the Oak Ambassadors when they go back to school to tell their colleagues and friends how much we appreciate them – everyone in the meeting room today would agree that these kids are our future, and, as Ms. John said, that there is a whole other world out there that does not stop when the black top ends, and the fact that the kids have already figured this out themselves, is amazing. Chairman Bonham thanked the Oak Ambassadors for coming in to today's meeting and asked everyone to give the Ambassadors a big round of applause.

27. Chalk Mountain Conservation Easement, Phase II
Humboldt County
- \$2,000,000.00

Mr. Donnelly reported that letters of support for this project were received from the following people: Assembly Member Wesley Chesbro, CA State Assembly, First District; Ms. Virginia Bass, Chair, Humboldt County Board of Supervisors; Mr. S.E. "Lou" Woltering, Forest Supervisor, USDA Forest Service, Six Rivers National Forest; Mr. Tom Hedt, District Conservationist, Eureka Field Office, USDA Natural Resources Conservation Service; Mr. Chris Larsen, Executive Director, Mattole Restoration Council; Mr. Kalin Flournoy, North Fork Ranch; Ms. Arlin Grandy, Price Creek Ranch; Mr. & Mrs. Sweet, adjacent landowners.

This proposal was to consider an allocation for a grant to the California Department of Forestry and Fire Protection (CAL FIRE) to acquire a working forest conservation easement over 4,024± acres located two miles southeast of the community of Bridgeville in Humboldt County and assist CAL FIRE in administering federal Forest Legacy Program (FLP) funds. The project will help to protect forest land, important scenic forest landscape, fish, wildlife, riparian and other ecological values under the California Forest Legacy Program. Ms. Liz Yokoyama of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The project, known as Chalk Mountain II, is located in the coastal range mountains of south-central Humboldt County. The subject property (Property) is accessed from State Highway 36 and Aldercreek Road. The Property abuts both public and protected lands that include the Humboldt Redwoods State Park, located five miles southwest and the Six Rivers National Forest located 7.5 miles to the east. The project also connects Bureau of Land Management's Larabee Buttes Conservation Area with the Humboldt Redwoods State Park via the Headwaters Forest Habitat Conservation Plan lands, currently owned by the Humboldt Redwood Company. The Chalk Mountain property is one of the original tracts identified in the Six Rivers to the Sea FLP Initiative, which combined with nearby National Forest, Bureau of Land Management, State Parks and other protected properties, contributes towards a protected corridor from the Six Rivers National Forest to the Pacific Ocean.

PROJECT DESCRIPTION

The proposed project represents Phase II of the Chalk Mountain conservation easement project. Phase I was approved by the Wildlife Conservation Board (WCB) on November 17, 2009, to acquire a conservation easement over the northern 3,268± acres of the Chalk Mountain property using FLP funds. The 4,024± acres proposed in Phase II represent the remaining southern portion of

the Chalk Mountain property. The combined acreage will result in 7,292± acres of working forest lands protected under a conservation easement, both held by CAL FIRE.

The Property contains three distinct habitat zones: forestland, rangeland and riparian corridors. The forestland is comprised of managed areas of Douglas fir, including areas of late seral state oak woodlands on its ridge tops and south slopes, and late seral state coast redwood habitat that stretches along Larabee Creek. The rangeland areas contain natural rangeland, grazing land and perennial grassland ecosystems currently used for grazing livestock. The riparian forest areas are located along the numerous streams and tributaries found on site.

The Property includes numerous streams and tributaries that drain into the Eel and Van Duzen Rivers. Many of these streams and tributaries provide important salmonid habitat and spawning areas for steelhead, Coho and Chinook salmon, the two major streams being Larabee Creek and Burr Creeks. The Property provides both nesting and foraging habitats for peregrine falcons and the Northern spotted owl, with active nests producing fledglings every year since 1994. Other special status mammal species found on the Property include the mountain lion, red tree vole, flying squirrels, Pacific fisher and ring-tailed cats.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Forest Conservation Program (Program). Grant proposals are evaluated and selected for funding by WCB staff based on established criteria approved by the Board on November 17, 2007, utilizing a peer review process involving biological and forestry expertise and including the Department of Fish and Game (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 habitats for native fish and wildlife and plants found on these lands. One of the primary objectives of the Program is the protection and conservation of working forests and productive managed forest lands. Selected projects promote the restoration and/or maintenance of the ecological integrity and economic stability of the Property in the context of the surrounding landscape and regional economy.

The matching federal FLP funds provided for this project has been approved through both the State and federal Forest Legacy Program project selection processes, and has been further reviewed by WCB for compliance and consistency with State program and funding requirements. CAL FIRE has entered into an agreement with the WCB to assist in the administration of this

project according to Public Resources Code Section 12240 which established the California Legacy Program. Once approved by the WCB, the project will undergo review and processing by the Department of General Services (DGS) for consideration and approval by the State of California, Public Works Board (PWB), which approves CAL FIRE property acquisitions.

MANAGEMENT OBJECTIVES AND NEEDS

Consistent with the purposes of WCB's Forest Conservation Program and FLP guidelines, the conservation easement will prevent the future conversion of forest land and forest resources from development in Humboldt County. The terms for the conservation easement include the continuance of existing forestry operations, ranching, and agricultural uses and hunting activities which will protect: (i) water quality and supplies; (ii) wildlife habitat and maintaining habitat connectivity to ensure biodiversity; (iii) riparian areas and associated ecosystems; and maintain forest sustainability.

CAL FIRE will hold title to conservation easement and be responsible for administering and monitoring the terms and conditions of the easement. CAL FIRE currently holds title to and/or administers other conservation easements in Sonoma, Mendocino, and Humboldt Counties. As grantee, CAL FIRE will enter into an agreement with the North Coast Regional Land Trust (NRLT) to provide onsite monitoring of the Property to comply with both the terms of the conservation easement and federal FLP laws. CAL FIRE and the NRLT will utilize an approved monitoring protocol, and compare the findings to a baseline conditions report completed for this easement.

TERMS

The conservation easement has been approved as having a fair market value of \$4,000,000.00. The appraisal has 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 easement to CAL FIRE for \$3,600,000.00. The terms and conditions of the proposed grant to the Grantee 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. Furthermore, the project will require additional transaction review by DGS staff in preparation for approval by the PWB prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of breach of the grant terms, the WCB can seek specific performance or require that 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	\$2,000,000.00
2009 FLP grant award	<u>\$1,600,000.00</u>
Purchase Price	\$3,600,000.00
 TOTAL WCB ALLOCATION	 \$2,000,000.00

CAL FIRE will be responsible for all administrative and internal project-related costs pertaining to appraisal, appraisal review, title and escrow.

FUNDING SOURCE

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

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$2,000,000.00 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; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Yokoyama introduced Mr. Jeff Calvert, Forest Legacy Program Coordinator with CAL FIRE; Mr. Ben Morehead, Projects Consultant from North Coast Regional Land Trust; and Mr. & Mrs. Barnwell, property owners, who were in the audience and available to answer questions.

Chairman Bonham asked if any letters of opposition were received for this project. Mr. Donnelly responded that we have not received any letters of opposition on this project.

Supervisor Mark Lovelace from the Humboldt County Board of Supervisors spoke on this agenda item. Supervisor Lovelace stated that he appreciates the Wildlife Conservation Board's support of this project. Supervisor Lovelace added that this property is an important piece of the regional land trusts' on-going Six Rivers to the Sea initiative which has been underway for many years and is a very important initiative because it seeks to protect key working lands through a matrix, recognizing that these lands can help connect the existing matrix of the properties through protected public lands. Supervisor Lovelace also stated that this is a wonderful project and he is proud to be here in support of this project.

Ms. Janet Barnwell, the property owner, spoke in support of this project. Ms. Barnwell said that her family has loved this land and used it wisely and after 128 years it is better than it ever was. When they harvest timber, they always leave the best. Ms. Barnwell stated that ten years ago they started the easement to conserve the land for future generations. Ms. Barnwell added that the conservation easement has given her family a way to pass on their legacy. Ms. Barnwell thanked the Board for considering this project.

Chairman Bonham asked if there were any questions about this agenda item. There were none.

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$2,000,000.00 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; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

- | | |
|--|--------|
| 28. Daugherty Hill Wildlife Area,
Expansion 13
Yuba County | \$0.00 |
|--|--------|

This project was withdrawn from consideration at this time.

29. Suisun Marsh, Denverton Legacy Project \$1,510,000.00
Solano County

Mr. Donnelly reported that the letters of support were received for this project from the following people: Senator Lois Wolk, CA State Senate, 5th District; Mr. Robert Shaffer, Coordinator, US Department of the Interior, Fish and Wildlife Services, Central Valley Joint Venture; Dr. Matthew D. Johnson, Humboldt State University; Mr. Mark Biddlecomb, Director of Conservation Programs, Ducks Unlimited, Inc.; Mr. Steven Chappell, Executive Director, Suisun Resource Conservation District; Ms. Nicole Byrd, Executive Director, Solano Land Trust; Mr. Steve Fettes, President, Santa Margarita Chapter, CA Waterfowl; Hunting Chairman Pendleton Sportsman Club; Ms. Mary Kimball, Executive Director, Center for Land-Based Learning; and Mr. Milton E. Long, Executive Director, The Joseph and Vera Long Foundation.

This project was to consider the allocation for a grant to the California Waterfowl Association (CWA) to acquire fee title of 763± acres of land for the protection of bay area wetlands and associated upland areas supporting migratory waterfowl and shorebirds and threatened and endangered species, including federally endangered and California fully-listed salt marsh harvest mouse. Mr. John Walsh of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The subject property (Property) is located on the northeastern portion of the Suisun Marsh in unincorporated Solano County. The Property lies just to the south of State Route 12 which is the primary link for the City of Fairfield and Suisun City. The Property consists of approximately 763± acres of land dominated by managed seasonal wetlands with smaller grassland areas. The Property lies adjacent to managed wetland habitat, tidal sloughs, and other navigable waterways and is part of the primary management zone of the Suisun Marsh as defined by the Suisun Marsh Plan of Protection.

The Suisun Marsh is a 116,000-acre natural wetland complex made up of tidal sloughs, bays, managed wetlands and uplands and represents the largest contiguous estuary on the west coast of the United States, containing about 12% of all the remaining natural wetlands in California, and one of the largest contiguous brackish marsh on the west coast. This is a diverse area that supports a wide variety of wildlife, including over 220 bird species, 20 species of mammals, and over 50 species of fish. During winter migrations, the marsh regularly supports over 200,000 waterfowl along with several hundred thousand shorebirds. In addition to providing wintering habitat to large numbers of waterfowl, uplands in Suisun Marsh have been shown to be some of the most productive waterfowl nesting habitat in all of North America. The sloughs and

bays of the Marsh also provide important tidal rearing areas for juvenile salmonid species migrating through the bay.

The project area is also contained within the Baylands Ecosystem Habitat Goals (Goals) report, a collaborative report started in 1995 and completed in 2000 by a large contingency of natural resource specialists, scientists and resource agencies to identify habitat protection and restoration goals and projects in the Bay Area. The Suisun Marsh is recognized as one of the major subregions within the Goals report, targeted for protection and restoration.

PROJECT DESCRIPTION

The Property is irregular in shape, and the site topography is mostly level with native vegetation. The zoning classification is MP (marsh preservation). The primary intent of the zoning classification is "to assure the preservation of tidal marshes."

The marsh habitat areas on the Property support 11 federally threatened and endangered species including birds, mammals, and fish. Of these, the salt marsh harvest mouse is consistently found on the site. Other special status species found in the Suisun Marsh that may frequent the Property include the greater sandhill crane, Swainson's hawk, and the California black rail.

The acquisition of the Property will provide a number of recreational and educational opportunities. Up until recently, the Property has been operated as a private duck club with no public access. In 2011, CWA, in collaboration with the new owners, began offering waterfowl hunting to the general public and developed youth outdoor education and environmental outreach programs. The Property is also used for retriever training and field trial events. Denverton has a clubhouse and several miscellaneous outbuildings around the main compound.

WCB PROGRAM

The proposed grant for this project is being made 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 Department of Fish and Game (DFG), evaluating the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to DFG's Regional Operations Committee (ROC) for review and approval and later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

CWA, a non-profit, hunter-supported conservation organization, will be responsible for managing the Property according to terms of the grant, which provides that the Property will be used to further protect and manage the wildlife habitat, facilitate public access, recreation and outreach through conservation programs primarily administered by CWA. Management of the Property will be implemented through the adoption of a mutually agreeable management plan agreed to by the DFG and CWA. The grantee is also working out a long-term arrangement with California Retriever Training Association (CRTA) to allow for continued retriever training, retriever trialing, and retriever competition events, consistent with agreed upon management plan.

CWA is working with the Property owner to develop a stewardship fund (Fund), to be funded by the proceeds from this acquisition. The Fund will establish and help guarantee that baseline funding levels are available to meet future operating and maintenance costs. Additionally, the Fund will be tied to the land, not the fee title holder. If for some reason CWA ceased to exist, the Fund would remain intact and be usable by either DFG or a conservation minded non-profit organization.

TERMS

The Property has been appraised as having a fair market value of \$1,900,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the Property for the approved appraised fair market value. The terms and conditions of the grant between the WCB and CWA provide that staff of the WCB will review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can encumber the Property with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$1,500,000.00
Joseph and Vera Long Foundation	<u>\$ 400,000.00</u>
Total Purchase Price	\$1,900,000.00
 Other Project-Related Costs	 \$ 10,000.00
TOTAL WCB ALLOCATION	\$1,510,000.00

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

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 50 SF Bay), which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species and wetland habitat areas within the San Francisco Bay Area.

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,510,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 50 SF Bay) 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.

Mr. Walsh introduced Mr. Jake Messerli, Vice President of Conservation Programs from CA Waterfowl Association, who was in the audience and available to answer questions.

Ms. Finn asked if the property is going to continue to operate as a private duck club. Mr. Walsh responded that this property is no longer operating as a duck club. Ms. Finn asked who will oversee the management of the property. Mr. Walsh responded that the CA Waterfowl Association will oversee the management. Mr. Donnelly clarified that the Department of Fish and Game will be included in the management planning process for this project, as well as the next project in this meeting's agenda, and the future management plan shall be mutually agreed to by the CA Waterfowl Association and DFG.

Chairman Bonham asked if there were any additional questions or comments about this agenda item. There were none.

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$1,510,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 50 SF Bay) 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.

Motion carried.

30. Suisun Marsh, Grizzly Ranch Legacy Project \$2,010,000.00
Solano County

Mr. Donnelly reported that letters of support were received for this project from the following people: Senator Lois Wolk, CA State Senate, 5th District; Mr. Robert Shaffer, Coordinator, US Department of the Interior, Fish and Wildlife Services, Central Valley Joint Venture; Dr. Matthew D. Johnson, Humboldt State University; Mr. Steven Chappell, Executive Director, Suisun Resource Conservation District; Ms. Nicole Byrd, Executive Director, Solano Land Trust; Mr. Steve Fettes, President, Santa Margarita Chapter, CA Waterfowl; Hunting Chairman Pendleton Sportsman Club.

This proposal was to consider the allocation for a grant to the California Waterfowl Association (CWA) to acquire fee title of 982± acres of land for the protection of wetlands as well as threatened and endangered species including the federally endangered and California fully-listed salt marsh harvest mouse. Mr. John Walsh of the Wildlife Conservation Board briefly described the property and its location.

LOCATION AND SURROUNDING USES

The subject property (Property) is located on the northern portion of Grizzly Island in unincorporated Solano County. The Property is approximately 15 miles south of State Route 12 which is the primary link for the City of Fairfield and Suisun City. The Property lies adjacent to managed wetland habitat, tidal sloughs, and other navigable waterways and is part of the primary management zone of the Suisun Marsh as defined by the Suisun Marsh Plan of Protection.

The Suisun Marsh is a 116,000 acre natural wetland complex made up of tidal sloughs, bays, managed wetlands and uplands and represents the largest contiguous estuary on the west coast of the United States, containing about 12% of all the remaining natural wetlands in California, and one of the largest contiguous brackish marsh on the west coast. This is a diverse area that supports a wide variety of wildlife including over 220 bird species, 20 species of mammals, and over 50 species of fish. During winter migrations, the marsh regularly supports over 200,000 waterfowl along with several hundred thousand shorebirds. In addition to providing wintering habitat to large numbers of waterfowl, uplands in Suisun Marsh have been shown to be some of the most productive waterfowl nesting habitat in all of North America. The sloughs and bays of the Marsh also provide important tidal rearing areas for juvenile salmonid species migrating through the bay.

The project area is also contained within the Baylands Ecosystem Habitat Goals (Goals) report, a collaborative report started in 1995 and completed in 2000 by a large contingency of natural resource specialists, scientists and resource agencies to identify habitat protection and restoration goals and projects in the

Bay Area. The Suisun Marsh is recognized as one of the major subregions within the Goals report, targeted for protection and restoration.

PROJECT DESCRIPTION

Grizzly Ranch consists of approximately 982± acres dominated by managed seasonal wetlands with smaller grassland areas. The Property is irregular in shape, and the site topography is mostly level with native vegetation. The zoning classification is MP (marsh preservation). The primary intent of the zoning classification is "to assure the preservation of tidal marshes."

The marsh habitat areas on the Property support 11 federally threatened and endangered species including birds, mammals, and fish. Of these, the salt marsh harvest mouse is consistently found on the site. Other special status species found in the Suisun Marsh that may frequent the Property include the greater sandhill crane, Swainson's hawk, and the California black rail.

Up until recently, Grizzly Ranch has been operated as a private duck club with no public access. In 2009, CWA, in collaboration with the new owners, began conducting youth outdoor education and outreach programs including youth waterfowl hunts, hunter education camps, and classroom fieldtrips during the school year. Grizzly Ranch has several structures and improvements around the main compound. These include three separate houses, an equipment garage, classroom, full sporting clays course with ten shooting stations, and two boat docks. These improvements are in good condition and are assets to the planned recreation and outreach programs described above. The acquisition of the Property will provide a number of recreational and educational opportunities, including the sporting clays course which will be open to the public on advertised scheduled days.

WCB PROGRAM

The proposed grant for this project is being made 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 Department of Fish and Game (DFG), evaluating the biological values of property through development of a Land Acquisition Evaluation (LAE)/Conceptual Area Protection Plan (CAPP). The LAE/CAPP is then submitted to DFG's Regional Operations Committee (ROC) for review and approval and later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

CWA, a non-profit, hunter-supported conservation organization will be responsible for managing the Property according to terms of the grant which provides that the Property will be used to further protect and manage the wildlife habitat, facilitate public access, recreation and outreach through conservation programs primarily administered by CWA. Management of the Property will be guided by and implemented through adoption of a mutually agreeable management plan agreed to by the DFG and CWA. The grantee is also working out a long-term arrangement with California Retriever Training Association to allow for continued retriever training, retriever trialing, and retriever competition events, consistent with the agreed upon management plan.

CWA is also working with the Property owner to develop a stewardship fund (Fund), to be funded by the proceeds from this acquisition. The Fund will establish and help guarantee that baseline funding levels are available to meet future operating and maintenance costs. Additionally, the Fund will be tied to the land, not the fee title holder. If for some reason CWA ceased to exist, the Fund would remain intact and be usable by either DFG or a conservation minded non-profit organization.

TERMS

The Property has been appraised as having a fair market value of \$3,250,000.00. 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 \$2,100,000.00, which is \$1,150,000.00 less than the DGS approved fair market value. The terms and conditions of the grant between the WCB and CWA provide that staff of the WCB will review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can encumber the Property with a conservation easement and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$2,000,000.00
Joseph and Vera Long Foundation	<u>100,000.00</u>
Total Purchase Price	\$2,100,000.00
Other Project-Related Costs	\$ 10,000.00
TOTAL WCB ALLOCATION	\$2,010,000.00

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

FUNDING SOURCE

The purposes of this project are consistent with the authorized uses of the proposed funding source, Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 50 SF Bay), which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species and wetland habitat areas within the San Francisco Bay Area.

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$2,010,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Section 2786(b/c) (Proposition 50 SF Bay) 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.

Mr. Walsh introduced Mr. Jake Messerli, Vice President of Conservation Programs from CA Waterfowl Association, who was in the audience and available to answer questions.

Chairman Bonham commented that on both agenda item #29 and 30, he enjoys the private-public partnership with CA Waterfowl Association, as well as the increase in recreational access close to metropolitan areas. Chairman Bonham added that the Suisun Marsh restoration plan has a nice synergy of benefits.

Chairman Bonham asked if there were any other comments or questions about this agenda item. There were none.

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$2,010,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Section 2786(b/c) (Proposition 50 SF Bay) 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.

Motion carried.

31. Rockville Trails Estates \$2,887,000.00
Solano County

Mr. Donnelly reported that a letter of support for this project was received from Senator Lois Wolk, CA State Senate, 5th District.

This proposal was to consider the allocation for a grant to the Solano Land Trust (SLT) for a cooperative project with the California Coastal Conservancy, Moore Foundation, City of Fairfield, Resources Legacy Fund and the Syar Foundation to acquire 1,165± acres of land to protect significant natural landscapes and wildlife corridors, running north to the Blueridge open space areas near Lake Berryessa, including oak woodland, grassland, wetland and riparian habitats. The project may also provide for future public access and passive recreational opportunities to the public. Mr. Kurt Weber of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The subject property (Property) is located north of Cordelia Junction along the Interstate 80 corridor, due north of Rockville Road, and bounded by Green Valley Road on the east and the Suisun creek watershed and Suisun Valley Road on the west, in an unincorporated area of Solano County. Low to higher density residential development has occurred to the south, east and west, with noticeable increase in development pressure extending north up both the Green Valley and Suisun creek corridors. Farther up these corridors residential development tends to give way to agricultural use.

Immediately south of the Property is the 600-acre Rockville Hill Regional Park, and north of the Property there is a relatively undeveloped range of hills, a portion of the Vaca Mountains, extending north 15 miles up into the into undeveloped 800,000-acre Blue Ridge Berryessa Natural area. Protecting the Property will help establish a significant habitat corridor going north to south and help sustain habitat corridor and linkages for species to travel between the lower Suisun creek areas up into the Vaca Mountains.

PROJECT DESCRIPTION

The Property is currently owned by a development company, with approved plans for a 185 unit rural residential development. Its topography ranges from a relatively flat to moderately steep terrain, and elevations ranging from 160 feet in the southwest corner to nearly 800 feet in the northwest portion of the site. The Property has a series of mesas bound by near vertical cliffs that cap a steep ridge of hills. The central portion of the site is characterized as having a broad, northwest oriented gently sloping valley. The eastern portion of the site is comprised of rolling hills with steep sided valleys.

Last year the SLT acquired 330 acres from the property owner adjacent to the Property as part of a lawsuit settlement involving local homeowners and the

Sierra Club, attempting to curtail development of the Property. Under the settlement SLT agreed to acquire the 330 acres for \$3,000,000.00 and received the option used to acquire the remaining 1,165 acres of the Property, which is now being considered under this proposal.

The Department of Fish and Game (DFG) recently completed a Land Evaluation of the Property chronicling many of its resource values. Habitats found on the site include oak woodland, oak woodland savanna, grassland, wetland, mixed chaparral, freshwater marshes, ephemeral and vernal pools and habitats. The Property supports multiple intermittent and ephemeral streams, 13 seasonal wetlands, 21 seeps, 5 springs, 3 vernal pools and 3 stock ponds. Numerous bird, mammal and aquatic species are dependent upon the habitats found on the Property, including waterfowl, California quail, greater yellowlegs, killdeer, brown towhee, acorn woodpecker, American robin, great horned owl, white-tail kite, deer, bobcat, grey fox, mountain lion, valley elderberry longhorn beetle, California newt, California slender salamander, ensatina, and the western toad. Many of the larger mammal species use the Property as the southern portion of their range extending south from the Vaca Mountains. This project also contains four archaeological sites, two of which are recommended as significant resource site.

WCB PROGRAM

The proposed grant 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.) authorizing the WCB to acquire real property or rights in real property on behalf of the DFG, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the program the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities. These activities are carried out in conjunction with the 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 (ROC) for review and, if approved, later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

The Property will be managed and operated by the Solano Land Trust, as open space with passive recreational public uses allowed. The Solano Land Trust is a non-profit conservation organization with a mission to permanently protect and preserve farmland, ranchland and open space in Solano County through the

acquisition of land and agricultural conservation easements, education, and land management. The acquisition of this Property may also allow for future public access and passive recreational uses.

TERMS

The property owners have agreed to sell the Property to the Solano Land Trust for \$10,500,000.00, less than its appraised fair market value of \$10,900,000.00, which has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The terms and conditions of the proposed grant provide that WCB staff must review and approve all title documents, appraisals, preliminary reports, documents connected with the purchase and sale including escrow instructions and instruments of conveyance prior to disbursement of funds into the established escrow account. In the event of breach of the grant terms, the WCB can 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	\$2,877,000.00
California State Coastal Conservancy	3,000,000.00
Moore Foundation	1,900,000.00
City of Fairfield - CSD	1,000,000.00
Resources Legacy Fund	250,000.00
Syar Foundation	75,000.00
<u>Solano Land Trust</u>	<u>1,398,000.00</u>
TOTAL Purchase Price	\$10,500,000.00
 Other Project-Related Costs	 \$ 10,000.00
 TOTAL WCB ALLOCATION	 \$ 2,887,000.00

It is estimated that the \$10,000.00 will be needed to cover internal project-related costs, including the appraisal review costs by the DGS.

FUNDING SOURCE

The purposes of this project are consistent with 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. The WCB has applied to the Department of Parks and Recreation for a Land and Water Conservation grant through the National Parks Service. If the grant is approved, the WCB will seek a reimbursement in the amount of \$877,000.00 once the transaction has recorded.

ENVIRONMENTAL COMPLIANCE

The acquisition has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of 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, including plant or animal habitats. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$2,887,000.00 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; accept reimbursement of \$877,000.00 from the National Park Service, Land and Water Conservation fund; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Weber introduced Mr. Brian Shelton, Environmental Scientist from the Department of Fish and Game; and Ms. Nicole Byrd, Executive Director of the Solano Land Trust, who were in the audience and available to answer questions.

Ms. Finn commented that it is great to see a variety of funding sources in this project. Chairman Bonham added that this is a very nice approach to the WCB to create a partnership with funding rather than relying on one as a sole source.

Chairman Bonham asked if there were any additional comments or questions about this item. There were none.

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$2,887,000.00 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; accept reimbursement of \$877,000.00 from the National Park Service, Land and Water Conservation Fund grant, if approved; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

32. Eden Landing Ecological Reserve \$8,000,000.00
Wetland Restoration Construction
Alameda County

This proposal was to consider the allocation for a grant to Ducks Unlimited, Inc., for a cooperative project with the State Coastal Conservancy and the Department of Fish and Game (DFG) to restore approximately 230 acres of coastal wetlands and to construct public access improvements at ponds E12 and E13 at the DFG's Eden Landing Ecological Reserve (ELER). Mr. Peter Perrine of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The approximately 230-acre project site is made up of Ponds E12 and E13, which are part of the 5,500 acre ELER owned by DFG, and were acquired in 2003 as part of the 16,500± acre South Bay Salt Pond (SBSP) acquisition, which also included the Alviso and Ravenswood pond complexes. 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.

This project is considered part of the SBSP Restoration Project, the largest wetland restoration project on the west coast. The following are SBSP Restoration Project Objectives:

1. Create, restore, or enhance habitats of sufficient size, function, and appropriate structure to:
 - a. promote restoration of special-status plants and animals that depend on South San Francisco Bay habitat for all or part of their life cycles;
 - b. maintain current migratory bird species that utilize existing salt ponds and associated structures such as levees; and
 - c. support increased abundance and diversity of native species in various South San Francisco Bay aquatic and terrestrial ecosystem components, including plants, invertebrates, fish, mammals, birds, reptiles, and amphibians.
2. Maintain or improve existing levels of flood protection in the South Bay Area.
3. Provide public access and recreational opportunities compatible with wildlife and habitat goals.
4. Protect or improve existing levels of water and sediment quality in the South Bay, and take into account ecological risks caused by restoration.
5. Implement design and management measures to maintain or improve current levels of vector management, control predation on special status species, and manage the spread of non-native invasive species.

6. Protect the services provided by existing infrastructure (e.g. power lines, railroads).

The entire SBSP restoration project and associated actions are expected to be accomplished in multiple phases over the next 50 years. A subset of habitat improvements was prioritized as Phase 1 actions, including the proposed habitat enhancements in Ponds E12 and E13.

PROJECT DESCRIPTION

To ensure that the waterbird species that have become dependent on salt ponds still have adequate habitat, and that the ecological value of that habitat is enhanced, this project proposes to re-configure the levees and water management infrastructure of Ponds E12 and E13 in order to create shallow water foraging habitat of consistent depth for migratory shorebirds and waterfowl with a range of salinities, and islands for nesting bird habitat. The goal of the proposed 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. Researchers will monitor bird response to these reconfigured ponds, and results from this and other SBSP Phase I projects will help determine whether a greater proportion or potentially all of the remaining area of ELER will be restored to tidal wetlands, while intensively managing reconfigured ponds retained for waterbird management in a smaller pond "footprint". The E12-E13 ponds are expected to be maintained as ponds managed for waterbird needs under all alternatives of the SBSP Restoration Project.

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. Intake will occur from Mt. Eden Creek and North Creek marsh areas and channels and be stored in a forebay system, then will flow into each cell for concentration to desired salinity ranges. 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.

The proposed project also contains a public access component, including interpretive and viewing areas for the historic salt works and Archimedes screws, a viewing area near the bay shore along the recently completed tidal restoration project at Ponds E8X, E8A, and E9, hand powered watercraft access to Mt. Eden

Creek and the S.F. Bay Water Trail and a seasonal loop trail around Ponds E12 and E13.

The project is consistent and directly supports the following local or regional plans:

- South Bay Salt Pond Restoration Project (SBSPRP): This proposed project is a Phase I action of the SBSPRP, and in addition to achieving habitat enhancement objectives, also provides much needed information about specific shorebird foraging needs with respect to salinity and water depth, which will inform SBSPRP Phase II design objectives.
- Baylands Species and Community Profiles Report: calls for maintaining mid and high salinity ponds to support 300 breeding snowy plovers. The salt pond enhancement will provide habitat to continue support of breeding snowy plovers.
- San Francisco Bay Joint Venture's Implementation Strategy for Restoring the Estuary has set a goal for enhancing former salt pond habitat. The goal is to acquire 6,000 acres of salt pond habitat, restore 1,000 acres and enhance 7,500 acres. The proposed project will help accomplish these goals by providing approximately 230 acres of enhanced salt pond habitat towards achieving this goal.
- The Southern Pacific Regional Shorebird Plan (SPRSP) identifies the snowy plover as a conservation priority and calls for an increase in the breeding populations to 2,750 breeding adults, as recommended in the draft USFWS Snowy Plover Recovery Plan. The proposed salt pond enhancement project will provide habitat to continue support of breeding snowy plovers.

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 habitats, and threatened and endangered species habitats.

MANAGEMENT OBJECTIVES AND NEEDS

Long-term management and maintenance will be provided by DFG. Long-term maintenance will be dependent on the rate of settlement due to fill placement and sequence for the preliminary design. Levee, berm, and island maintenance may be required to address settlement within 10 years unless the lower, subsided elevations function adequately.

Potential long-term management needs also includes vegetation management along levees and control of invasive species. Some mowing and periodic weed control may be required. The DFG, which manages the property, will be responsible for performing or coordinating the efforts. Mosquito control requirements will be minimal due to higher salinity concentrations than standard tidal area and because of the deterioration of larva production due to wind wave action.

In consideration of global climate change events, the project is well suited for adaptability. The project is designed to provide greater water management capability and flexibility and, therefore, would be resilient to increase in precipitation and the ability to drain water. The levees will be taller and stronger than existing levees on the site, and have been designed to withstand expected sea level rise over the next several decades. At some point in the future, additional material may be needed to raise levee height to accommodate substantial increases in sea level.

Costs of long-term maintenance would be part of normal operations and maintenance for the ELER. Long-term science support, public outreach, and coordination required by the Adaptive Management Program is funded by the SBSP Project partners, including the US Geological Survey, State Coastal Conservancy, US Fish and Wildlife Service, and Resources Legacy Fund.

PROJECT FUNDING

The proposed funding for the project is as follows:

Wildlife Conservation Board	\$8,000,000.00
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Project costs will be for professional services including project management and construction management; construction of habitat and public access improvements; monitoring; 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 acquisition, protection and restoration of coastal wetlands, upland areas adjacent to coastal wetlands and coastal watershed lands within the San Francisco Bay Area and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE

The DFG has reviewed this proposal and recommends it for funding by the WCB. All permits for this project have been completed and approved.

DFG, as lead agency, prepared a programmatic/project EIR for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the EIR and has prepared proposed, written findings documenting WCB's compliance with CEQA. Subject to approval of this proposal by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$8,000,000.00 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.

Mr. Perrine introduced Mr. John Krause, Manager of the Eden Landing Ecological Reserve, Department of Fish and Game (DFG); Ms. Brenda Buxton from the State Coastal Conservancy (SCC); and Ms. Renee Spentst, Regional Biologist from Ducks Unlimited, Inc. (DU), who were in the audience and available to answer questions.

Chairman Bonham commented that this is the largest proposed grant in today's agenda and supports a broader effort to restore the South Bay ecological functions in these wetlands. Chairman Bonham went on to explain that to date, the DFG and other partners completed projects which brought the total of restored wetlands to around 3,000 acres with the overall goal of about 7,500 acres.

Ms. Finn asked if this project has been designed to accommodate any sea level rise. Mr. Perrine responded that this project has been designed to withstand the projected sea level rise for the next 25 years or more. In a worst-case scenario, by 2050 the project site could become part of the surrounding marsh. Ms. Finn asked if San Francisco Bay Conservation and Development Commission (BCDC) had done any review or had comments about this project. Mr. Perrine responded that a BCDC permit has been obtained.

Ms. Finn asked if this project is mostly a construction project. Mr. Perrine confirmed that this project is a construction project. Ms. Finn asked what exactly is the SCC going to contribute. Mr. Perrine replied that the SCC has been closely tied to this project for a long time and added that the development of the earlier stages of this project was funded through SCC. Mr. Perrine went on to explain that DU and SCC are pursuing alternative funding for this project including \$180,000.00 from the Department of Boating and Waterways (DBW) to

help with the boarding float at the proposed boat ramp, and \$1,400,000.00 from the Cosco Busan settlement account for public access facilities, and we would not know until October 2012 if the applications will be approved. If this funding is approved, it would reduce the amount being allocated from WCB for this project.

Ms. Finn asked about the project timeline if this project was approved today.

Mr. Perrine responded that DU would be able to start the work this summer, and if additional funds become available this summer, then DU would be able to use those funds to provide the public access aspects of the project, thereby reducing the amount billed to WCB.

Ms. Finn asked if WCB staff can provide the Board a future update on the funding status of this project. Mr. Perrine confirmed that the Board can be updated on the funding status of this project at the August WCB Board meeting, and added that the Cosco Busan settlement has specific funds that are identified for the each county, and this project fits very nicely with Cosco Busan settlement program. Mr. Perrine was optimistic of getting funding from Cosco Busan settlement.

Board members asked for more clarity and details on the Cosco Busan grant and the reasons for beginning the work this summer. Ms. Renee Spenst from DU responded that DU would like to put the entire project to bid at once and start construction this summer. Ms. Spenst went on to explain that a two-year construction sequence is anticipated, and putting it all out to bid at the same time would achieve some cost savings. If Cosco Busan and DBW funding is approved, DU would not invoice the WCB for those aspects of the project. Mr. Perrine reiterated that the funds would not be available until October 1, 2012, and that the DBW funding is specific to the boating floats, which could be installed at a later date. Chairman Bonham asked Ms. Spenst if project partners would be materially disadvantaged between now and the next Board meeting of the WCB if we were to postpone this project to take a look at the project budget to give the Board a little more clarity on project management costs and reimbursable components that are not described in this agenda. Ms. Spenst responded that if we do not have approval of the project until the next Board meeting, we would lose a construction year, and it could drive up the cost of the bids.

Chairman Bonham asked if the Board can get an update on this project at the next Board meeting in August to clarify the proposed budget. Ms. Spenst stated that DU has a detailed budget that was provided as a part of the project's application to WCB, which she thought would address Chairman Bonham's concerns about project management costs. Chairman Bonham asked if there is a language in the grant agreement that allows for other funding to be used instead of WCB's funds, thereby reducing WCB's allocation, and Mr. Perrine

responded that such provision is listed in the agreement between WCB and DU. Chairman Bonham asked what would be the outcome if we were to approve this project today, but delay the notice to proceed until after the next Board meeting in August to allow for clarification of the grant and budget. Ms. Spenst agreed that receiving a notice to proceed immediately after the August meeting would be preferable to waiting for approval until August, which would postpone the notice to proceed until early October. Mr. Perrine stated that additional information, language and the budget would be supplied to the Board.

Chairman Bonham asked if there were any further questions about this item. There were none.

It was moved by Chairman Bonham that the Wildlife Conservation Board approve this project pursuant to the staff recommendations, amended however such that no Notice to Proceed will be issued until staff comes back to the Board with the detailed project budget and the implementation agreement language to confirm the reimbursable element, which will occur at the next regularly scheduled Board meeting.

Motion carried.

33. Mission Creek Fish Passage Project \$775,000.00
Santa Barbara County

This proposal was to consider the allocation for a grant to the City of Santa Barbara for a cooperative project with the Department of Fish and Game, the County of Santa Barbara Flood Control District, Southern California Wetland Recovery Program and private foundations to modify a channelized portion of Mission Creek to allow fish passage for steelhead trout on approximately 0.8 miles of stream channel in western Santa Barbara County. Ms. Terry Roscoe of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

Mission Creek flows to the ocean through the City of Santa Barbara from its headwaters in the Los Padres National Forest, located approximately five miles upstream of the city. The project site lies adjacent to the Pacific Coast Highway between Velerio and Canon Perdido Streets, approximately one mile upstream from its mouth at East Beach.

PROJECT DESCRIPTION

Mission Creek is designated critical habitat for the Southern California Steelhead under the California and federal Endangered Species Acts, and is identified as a Core 1 stream in the Southern California Steelhead Recovery Plan developed by the National Marine Fisheries Service. A Core 1 classification of a stream means that the stream would support significant populations of steelhead if any barriers to migration were removed. The upper portions of the creek are relatively pristine, with many miles of excellent steelhead spawning habitat.

The creek at the project site was channelized in 1961 by Caltrans, creating a complete barrier to migratory steelhead, so that they cannot reach good quality spawning habitat further upstream. The water in the channel is too shallow and moves too fast for fish to migrate through the area. The proposed modifications will create a 0.8 mile low flow channel interspersed with resting areas within of the streambed. The project is designed to provide transition areas between channelized portions of the creek and more natural areas, slow water flow, and provide a low-flow channel during drier times. The project also includes planting approximately 200 native trees on the banks above the channel to provide shade and nutrients, critical needs for steelhead.

WCB PROGRAM

The proposed project will be funded through the Habitat Enhancement and Restoration Program and meets the program's goal of providing instream restoration for endangered native fish species including the removal of fish passage barriers and other obstructions.

MANAGEMENT OBJECTIVES AND NEEDS

As part of the adaptive management of the project, the primary maintenance need will be for removal of sediment and vegetation blocking the fishway in the event that future monitoring shows that fish passage is compromised. These obstructions will be removed by the City of Santa Barbara Creeks Restoration and Water Quality Improvement Division during late spring or summer. If at any time during the life of the project City of Santa Barbara 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.

The City conducted a baseline biological assessment for steelhead trout in 2011, and will continue to monitor the site after construction of the fishway is completed using visual surveys, and reporting of spawning nests (redds) to determine project success.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$775,000.00
Department of Fish and Game	1,735,000.00
City of Santa Barbara	750,000.00
County Flood Control District	250,000.00
Southern CA Wetlands Recovery Program	442,000.00
Other Grants	<u>250,000.00</u>
TOTAL AVAILABLE FUNDING	\$4,202,000.00

Project costs will be for project management, channel demolition and reconstruction, installation of the fishway, channel dewatering, and restoration planting and irrigation.

FUNDING SOURCE

The proposed funding sources for this project is the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 50 SoCal), which allows for the acquisition, restoration or enhancement of riparian habitat and aquatic habitat for salmonids and trout in coastal wetlands, upland areas adjacent to coastal wetlands and coastal watershed lands in southern California, and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3 Section 15302, Class 2, as the replacement or reconstruction of an existing structure and Section 15304, Class 4, as a minor alteration to land.

Subject to approval of this proposal 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 recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$775,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 50 SoCal); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Roscoe introduced Mr. Cameron Benson, Creeks Division Manager with the City of Santa Barbara, who was in the audience and available to answer questions.

Mr. Finn asked to define the program through which DFG is contributing its funding for this project. Chairman Bonham commented that likely it would be a Fisheries Restoration Grant Program, and Ms. Roscoe confirmed that the Chairman Bonham is correct.

Chairman Bonham commented that he is a steelhead guy and it is really exciting to see this project and is nice to see the City and the County and everyone working to improve fish passage.

Chairman Bonham asked if there were any additional comments or questions about this item. There were none.

It was moved by Chairman Bonham that the Wildlife Conservation Board approve this project as proposed; allocate \$775,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 50 SoCal); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

34. Angeles Linkage (Nominn) \$2,480,000.00
Los Angeles County

Mr. Donnelly reported that a letter of support for this project was received from Mr. Rick Gould, Director of Parks, Recreation and Community Services, City of Santa Clarita.

This proposal was to consider the allocation for a grant to Riverside Land Conservancy (RLC) to acquire 1,030± acres of land that will provide a significant contribution to the landscape level connection that serves two expansive core areas, the San Gabriel and Castaic ranges, which together form the Angeles National Forest, and to promote recovery of threatened and endangered animals and plants. Mr. Brian Gibson of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The Nominn property (Property) is located in the Santa Clarita Valley south of Highway 14 on the east and west sides of Agua Dulce Canyon Road in the unincorporated community of Agua Dulce, approximately 8 miles east of the City of Santa Clarita and 14 miles southwest of Palmdale in Los Angeles County. The community of Agua Dulce is located in a small alluvial valley nestled in rugged sagebrush covered hills. The community's setting is distinctively rural, being completely surrounded by hills.

The Property is located within the Santa Clara River Watershed, which lies within the California South Coast ecoregion. With a 1,600 square mile watershed, the Santa Clara River Watershed is the second largest in the South Coast ecoregion and the last to remain in a relatively natural state. Elevations in the watershed range from nearly 9,000 feet at Mt. Pinos down to sea level. The Property also lies within the Department of Fish and Game (DFG) Angeles Linkage Conceptual Area Protection Plan which encompasses a total of 8,503 acres.

The Property is adjacent to other publicly held lands, including parcels held by Mountains Recreation and Conservation Authority, Vasquez Rocks County Park, and property held by the Bureau of Land Management. Additionally, the Property is located between two large sections of the northwest portion of the Angeles National Forest. Acquisition of the Property will greatly enhance wildlife connectivity in the area.

PROJECT DESCRIPTION

The subject property lies immediately north of the Santa Clara River and is comprised of two parcel groupings and two freestanding single parcels for a total of twenty parcels. The Property's topography consists generally of steep terrain. Elevations range from approximately 2,000 to nearly 3,000 feet. There are no

improvements on the Property other than a 360 square foot uninhabitable shack. Other than for minor areas of disturbed land or roads, the subject Property reflects a large area of undisturbed natural terrain and habitat. Major plant and terrestrial communities identified within the Santa Clarita Valley and found on the Property include coastal and desert scrub and chaparral.

Although detailed surveys of the Property have not been conducted, the following California threatened and endangered species have been reported in the vicinity of the Property: unarmored threespine stickleback; slender-horned spineflower; California orcutt grass; Nevin's barberry; San Fernando Valley spineflower; and Western yellow-billed cuckoo. Additionally, U.S. Fish and Wildlife Service (USFWS) has designated critical habitat for the following threatened and endangered species in the Santa Clara River Watershed: spreading navarretia; Brauntton's milk-vetch; steelhead; red-legged frog; Arroyo southwestern toad; least Bell's vireo; Coastal California gnatcatcher; and California condor.

WCB PROGRAM

The proposed grant 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.) authorizing the WCB to acquire real property or rights in real property on behalf of the DFG, grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. Under the program the WCB provides funds to facilitate the acquisition of lands and interests in land that can successfully sustain or be restored to support wildlife and, when practicable, provide for suitable wildlife-oriented recreation opportunities. These activities are carried out in conjunction with the 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 (ROC) for review and, if approved, later transmitted to the WCB with a recommendation to fund.

MANAGEMENT OBJECTIVES AND NEEDS

The Property will be owned and managed by RLC. RLC currently owns and manages over 1,256± acres in Riverside and San Bernardino Counties. Additionally, RLC manages over 739± acres held in conservation easement. Management of these lands is overseen by RLC's Land Manager/Biologist, assisted by contract services as needed.

The Property is natural open space and will be maintained as such. It is the intention of RLC to eventually transfer ownership of the Property to another,

preferably local, conservation entity for long-term stewardship and the potential possible future development of controlled public access and appropriate recreational opportunities. These public uses would primarily be day use with designated trails for hiking and equestrian use.

TERMS

The Property has been appraised as having a fair market value of \$4,470,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owner has agreed to sell the Property for the approved appraised fair market value of \$4,470,000.00. The terms and conditions of the proposed WCB grant to RLC provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can require the grantee to encumber the Property with a conservation easement in favor of the State or another entity approved by the State and seek reimbursement of funds.

PROJECT FUNDING

Mr. Gibson reported that the proposed funding breakdown for the project has changed and is now as follows:

Wildlife Conservation Board		\$2,470,000.00
City of Santa Clarita	800,000.00	1,285,000.00
County of Los Angeles	4,200,000.00	<u>715,000.00</u>
TOTAL Purchase Price		\$4,470,000.00
Other Project-Related Costs		\$10,000.00
TOTAL WCB ALLOCATION		\$2,480,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project related administrative costs, including DGS appraisal review. The 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, Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 50 SoCal), which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species and coastal wetlands, upland areas adjacent to coastal wetlands and coastal watershed lands in southern California.

ENVIRONMENTAL COMPLIANCE

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

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$2,480,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 50 SoCal) 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.

Mr. Gibson introduced Mr. Rick Gould, Director of Parks, Recreation and Community Services from the City of Santa Clarita, who was in the audience and available to answer questions.

Ms. Finn commented that this effectively doubles RLC's holdings in that area, and asked if they are sufficiently staffed to take on the management. Mr. Gibson responded that RLC have funds to manage the property. Mr. Gibson added that, ultimately, the plan is to transfer the property to another entity.

Chairman Bonham asked if there were any additional questions or comments about this item. There were none.

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$2,480,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 50 SoCal) 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.

Motion carried.

35. Jamul Creek Watershed Riparian Restoration \$1,696,000.00
San Diego County

This proposal was to consider the allocation for a grant to River Partners for a cooperative project with the Department of Fish and Game (DFG), Resources Legacy Fund, San Diego City Water Department and TransNet to restore 178± acres of riparian and oak woodland habitat on the DFG's Rancho Jamul Ecological Reserve and Hollenbeck Wildlife Area. Ms. Terry Roscoe of the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The project site is located on both sides of Highway 94, approximately three miles southeast of Jamul in southern San Diego County. These properties were once part of the 11,000± Otay Ranch, which supported cattle grazing and dryland farming from the time of Spanish colonization through the late 1990s. Calcium limestone deposits on the property were historically used by the native Kumeyay and later by Franciscan missionaries to whitewash their adobe buildings. When a development boom began in San Diego in the late 1880s, a lime burning kiln and cement plant were constructed on the site, but were abandoned by 1906 when higher quality limestone was located nearby.

Beginning in 1998, the Wildlife Conservation Board (WCB) and other conservation organizations and agencies began acquiring portions of the ranch for conservation purposes. To date, 9,891± acres of land have been protected by the WCB and are managed by the DFG as the Hollenbeck Canyon Wildlife Area (HCWA) and the Rancho Jamul Ecological Reserve (RJER). The RJER and HCWA are surrounded by a mix of privately-owned ranches and public lands. They are also an important component of the San Diego Multiple Species Conservation Plan, which includes the U.S. Bureau of Land Management's Otay Mountain Wilderness, the U.S. Fish and Wildlife Service's San Diego-Sweetwater National Wildlife Refuge, San Diego County lands, and the Cleveland National Forest.

PROJECT DESCRIPTION

The property was heavily grazed for generations prior to acquisition for conservation purposes, and the riparian corridors suffered as a result. In addition, the Otay Fire of 2003 burned approximately 80% of the preserve, including much of the riparian habitat. These areas are being colonized by non-native weedy species that favor disturbed area. Management of the reserve is currently focusing on recovery and restoration of the burn areas, especially the riparian corridors. The project will restore riparian and adjacent oak woodland habitats within the floodplain of Jamul Creek (60 ac.) and Dulzura Creek (118 ac.), which is a tributary of Jamul Creek. The project involves site assessment to determine species composition from reference sites, ground preparation and

weed abatement, irrigation installation, planting of an appropriate riparian/oak woodland species mix, and long term maintenance and monitoring. Biological monitoring will occur to determine irrigation needs, plant survival, wildlife species use, and project success.

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 DFG owns and manages both the RJER and the HCWA. The Management Plans for the two properties provide for public use within the larger conservation and restoration goals. Public uses include environmental education and research, horseback riding, birding, hiking, and special hunts for upland game. Species focused for conservation include coast horned-lizard, Quino checkerspot butterfly, Otay tarplant and San Diego thornmint. Controlled burns are part of the management strategy to increase burn frequency, decrease fuel load and fire intensity, and promote recruitment of native plant species. Control of non-native invasive weeds is an important part of these conservation efforts—native riparian vegetation is more resistant to fire than exotics. The proposed project will create a more resilient riparian habitat, which will resist future invasions of exotic vegetation, and will make the management of the property easier and more effective.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$ 1,696,000.00
River Partners (In-Kind)	\$ 10,200.00
San Diego City Water (In-Kind)	\$ 25,000.00
Resources Legacy Fund	\$ 24,985.00
TransNet SANDAG Grant	\$ <u>76,159.00</u>
TOTAL AVAILABLE FUNDING	\$ 1,832,344.00

Project costs will be for site assessment, ground preparation, irrigation installation, planting, long-term maintenance and monitoring of restoration sites to determine plant survival and ensure project success.

FUNDING SOURCE

The proposed funding source for this project is the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 1E), which allows for the acquisition, restoration or enhancement of riparian habitat to

protect or enhance a flood protection corridor or bypass, and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE

This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304 as a minor alteration to land. 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 recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,696,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 1E); 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.

Ms. Roscoe introduced Mr. David Newbert from River Partners, who was in the audience and available to answer questions.

Ms. Finn commented that this project includes irrigation installation and asked to provide more details about that. Ms. Roscoe responded that there is temporary irrigation in place, which will be replaced by drip irrigation after two-three years.

Chairman Bonham commented that these are some of the most loved open spaces in San Diego metropolitan area.

Chairman Bonham asked if there were any additional questions or comments about this agenda item. There were none.

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$1,696,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 1E); 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.

Motion carried.

36. Southern California Coastal Wetland and Riparian Restoration Various Counties \$400,000.00

This proposal was to consider the allocation for a grant to the State Coastal Conservancy for a cooperative project with the Earth Island Institute to assist with the implementation of the Community Wetland Restoration Grant Program that provides funding for community-based restoration projects in coastal wetlands and watersheds in the Southern California region. Mr. Ken Anderson from the Wildlife Conservation Board briefly described the project and its location.

LOCATION AND SURROUNDING USES

The Community Wetlands Restoration Grant Program (CWRGP) encompasses the Southern California coastal region from Point Conception in Santa Barbara County to the United States border with Mexico. This region includes portions of Santa Barbara, Ventura, Los Angeles, Orange, and San Diego counties. Coastal watersheds that drain to the Pacific Ocean are included in the geographic scope of the program. Project locations include coastal wetlands, tidal marshes, rivers, streams, vernal pools as well as buffer zones including dunes, river banks and coastal sage scrub habitats.

Many of the project locations were historical flood plains, streamside riparian corridors and extensive wetland ecosystems that have been degraded and fragmented over the past 100 years. Others are discreet pocket wetlands that, while small and sometimes isolated from other habitat, cumulatively comprise a critical natural resource for native flora and fauna in a highly urbanized environment.

PROJECT DESCRIPTION

The CWRGP is a program of the Southern California Wetlands Recovery Project (SCWRP) jointly managed by the State Coastal Conservancy (SCC) and Earth Island Institute, providing funding for community-based restoration projects in coastal wetlands and watersheds in the Southern California region. The purpose of the CWRGP is to further the goals of the SCWRP Regional Strategy; build local capacity to plan and implement wetland restoration projects; promote community involvement in wetland restoration activities; and foster education about wetland ecosystems. Projects funded through the program must include educational and community involvement elements as strong components of the project.

Southern California has lost approximately 90 percent of its historic wetlands due to urban development, in-fill, flood control practices, and habitat type conversion. The SCWRP funds projects that seek to recover fully functioning wetland ecosystems that include wetlands, and upland areas surrounding the wetlands.

Typical projects funded through the CWRGP include the removal of invasive species, planting of native plant species, trash abatement, trails and interpretive element construction, and other efforts to restore or enhance wetland habitats.

The CWRGP typically funds about 10-12 projects per year. Each January, the CWRGP solicits proposals from nonprofit organizations, university departments, and local agencies eligible to apply to the program. Proposals are reviewed by a technical advisory committee that includes staff from the SCC, the U.S. Fish and Wildlife Service, the U.S. National Marine Fisheries Service and the WCB. Projects are selected by early summer and the work begins. Most projects funded through this program are designed to be completed in one or two years. The SCC is responsible for oversight of all projects permit requirements, work plans, schedules and project completion. All the projects are small, typically under five acres in size and independent of each other and of any larger efforts.

Provided below is a list of the projects, by county, currently under review for funding. The list of projects is subject to change until the final selection of projects is made, and additional projects similar to those identified below may be added.

Santa Barbara County

UC Santa Barbara Campus Lagoon Salt Marsh Restoration
Devereux Slough Margin Enhancement
Mission Canyon Cape Ivy Eradication Project
Refugio Creek Mouth Restoration Project
Splash 2 Trash Abatement

Ventura County

Ventura River Restoration and Watershed Education Program
Ormond Beach Native Plant Restoration

Los Angeles County

Lower Topanga Creek Restoration Project
Arroyo Wetlands Recovery Program
Revitalizing LA Backyard: Riparian Weed Eradication

Orange County

Invasive Removal in Bell Creek at Audubon Starr Ranch
Bolsa Chica Dune Habitat Enhancement Initiative

San Diego County

Chollas Creek Communities: Saving Our Streams
Ocean Connectors Wetland Restoration Project
Reforestation of Upper Marsh and Transition Zone in Kendall Frost Reserve

Los Laureles/Goat Canyon Preservation Project
Watershed Avengers at Swan Canyon
Citizens Restoring Coastal Habitat

WCB PROGRAM

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

MANAGEMENT OBJECTIVES AND NEEDS

The SCC is the Grantee under this project, and therefore has general oversight of the projects funded under the CWRGP. CWRGP are typically small scale projects taken on by an agency or organization with a direct connection and commitment to the project location. Long-term care and oversight of project maintenance are the responsibility of the project leads, and will be addressed in Memorandums of Understanding developed between the WCB and SCC. The time period for long term management of the project will be 25 years.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$400,000.00
State Coastal Conservancy	200,000.00
Earth Island Institute	<u>900,000.00</u>
TOTAL AVAILABLE FUNDING	\$1,500,000.00

Typical projects funded through the CWRGP include the removal of invasive species, planting of native plant species, trash abatement, trails and interpretive element construction, and other efforts to restore or enhance wetland habitats.

FUNDING SOURCE

The proposed funding source for this project is the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 50 SoCal), which allows for the acquisition, restoration, or enhancement of riparian habitat and aquatic habitat for salmonids and trout in coastal wetlands, upland areas adjacent to coastal wetlands and coastal watershed lands in southern California and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15304, Class 4), as a minor alteration to the land, water and/or vegetation. Subject to approval of this proposal by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$400,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 50 SoCal); 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.

Chairman Bonham asked to clarify how the funding works. Mr. Anderson responded that the money is provided to the State Coastal Conservancy, which has a pool with partners providing cooperative funding, and then the funding is re-granted into the specific projects. Chairman Bonham asked if each dollar that we send into the pool goes into the project. Mr. Anderson responded that it absolutely does.

Chairman Bonham asked if there were any additional questions or comments about this item. There were none.

It was moved by Ms. Finn that the Wildlife Conservation Board approve this project as proposed; allocate \$400,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 50 SoCal); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Motion carried.

At this moment (11:40 AM), Chairman Bonham requested a ten minute break before we move to the next item on the agenda. The Board reconvened at 11:50 AM.

37. Appraisal Review and Disclosure
Statewide

Informational/Action

Chairman Bonham stated that he became aware of this appraisal policy issue in the second week of his job as Director of the Department of Fish Game, and since then there have been six or seven months of conversation about this policy, and Wildlife Conservation Board (WCB/Board) staff has worked very hard over this period of time to listen to all the different perspectives. Chairman Bonham stated that this appraisal policy is in context of much larger issues and suggested that we have an open, candid, and civil conversation, as colleagues working together to get a task done. Chairman Bonham added that he sees this policy as a pilot, which we should test in the next 12 months to evaluate whether it has achieved the objectives, whether it went far enough, or whether it went too far. Chairman Bonham said that all of the entities that have submitted their opinions would agree that important work happens at the WCB. Chairman Bonham stated that these entities are important colleagues of the WCB and the Department of Fish and Game and this policy couldn't have been completed without their input.

Mr. Donnelly expressed his appreciation to Mr. Dave Means, Mr. Randy Nelson, Mr. Bill Gallup, Ms. Marilyn Cundiff and Ms. Nancy Templeton of the WCB for their outstanding work on this policy.

Ms. Marilyn Cundiff presented this item.

During its February 24, 2011 and September 13, 2011 public meetings, the Wildlife Conservation Board (Board/WCB) discussed and requested information about appraisals for the acquisition of interests in real property, appraisal reviews, and public disclosure of appraisal information. At the February 24, 2011, meeting the Board requested a written summary of the appraisal review process and directed staff to provide recommendations regarding public disclosure of appraisal information for proposed acquisition projects involving large acreages of land.

In response to the Board's February 2011 request, a summary of the appraisal review process was provided to each member of the Board and each Joint Legislative Advisory Committee member. The Agenda and Minutes for the September 13, 2011 Wildlife Conservation Board meeting include copies of this summary as well as background information regarding professional appraisal standards.

Staff prepared recommendations regarding appraisal review and disclosure for Board consideration at the September 13, 2011, public meeting. However, no

action was taken. Instead, the Board requested staff to continue to work on an appraisal policy.

ACTIONS IN RESPONSE TO BOARD DIRECTIVES

In response to the Board directives, staff surveyed appraisal disclosure practices of other California State entities that acquire or fund real property acquisitions. Staff conducted similar discussions with two federal entities and surveyed a number of other states to determine how they approach appraisal disclosure. Further, staff analyzed historic acquisition project data (fee title and conservation easement) to ascertain any relationship between the size and cost of acquisition projects previously funded by the Wildlife Conservation Board. Finally, staff convened a public/private stakeholder working group comprised of representatives of the land trust community, private conservation funders, private landowners, appraisers, and conservancy and other State entity staff. These efforts provide the basis for the draft appraisal review and disclosure policy being presented to the Board for consideration at this meeting.

OTHER CALIFORNIA STATE ENTITY APPRAISAL DISCLOSURE PRACTICES

Staff contacted representatives of the following State entities: Department of General Services (DGS), including staff for the Public Works Board; Department of Water Resources; State Coastal Conservancy; Department of Conservation; Sierra Nevada Conservancy; CALTRANS; and the California Tahoe Conservancy. Each entity reported that it provides information to the public prior to taking any official action on a proposed acquisition project. While the level and specificity of the information varies, prior to formal approval each entity supplies the public with descriptive project information consistent with applicable open meeting laws and its unique operational mission and authority. However, no State entity contacted releases acquisition project appraisals to the public until after the close of escrow. This practice is consistent with the California Public Records Act, under which appraisals made by or for the State are exempt from public disclosure "until all of the property has been acquired" (Government Code Section 6254 (h)). It also reflects the confidentiality standard that is part of the Ethics Rule of the Uniform Standards of Professional Appraisal Practice (USPAP). Under that standard an appraiser may not disclose confidential information or assignment results prepared for a client to anyone other than the client and persons specifically authorized by the client without the client's consent.

All the State entities interviewed acknowledged the importance of providing the public with information necessary for it to understand the nature of a proposed project including how and why the proposal qualifies for public funding and support. However, there was a strong consensus (among the government entities as well as the majority of the stakeholder working group including the appraisers who participated) that release of the acquisition appraisal prior to a

project being formally approved by the acquiring or funding entity, and subsequent close of escrow, could conflict with professional appraisal standards; infringe upon a landowner's rights (including the right to privacy); hamper an appraiser's access to relevant data; potentially frustrate and delay, rather than facilitate, the public decision-making process; and jeopardize the completion of the acquisition project.

FEDERAL AGENCY AND OTHER STATES APPRAISAL DISCLOSURE PRACTICES

According to staff from the Internal Revenue Service and the U.S. Fish and Wildlife Service, federal entities authorized to acquire interests in real property generally do not disclose the contents of appraisals prior to the close of escrow. As is the case here in California, public information laws in six of the seven states surveyed (Oregon, Washington, Massachusetts, Utah, Texas and Georgia) provide that appraisals relating to the purchase of real property are not subject to public disclosure until an acquisition has been completed. However, in New Mexico conservation easement appraisals submitted to the Energy, Minerals and Natural Resources Department as part of the state tax credit application are considered a "public document" and available for release to the public.

ANALYSIS & SUMMARY OF HISTORIC ACQUISITION PROJECT DATA

Major acquisitions of conservation lands are defined, and subject to the requirements for appraisal, appraisal review and public disclosure set forth, in Public Resources Code Section 5096.500 et seq. Public Resources Code Section 5096.501 defines a "major acquisition" as an acquisition project that contemplates or includes an expenditure of more than \$25 million of State funds. In response to the Board directive, staff analyzed acquisition data in an attempt to identify projects that do not meet the definition of major acquisition in Public Resources Code Section 5096.501 but might also be considered major (e.g., projects involving large acreages). Staff reviewed data covering projects approved by the Board between August 2000 and February 2012. Based upon that review, staff has made the following observations:

Fee Title Acquisitions:

- A total of 545 projects were approved protecting 461,548 acres
- The Board allocated \$1.2 billion (various funds)
- Total acquisition costs were \$2.3 billion (including non-State funders)

The majority (77%) of the fee title acquisition projects involved properties of 500 acres or less (416 projects). The next largest group of projects (12%) included properties ranging in size from 500 to 1,500 acres (65 projects), followed by a smaller percentage (8%) of projects ranging in size between 1,500 acres to 5,000 acres (46 projects). The remaining fee title acquisition projects (3%) included properties greater than 5,000 acres (18 projects).

Conservation Easements:

- A total of 153 projects were approved protecting 567,881 acres
- The Board allocated \$295 million (various funds)
- Total acquisition costs were \$492 million (including non-State funders)

The largest single category of projects (61%) ranged in size between 9 and 2,000 acres (95 projects). The second largest block of projects, (about 22%) ranged between 2,000 acres and 5,000 acres (34 projects). The remaining conservation easement projects (17%) were comprised of 5,000 acres or more (24 projects).

RECENT TRENDS

A closer review of the above data revealed an interesting trend. For both fee title and conservation easement acquisitions, more large projects were approved from 2000 through 2006 than from 2007 through February 2012. Specifically, from 2000 to 2006, 29 projects met or exceeded 5,000 acres in size. However, from 2007 through February 2012, only 13 projects met or exceeded the same 5,000 acre threshold.

Looking at the data by Board allocation, the trend is similar. Specifically, using Board allocations of \$5 million or more as criteria, 52 projects were approved from 2000 through 2006. However, from 2007 through February 2012, there were only 21 projects approved for which the Board allocated \$5 million or more. A possible explanation for the downward trend from 2007 to February 2012 could be attributed to the economic and fiscal pressures impacting the nation and the State of California during that time. Coupled with the partial collapse of the California real estate market, landowners of large acreages were unwilling to sell their properties and interested buyers did not have the cash on hand to purchase land that may have otherwise been available for sale.

Further compounding the problem and contributing toward the downward trend, starting in December of 2008, State departments were prohibited from spending any bond funds on projects (Budget Letter 08-33). In February of 2009 departments were instructed to initiate an orderly shutdown of all bond-funded projects except for those that could continue with non-State funds (Budget Letter 09-05). In April of 2010, departments were notified that new projects could proceed (Budget Letter 10-09).

Starting in 2010 and continuing through 2011, the data shows a slight increase in the number of large acquisition projects comprised of 5,000 acres or more or with a cost of \$5 million or more. While still early in what many call a slow recovery cycle, staff anticipates the slight upward trend to continue as national and state economies improve and people become more willing to sell and purchase large tracts of land.

Based upon the historic data, there was no direct relationship between the size of the project and its cost. Location by itself was not determinative either. In general, projects located in the southern and coastal regions of the State tended to cost more than those located in the north or the central valley. However, if a project in the north consisted of prime soils and was targeted for rural expansion or development, those acres tended to cost more than open space acreage located in or near southern California. The diversity of acquisition projects, both fee and easement, coupled with the complexities associated with appraisals, make it very difficult to identify any commonality, general trend, or relationship between the number of acres and the cost of a project.

PROPOSED POLICY THRESHOLDS

The policy being presented for consideration would apply to “major acquisitions” of “conservation lands” (as defined in Public Resources Code Section 5096.501) as well as projects involving a grant or use of State bond funds to acquire an interest in land comprising 5,000 acres or more or for which WCB proposes to allocate \$5 million or more (referred to below as a “substantial acquisition”).

Based on the historic acquisition project data, the 5,000 acre or more threshold represents about 6 percent of the total number of projects approved from August of 2000 to February of 2012. These same projects accounted for approximately 60.4 percent of the total acres protected in fee and conservation easement and about 23.1 percent of the total dollars allocated by WCB.

The \$5 million or more policy threshold accounted for about 10.4 percent of the total projects approved from August of 2000 to February of 2012. These projects accounted for approximately 42 percent of the acres protected in fee and conservation easement and about 65.3 percent of the total WCB dollar allocation.

PROPOSED POLICY

To address the Board's interest in expanding public access to information supporting appraised values and maintaining public confidence in the quality and reasonableness of appraisers' opinions of value, staff propose the Wildlife Conservation Board adopt a policy for proposed projects involving a "substantial acquisition" or a "major acquisition" of "conservation lands" that would direct staff to do all of the following:

1. Contract for an independent appraisal of the fair market value of the property or interest;
2. Contract for an independent technical review of the appraisal (except as noted);
3. Provide the independent review report to the DGS during its review of the appraisal; and
4. To facilitate the public's understanding of appraised values, post the independent review report on the Board's website not less than 30 days in advance of the public meeting at which the project will be considered for approval by the Board.

The proposed policy is set forth on page 114 of this Agenda. The proposed policy is robust and, if adopted, will provide not only additional, independent quality control of appraisals but also a narrative report for public disclosure containing information that should facilitate a better and more thorough understanding of how an opinion of fair market value was determined for a proposed acquisition project.

As shown below, Table 1 compares the type of information currently required from an appraisal review report (Public Resources Code Section 5096.512 (b)) and one that would be provided under the proposed policy.

Table 1
Comparison of
Independent Appraisal Review Requirements
Proposed WCB Appraisal Review Policy

APPRAISAL REVIEW, REVIEWER & REVIEW REPORT REQUIREMENTS	Public Res. Code Sec. 5096.512	WCB Policy
THRESHOLD REQUIREMENTS		
WCB must retain independent review appraiser	✓	✓
\$25 million or more in State funds	✓	✓
\$5 million or more WCB allocation		✓
5,000 acres or more		✓
REVIEW APPRAISER REQUIREMENTS		
Did not prepare original appraisal	✓	✓
Licensed pursuant to Business & Professions Code	✓	✓
No interest in proposed project	✓	✓
Desk review allowed	✓	
Field review of subject property (& comps if appropriate) required		✓
Confirm data contained in appraisal report is accurate & complete		✓
APPRAISAL REVIEW REPORT REQUIREMENTS		
Checklist allowed	✓	
Narrative format required		✓
Summarize appraisal	✓	✓
Describe standards used to prepare appraisal	✓	✓
State basis on which land value was established	✓	✓
State appraiser's conclusion of highest & best use		✓
Comply with USPAP Standard 3		✓
If applicable, review of specialty interest valuation such as timber, water or mineral rights		✓
OPINIONS REQUIRED OF APPRAISAL REVIEWER		
Appraisal compliance with USPAP	✓	✓
Appraisal compliance with DGS & State standards		✓
Adequacy & quality of appraisal		✓
Reasonableness of analysis & conclusions		✓
Comprehensiveness & accuracy of researched data		✓
Appropriateness, reasonableness & credibility of appraisal		✓

ANTICIPATED EFFECTS OF POLICY

The recommendation to obtain independent appraisals and third party appraisal reviews for acquisition projects consisting of 5,000 acres or more or for which the Wildlife Conservation Board proposes to allocate \$5 million or more reflects a delicate balancing act that takes into consideration the interests in additional public disclosure, fiscal resources, staff workload, and the complexity of the project and appraisal. Given the significant variations among acquisition projects, staff estimates that if the Board adopts the recommended policy, the Wildlife Conservation Board will need to obtain an independent appraisal and a third party appraisal review for approximately ten additional projects per year. Staff estimates that the cost to implement the policy could range anywhere from approximately \$40,000 to \$400,000 per year, as described below.

The cost of an independent appraisal varies depending on a multitude of factors such as size and location of the subject property, its current condition, access, and current and projected use. Appraisal costs typically run between a low of \$3,000 to \$10,000. However, appraisals can also cost as much as \$20,000 to \$30,000 or more. Accordingly, staff estimates the additional cost for ten appraisals could range from approximately \$30,000 to approximately \$300,000 per year.

The estimated cost of a third party appraisal review varies between \$1,000.00 and \$10,000.00 per review. As such, the total cost for ten additional independent appraisal reviews could range from a low of approximately \$10,000.00 to a high of approximately \$100,000.00 per year.

In addition to the increased costs associated with the proposed policy, staff estimates an additional three to four months of internal processing time would be needed for most projects before a proposed acquisition or grant subject to the policy could be presented to the Board for consideration. This additional time would be used to contract for and obtain the independent appraisal; contract for and obtain an appraisal review, present the appraisal to DGS for approval and post the appraisal review report on the WCB website.

STAKEHOLDER WORKING GROUP

As previously mentioned, staff convened a public/private stakeholder working group to review and provide comments on the proposed policy. The working group met at the WCB offices on December 12, 2011 and again on May 4, 2012. Before, during and after the December meeting, the working group reviewed and provided comments to drafts of the proposed policy. The working group provided additional comments at the May meeting. Many of the comments pertained to the proposed thresholds for application of the policy. The working group also provided valuable suggestions regarding the scope, content and organization of the appraisal review report.

For the most part, the working group was supportive of a policy that increases transparency. However, there were objections to the proposed policy. Some participants believe that absent the release of a full appraisal prior to a formal review by DGS or formal action on the part of the Board, the public could not be assured of a fair price for the acquisition.

Others were concerned the release of an appraisal and/or the appraisal review report would generate so much uncertainty in the negotiation process that landowners may not participate in WCB-funded acquisition projects. Still others mentioned that the proposed policy is costly, both in terms of time and money.

Stakeholders also raised concerns regarding the release of a technical appraisal review report to the public in advance of a public meeting. It was expressed that people not schooled or trained in the technical aspects of appraisal practices, techniques and methodologies could misinterpret information and arrive at incorrect conclusions as to the opinion of fair market value in an appraisal.

Concerns were also raised that appraisers may be hesitant to produce an appraisal for WCB if their work product would be subject to further review by an independent review appraiser and that review report posted on a public website. Others suggested that review appraisers may also be hesitant to contract for review assignments where the technical review report would be posted on the WCB website and subject to misinterpretation by non-appraisers.

The stakeholder comments and suggestions were informative and helpful in understanding the perspectives and concerns of interested parties. In an attempt to balance the competing interests and concerns staff prepared several iterations of a proposed policy. The proposal now being presented to the Board includes a number of changes (such as the proposed \$5 million threshold and the exemption described below) that grew out of discussions with and input received from the stakeholder group.

POLICY EXEMPTION

The proposed policy includes an exemption for projects involving a proposed Wildlife Conservation Board allocation of less than \$5 million. This exemption responds to concerns raised by some stakeholders regarding the additional time necessary for staff to obtain an independent appraisal and appraisal review where the Board is a lesser participant in funding a proposed project.

To address stakeholder concerns, the proposed policy would not apply to a project of 5,000 acres or greater if all of the following conditions are met:

- (1) At least one State department, board or conservancy has held a public meeting to consider, and authorized funding for, the proposed project; and

(2) WCB proposes to allocate less than five million dollars (\$5,000,000.00) of state funds for the proposed project; and

(3) At least one State department, board or conservancy has authorized funding for the proposed project in an amount greater than the proposed WCB allocation; and

(4) The purchase price of the property or interest to be acquired does not exceed fair market value as established by an appraisal approved by DGS no more than six months before the WCB holds a public hearing to consider the proposed project.

MONITOR AND EVALUATE EFFECTIVENESS OF POLICY

This policy is intended to provide additional disclosure and transparency with respect to acquisitions and demonstrate that WCB conducts business in accordance with prescribed statutory requirements, professional industry standards and with fiscal responsibility and accountability.

It is the goal of the proposed policy to obtain independent review and additional public disclosure of appraisal information for 6 – 10 percent of the total number of acquisition projects approved by WCB, representing 40 – 50 percent of the acquisition funding allocated by WCB and about 30 – 35 percent of the acreage for which WCB has authorized such funding. If implementation of this policy does not meet these goals, subject to approval of the Board, the Executive Director may recommend changes to assist in achieving these policy goals.

Staff recommends that the Board require staff to report on the effectiveness of the appraisal review process after this policy has been in effect for at least 12 months, but no longer than 18 months. At a minimum, the report shall include data such as the number of projects impacted by the policy represented as a percentage of WCB acquisition projects approved during the 12 – 18 month time period, the WCB dollar allocations impacted by the policy represented as a percentage of the total dollars allocated by the Board during the 12 – 18 month time period, and the number of acres impacted by the policy represented as a percentage of the total acquisition acres approved by the Board during the 12 – 18 month time period.

The report shall also include a cost benefit analysis of the policy and include at a minimum, such information as the cost associated with implementing the policy, any impact the policy has had on staff workload, any impact the policy has had on the appraisal industry, as well as the Board's ability to commission appraisers and independent reviewers, and any indicators of public satisfaction or dissatisfaction with the independent appraisal reviews.

STAFF RECOMMENDATION

Should the Board wish to contract for an independent appraisal, an appraisal review and provide appraisal review information to the public for transactions in addition to those that are “major acquisitions” subject to Public Resources Code Section 5096.500 et seq., staff suggests the following draft policy for Board consideration. The proposed policy is intended to address the Board's directive and encourage/support public confidence by providing additional appraisal review information regarding selected acquisition projects.

The proposed policy will have an impact upon the Board's staff and fiscal resources. The workload will increase for those projects covered by the proposed policy and it will require more time and cost more money to process these transactions for Board consideration. However, the policy will provide the benefit of additional disclosure and maintain public confidence in amounts allocated for larger acquisition projects. This confidence will come from a knowledge that the Board is conducting the business of acquiring, and granting funds to acquire land, in accordance with criteria that incorporates statutory requirements, professional industry standards, is transparent and fiscally accountable.

Staff recommended that the Wildlife Conservation Board adopt the policy as proposed and if adopted, the policy become effective immediately as to all projects not yet approved by the Board.

DRAFT POLICY

The Wildlife Conservation Board (WCB) is authorized by statute to acquire, and make grants for the acquisition of, interests in real property to preserve and protect fish and wildlife and provide suitable recreation throughout the State. The purchase price for the real property must not exceed fair market value as established by an approved appraisal.

To ensure public confidence in amounts paid and procedures used for the acquisition of real property, while also ensuring that transactions can proceed efficiently and expeditiously, before approving an acquisition project where an agency proposes to spend more than \$25 million of State funds WCB must also have the appraisal reviewed by a qualified independent appraiser and make the independent review report available to the public.

To continue to ensure public trust and confidence in the WCB acquisition process and provide additional transparency in the purchase of real property, independent review and disclosure of appraisal information as provided for in the following policy is deemed appropriate.

Therefore, it is the policy of the Wildlife Conservation Board that:

For proposed projects involving a “Substantial Acquisition” (as defined below) or a “major acquisition” of “conservation lands” (as defined in Public Resources Code section 5096.501¹),

1. WCB staff shall contract for an independent appraisal of the fair market value of the property or interest to be acquired (unless the project is a proposed grant under the California Rangeland, Grazing Land and Grassland Protection Program²).

¹ “*Major acquisition*” is defined in Public Resources Code section 5096.501 (c) as an acquisition where an agency proposes to spend more than twenty-five million dollars (\$25,000,000.00) of state funds. “*Conservation lands*” is defined in Public Resources Code section 5096.501 (b) as any land or interest therein to be acquired by an acquisition agency, or that is owned by the state. (“*Acquisition agency*” is defined in Public Resources Code section 5096.501 (a) as the Wildlife Conservation Board, the Department of Parks and Recreation or a state conservancy.)

² Under Public Resources Code section 10338 (b) each application for a grant under the California Rangeland, Grazing Land and Grassland Protection Program must include “an independent and impartial appraisal prepared by a real estate appraiser who is licensed pursuant to the Real Estate Appraisers’ Licensing and Certification Law (Part 3 (commencing with Section 11300) of Division 4 of the Business and Professions Code).”

The independent appraisal must be:

(a) prepared by a licensed appraiser³ (or, for a major acquisition of conservation lands, a qualified member of the Appraisal Institute who is licensed pursuant to the Real Estate Appraisers' Licensing and Certification Law⁴); and

(b) prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP); the Department of General Services ("DGS") regulations in California Code of Regulations, Title 2, Section 1880; and any other applicable State standards (together, "Applicable Requirements").

For purposes of this policy, "Substantial Acquisition" means the grant or use of State bond funds to acquire an interest in real property comprising 5,000 acres or more or for which the WCB proposes to allocate five million dollars (\$5,000,000.00) or more of State funds.

Ms. Finn asked to confirm whether it should be "State funds" or "WCB funds". Ms. Cundiff clarified that it should state "WCB funds".

2. WCB staff shall contract for an independent technical review ("independent review") of the appraisal for each Substantial Acquisition and major acquisition of conservation lands unless, in the opinion of staff, the appraisal fails to meet Applicable Requirements. The independent review must be performed by a qualified independent appraiser who is licensed pursuant to the Real Estate Appraisers' Licensing and Certification Law,⁵ did not conduct the appraisal under review and has no financial interest in the proposed project.⁶

The independent review must include a field review⁷ and meet the requirements of Standard 3 of USPAP and written instructions issued by staff.

The written instructions shall call for an independent review consistent with this policy that includes the reviewer's opinions about the quality of the entire appraisal report under review (without the reviewer's own opinion of value), the reasonableness of the fair market value conclusion and whether or not the

³ Fish and Game Code section 1348.2

⁴ Public Resources Code section 5096.511

⁵ Public Resources Code section 5096.512 (a)(2)

⁶ Public Resources Code section 5096.512 (a)(1)

⁷ A "field review" must include a field inspection of the subject property (and, if improved, an inspection of the exterior and interior of the improvements) as well as independent verification and analysis of the appropriateness and completeness of market and other data. Such verification and analysis may also require field inspection of properties used as comparable sales.

appraisal conforms to Applicable Requirements, all of which must be provided in a written narrative report. The narrative review report shall contain at least the information and opinions in Appendix A to this policy, including a summary of the appraisal, a statement of the basis on which the value of the land was established, the conclusion of highest and best use, a description of the standards used to prepare the appraisal, and a determination of whether or not the appraisal meets the relevant standards established under USPAP.⁸

3. WCB staff shall provide the independent review report to the DGS during its review and evaluation of the appraisal for any Substantial Acquisition or major acquisition of conservation lands that staff anticipates recommending to the WCB for approval. If DGS approves the appraisal and staff will be recommending the proposed project to the WCB for approval, then not less than 30 days in advance of the WCB holding a public hearing to consider such recommendation, staff shall post the independent review report on the WCB website (www.wcb.ca.gov). The independent review report may omit any proprietary information provided by or on behalf of the seller or that is otherwise exempt from public disclosure pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

4. A proposed Substantial Acquisition project comprising 5,000 acres or more that meets all of the following conditions shall be exempt from this policy:

(a) At least one State department, board or conservancy has held a public meeting to consider, and authorized funding for, the proposed project; and

(b) WCB proposes to allocate less than five million dollars (\$5,000,000.00) of state funds for the proposed project; and

(c) At least one State department, board or conservancy has authorized funding for the proposed project in an amount greater than the proposed WCB allocation; and

(d) The purchase price of the property or interest to be acquired does not exceed fair market value as established by an appraisal approved by DGS no more than six months before the WCB holds a public hearing to consider the proposed project; and

(e) If the total amount of state funding for the proposed project is \$25 million or more, the Department of Parks and Recreation and/or a State conservancy has authorized funding for the proposed project and, before taking that action, complied with the conservation lands acquisition procedures governing appraisal, appraisal review and public disclosure in Public Resources Code section 5096.511 - 5096.513.

5. This policy is intended to provide additional appraisal review and public disclosure of appraisal information for 6 – 10 percent of the total number of

⁸ Public Resources Code section 5096.512 (b)

acquisition projects approved by WCB, representing 40 – 50 percent of the acquisition funding allocated by WCB and about 30 to 35 percent of the acreage for which WCB has authorized such funding. If implementation of this policy does not meet these goals, subject to approval of the Board, the Executive Director may recommend changes to assist in achieving these policy goals.

WCB staff shall report to the WCB on the effectiveness of the appraisal review process after this policy has been in effect for at least 12 months, but no longer than 18 months. At a minimum, the report shall include data such as the number of projects impacted by the policy represented as a percentage of WCB acquisition projects approved during the 12 – 18 month time period, the WCB dollar allocations impacted by the policy represented as a percentage of the total dollars allocated by the Board during the 12 – 18 month time period, and the number of acres impacted by the policy represented as a percentage of the total acquisition acres approved by the Board during the 12 – 18 month time period.

The report shall also include a cost benefit analysis of the policy and include at a minimum, such information as the cost associated with implementing the policy, any impact the policy has had on staff workload necessary to complete a project, any impact the policy has had on the appraisal industry and availability of WCB to commission appraisers and independent reviewers and any indicators of public satisfaction or dissatisfaction with the nature of the appraisal reviews.

Appendix A

Appraisal Review Report Contents

The independent review report shall be a written narrative report that meets the requirements of Standard 3 of USPAP, including certification, and contains at least the information and opinions set forth in this Appendix A. The independent review report shall also include an explanation or supporting rationale for any opinions rendered by the reviewer.

1. **IDENTIFICATION OF APPRAISAL PROBLEM:** Identification of the appraisal report under review, the appraiser who performed the appraisal under review, the property and ownership interests appraised, the date of the report under review and the effective date of the value estimate reported.
2. **REVIEW APPRAISER QUALIFICATIONS:** Statement of the knowledge and experience that qualifies the review appraiser to perform the scope of work performed in the review. These qualifications may include, depending on the review assignment's scope of work and without limitation, familiarity with the specific type of property or asset, regional real estate market, geographic area, analytic method, appraisal process and laws, regulations and guidelines.
3. **REVIEWER'S SCOPE OF WORK:** Description of the scope of work performed in the independent review and a reasoning for why the scope of work is sufficient to produce credible assignment results in accordance with USPAP Standards Rule 3-1 (c).
4. **APPRAISAL SUMMARY:** Summary of the appraisal report.⁹ The summary shall be a synopsis that addresses significant data, facts and conclusions, including the conclusion of the highest and best use and the opinion of fair market value in the appraisal under review. If the appraisal under review includes proprietary information provided by or on behalf of the seller (e.g., trade secrets or confidential income, lease or other financial data) or information that is otherwise exempt from public disclosure pursuant to the California Public Records Act, the review report may omit such information.
5. **COMPLIANCE WITH STANDARDS:** Description of the standards used to prepare the appraisal under review¹⁰ and the reviewer's opinion as to whether or not the appraisal under review meets the relevant standards established under

⁹ Public Resources Code § 5096.512 (b)(1)

¹⁰ Public Resources Code § 5096.512 (b)(3)

USPAP¹¹; the Department of General Services regulations in California Code of Regulations, Title 2, Section 1880; and any other applicable State standards.

6. **APPRAISER'S ANALYSIS:** The reviewer's opinion as to whether or not the appraiser properly identified and inspected the subject property, researched sufficient relevant data, and analyzed and applied the data to arrive at credible and reasonable opinions or conclusions.
7. **APPRAISAL METHODS:** The reviewer's opinion as to the appropriateness of the appraisal methods and techniques used, including an explanation of the reason(s) for any disagreement(s).
8. **ADEQUACY AND QUALITY OF APPRAISAL:** Within the scope of work applicable to the appraisal review assignment, the reviewer's opinion as to the adequacy and quality of the entire appraisal report under review, including the completeness of the appraisal report under review, given the laws, regulations, and client instructions and specifications applicable to the report under review. The independent review report shall include a copy of the client instructions and specifications for the appraisal under review.
9. **SPECIALTY INTERESTS:** An appraisal report that attributes more than a nominal value to specialty interests, such as but not limited to timber, water or minerals, may require a separate review prepared and signed by a certified or registered professional qualified in the field of the specialty interest.
10. **DATA QUALITY:** The reviewer's opinion as to the comprehensiveness and accuracy of the comparable sales, lease and other data on which the appraiser's estimate of fair market value was based, including the accuracy of mathematics.
11. **BASIS OF VALUE:** Statement of the basis on which the value of the land or interest was established, including the conclusion of highest and best use and the actual comparable sales data (including ranges for sales price and acreage and other comparable sales information the review appraiser deems appropriate and necessary) but excluding any matrices or tables showing adjustments to comparable sales.
12. **APPRAISAL CREDIBILITY:** The reviewer's opinion as to the appropriateness, reasonableness and credibility of the analysis, opinions and conclusions in the appraisal report including the reason(s) for any disagreement(s).
13. **AREAS OF DISAGREEMENT:** Discussion of any area(s) of disagreement including the reason(s) for any disagreement(s).

¹¹ Public Resources Code § 5096.512 (b)(4)

14. **CONTACT WITH APPRAISER:** Discussion of any contact with the appraiser to answer any questions the independent reviewer may have.
15. **CHANGED CIRCUMSTANCES:** If during the appraisal review process the independent reviewer became aware of circumstances arising after the date of value of the appraisal under review that might have changed the actual current value of the subject property, the review report should note the outcome of any communications between the review appraiser and the appraiser (either directly or through the client) regarding such circumstances and possible impacts to the opinion of value as well as any additional analysis on the part of the appraiser that was performed or might be needed to revise or update the appraisal as a result of any such changed circumstances.

Proposed for Approval May 31, 2012

Ms. Cundiff introduced Mr. Jim Martin from the Department of General Services (DGS), Real Estate Services Section, and two appraisers who were in the audience and available to answer questions.

Ms. Finn thanked the staff of the WCB for their work on this policy. Ms. Finn stated that our role here is to protect public trust. Ms. Finn commented that she has heard several times during this presentation that there are no “right” appraisals, as they are opinions, and the result is that we will have an appraisal done, then an appraisal review done of another appraiser’s opinion, and she is not sure how that is going to work. Ms. Finn agreed that this policy is a pilot and needs to be reviewed. Ms. Finn asked what will happen if the reviewer does not agree with the appraiser (e.g., the appraiser used methods or assumptions that did not make sense to the reviewer). Ms. Cundiff responded that, ideally, we would bring the reviewer and the appraiser, as well as WCB and DGS, together to talk about it. If the appraiser could not satisfy the reviewer’s concerns, WCB could pull the project from consideration or do another appraisal. Mr. Donnelly added that in such case, we will have a meeting to talk about the issues one or the other may have. Mr. Donnelly went on to explain that appraisers often gather information through discussions with local agencies, as well as sellers and other real estate brokers in the market. These discussions may not be a part of the actual appraisal report, but they play a role in how the appraiser has arrived at the value he is comfortable with. This approach can lead to questions from reviewers. In these instances, WCB has had appraisers walk through with reviewers the reasons why the appraiser’s conclusions were reached. Mr. Donnelly commented that WCB has been very successful in getting appraiser and reviewer to re-think and re-analyze and then come up with the conclusion that everyone can agree upon.

Ms. Finn asked if DGS has ever disapproved or rejected an appraisal and, if so, the reasons for the disapproval. Mr. Jim Martin responded that DGS has a staff of appraisers who have years of experience, licenses, and past appraisal backgrounds; the reviewers' job is to screen between 200 - 300 appraisals per year. Mr. Martin explained that the screening involves a standard review process, where DGS appraisers analyze the data, the description of the property, and verify all the information they can. Mr. Martin added that sometimes DGS appraisers physically inspect a property and sometimes they use Google Earth and look at aerial photos. Mr. Martin said that they also check Assessor's records, title company records, and comparable database records, to verify and support, or deny, the information contained in the appraisal. Mr. Martin clarified that the review by DGS is not to redo the appraisal, but to reach a conclusion that the appraisal is credible, reasonable, reliable, and it does so by following the Uniform Standards of Professional Appraisal Practice (Standard 3, which says that the review appraiser is to read the appraisal, check out all the information they can, and come to a conclusion whether or not the appraisal is credible and reliable).

Ms. Finn asked Mr. Martin what kinds of issues come up that lead DGS appraisers to determine an appraisal is not credible or reliable. Mr. Martin responded that all kinds of issues may lead to that conclusion, such as if the subject property is in one location and the data used in the analysis are scattered. In such case, the DGS appraiser would check to see if there was data in the market area of the appraised property that was not used. If the data used is in another market area, and if there is data available in the subject market area, the DGS would not approve the appraisal unless the appraiser addresses the data in the local market area.

Mr. Martin added that appraisers could propose that the property has some development potential and the evidence in the appraisal is not conclusive – there is no tentative map, there are no approvals, the zoning may or may not be consistent, the general plan designation may not fit – in such case, the DGS would disagree with the appraiser.

Chairman Bonham commented that DGS works with many State agencies besides the WCB, and asked if, to Mr. Martin's knowledge, any other State agencies are attempting to create a policy for the purpose of transparency that goes as far as the WCB proposed policy. Mr. Martin responded that, to his knowledge, there is no other State agency attempting to create such a policy. The Board members thanked Mr. Martin for his comments.

Ms. Diane Colborn, Assembly Member Huffman's representative, asked where in the proposed policy appraiser qualifications are listed. Ms. Cundiff responded

that this information is not in the policy itself, but it will be in the instructions that staff prepare and verify with the potential review appraiser.

Mr. Donnelly clarified that the qualification information is listed in item #2 in the Appendix A of the proposed policy. Mr. Donnelly asked Ms. Colborn if she was talking about WCB's contract with the original appraiser. Ms. Colborn responded that her question is whether the Board is going to look at the appraiser's qualifications before selecting an appraiser to perform an independent review. Mr. Donnelly responded that this is correct. Ms. Cundiff added that the WCB staff will have to look at appraisers' qualifications provided in their bids and determine if they are qualified to conduct an appraisal review in the specific market area.

Chairman Bonham recalled that earlier policy drafts treated the contents of the narrative review report as permissive. However, they are now incorporated into the actual policy. Ms. Cundiff confirmed that the proposed policy requires the narrative review report to contain the information and opinions in Appendix A.

Chairman Bonham recalled that earlier versions of the policy also did not expressly include an evaluation requirement. Now the last two paragraphs of the proposed policy require staff to report back on its effectiveness at least 12 months but no longer than 18 months after the policy becomes effective. That report back includes a cost benefit analysis, as well as a look at workload impact, appraisal industry impact and any indicators of public satisfaction or dissatisfaction with the new policy. In response to a request from Chairman Bonham, Ms. Cundiff confirmed that this description of the evaluation requirements is correct.

Chairman Bonham stated that the difference between numbers in the estimated cost of implementing the policy is huge and asked for an explanation of the range. Ms. Cundiff responded that appraisal and appraisal review costs vary depending on the size of the property that is being appraised, its complexity, location, the degree to which the property is accessible, whether or not the property is developed, and the appraiser's familiarity with the particular property. Mr. Donnelly added that it would potentially raise the cost of the appraisal significantly to get the expertise that an appraiser needs to support the appraisal of specialty interests. For example, on a timber appraisal you need to have a timber review; with water rights you need to have water rights expert to be able to value the water, and the same thing goes for minerals and other such categories.

Ms. Finn commented that we are only focusing this policy on WCB contributed funds, and it was well justified by WCB staff. Ms. Finn commented that in her view it would be a little bit odd to have this unique policy for just one State entity, while another State entity would have some different policy in place. Ms. Finn

said that her ultimate goal would be that all California State land-acquiring agencies have the same policies.

Mr. Doug Haaland from the Assembly Republican Office of Policy introduced himself and spoke about this agenda item. Mr. Haaland said that he is pleased the Board has moved forward and indicated that he believes the proposed policy is a good start. Mr. Haaland commented that in the presentation WCB staff indicated that the review appraiser must not have any connection to the original appraisal, and added that he believes that this requirement should also apply to any independent appraisal that is contracted for by the Board in order to establish a trustworthy and transparent process. Mr. Haaland said that he is going to wait and see how this process works here.

Mr. Haaland added that he sees it interesting that all the states and other agencies practices were reviewed, and it may be that a change in State law is necessary because of the availability of information pursuant to the Public Records Act and how WCB approaches its funding. Mr. Haaland went on to explain that the majority of the WCB funding is not for direct acquisition by DFG or the Board - it is for private entities.

Ms. Finn asked Mr. Haaland to clarify his comments regarding the Public Records Act. Mr. Haaland responded that what he said is mentioned in the staff report, Government Code Section 6254 (h). The Board has historically had a policy that the information contained in the appraisals is not releasable until close of escrow which is a restatement of the existing law. Mr. Haaland went on to explain that in September 2011 he brought a Legislative Counsel opinion to the Board that indicated that policy was inconsistent with the statutory requirements of the Public Records Act; in cases where the WCB is funding a third-party acquisition, the protection under section 6254 (h) does not apply to the Board's actions. Mr. Haaland stated that statute is intended to give the government the protection of the process, so that no one is harmed, the State is not disadvantaged by third parties coming in, and typically it applies across the board to other State entities as well. All of the entities listed are protected in acquisitions that result in the entity retaining fee title or the easement. Ms. Finn thanked Mr. Haaland for his comments.

Ms. Darla Guenzler, the Executive Director of the California Council of Land Trusts (CCLT), introduced herself and spoke on this agenda item. Ms. Guenzler stated that they have been very appreciative of being involved in the stakeholder group, and she is here to express their support of this policy as proposed today. Ms. Guenzler said that a number of issues and concerns have been raised during discussion, and the evaluation of the policy for 12-18 months is going to provide an important opportunity to review and evaluate the impact and effectiveness of the policy. Ms. Guenzler expressed her concern about including

the acreage threshold in the policy, saying that it would create an additional obstacle to work with landowners of large properties which are often important priorities for habitat protection. Ms. Guenzler added that in a letter to the WCB, CCLT asked the Board to consider eliminating this element or increasing it to 10,000 acres. Ms. Guenzler expressed the CCLT's support for strong fiscal accountability measures at the State level to ensure that public funds are expended prudently and efficiently. Ms. Guenzler stated that the WCB and DGS do a professional job with the funds that are entrusted to them by voters, and this policy makes good improvement to the appraisal review, striking a good balance between public information and reliance upon knowledgeable professionals to evaluate appraisals. Ms. Guenzler added that the CCLT appreciates the investment of time that the Board and staff have made in this important matter; this is a very complex topic, and the Board has done a terrific job on the policy. Ms. Guenzler thanked the Board for the opportunity to speak on this agenda item.

Ms. Nita Vail, Chief Executive Officer of the California Rangeland Trust (CRT), spoke on this agenda item. Ms. Vail stated that the CRT strongly supports fiscal accountability and transparency in this process. Ms. Vail said that the CRT is concerned with the acreage threshold and explained that the CRT has a specific mission and only does rangeland conservation easements, and the ranching families that CRT works with usually face opposition from other ranch owners, and are quiet until the project closes. The disclosure of 30 days ahead could deter some of these ranchers from participating in conservation. CRT's waiting list has 119 projects, and out of that list, 22% of projects are over the 5,000 acre threshold. Ms. Vail stated that if there is any willingness on the part of the Board to reconsider the acreage threshold proposed in the policy to at least 10,000, the CRT would be appreciative of that; otherwise, the CRT supports the policy and appreciates the work of the Board.

Chairman Bonham thanked Ms. Vail for her comments and added that he takes very seriously the input about the delicacy of transactions in rural communities, having spent a substantial amount of time in the northern part of California in some parts of Siskiyou and Modoc counties, where these issues are much more local, and people are sorting out with their neighbors their options with their properties - often against a lot of intense local pressure. Chairman Bonham said that we will face the staff recommendation in a moment which, he assumes, will be to adopt the policy effective tomorrow. He asked Mr. Donnelly to clarify how the policy will affect projects now in the pipeline. Mr. Donnelly clarified that if the Board adopts this policy, the WCB would implement it on new projects coming to the Board. Mr. Donnelly went on to explain that currently we are working on projects that may be covered under the policy but, recognizing some of the concerns that have been raised from the meetings that we have had in the past and that we have been working on some of these projects for several years and

the appraisals are in process right now, Mr. Donnelly recommended that the policy should be applied to any new projects coming through the door starting today, May 31, 2012, while existing projects that are already in the process should be exempted.

Ms. Finn commented that this policy issue has been up for over a year now and she feels uncomfortable exempting anybody who has been in process during that year. Ms. Finn asked to clarify how many projects in process would come under this policy. Mr. Donnelly estimated that there are probably three to five projects that the WCB has been working on for several years, and these projects are in different stages of appraisal – some of them have been approved, some of them are currently at the DGS, and we will be happy to present and identify these projects when we bring them forward to the Board.

Chairman Bonham stated that he is comfortable with establishing a bright line, given the complexity of trying to implement a new policy which has been on the agenda and have been pulled from the agenda multiple times over several months. Chairman Bonham said that this is fair; it honors the concept of reliance and does not change the rules mid-course for the projects that are already in the pipeline. Ms. Finn agreed.

Mr. Sandy Dean, Chairman and Chief Executive Officer of the Mendocino and Humboldt Redwood Company (MHRC), spoke on this agenda item. Mr. Dean stated that his company is a supporter of conservation and supports the mission and much of the work of the WCB. Mr. Dean said that MHRC has been an advocate for increased transparency for the WCB for larger deals as it would lead to better decision making. Mr. Dean added that his company is a large landowner on the North Coast (about 440,000 acres), and the WCB has funded a number of conservation deals near MHRC dating back to 2004. Mr. Dean stated that when appraisals for prior WCB deals have been made public, MHRC has found the assumptions and analysis that was used to often times be not credible: stale comparables, double counting, comparables consisting almost entirely of other State-funded deals, and an absence of any development analysis when the State is largely or almost entirely buying development rights are symptoms of failings of the current process. Mr. Dean noted that he sent a letter to the WCB in April 2012 with questions about the soundness of analysis used to support \$40 million of spending last year and indicated that he has yet to receive a response. Mr. Dean commented that there are important lessons to be gained from the transactions and that the challenges of these “deals of size” point directly to the need to reform the current process.

Mr. Dean said that the current staff proposal changes the appraisal process in a way that relies entirely on strengthening qualitative guidelines and is an extension of the existing policy that uses qualitative guidelines and procedures

in, from Mr. Dean's perspective, an effort to regulate judgment. Mr. Dean went on to explain that as he sees it the proposed policy would cost more money, take more time, and will result in no increase in transparency. According to Mr. Dean, actual transparency (i.e., sharing appraisals for large transactions before they go to the DGS) would be less costly and far more efficient and also consistent with principles of good government. Mr. Dean stated that this suggestion for disclosure ties to the DFG's publicly stated aspirations for transparency in the strategic vision process just completed. Mr. Dean cited, as it says in the strategic vision document, on page 11, "in all aspects of their work" (referring to leadership and staff), "they engage in transparent decision making procedures and outcomes that inspire public confidence. When decisions rely on scientific or technical findings or conclusions, that information should be made available during public decision-making processes."

Mr. Dean said that arguments against transparency mostly fall into three categories: 1) "everyone else does it," which is not a good substitute for independent judgment; 2) "the sellers would not sell under these conditions". To that, Mr. Dean stated that the sellers come to the WCB for three reasons: a) they have a conservation ethic; b) the WCB process, while lengthy and challenging, is a lot faster than developing land; and c) the price can be good. Mr. Dean said that he thinks, in each of those three cases, the minor process change he proposes will not trump the underlying seller's motivation. Mr. Dean continued, saying the other argument about transparency, raised by one of the appraiser participants during the working group process, is that 3). "the public is not qualified to review this sort of technical analysis and would be unable to understand these sorts of complicated issues." To that, Mr. Dean stated that he sincerely thinks that the WCB is better than a position that says, "the public can't handle the truth". Mr. Dean said that people make arguments against transparency, but it already exists as soon as the deal is closed. Finally, Mr. Dean stated that this policy is being billed as a product of a broad stakeholder working group. Mr. Dean said that he was part of that group and mentioned that most of the participants in the working group have conflicts in this discussion. Most of the non-profit participants are doing deals with the WCB where they earn fees that are profit-making for their organizations. Similarly, a number of his timber industry peers have written saying they are really worried about this proposal, and yet they do this from the perspective of people who want to sell land to the WCB to make money.

Mr. Dean said that the WCB has a noble mission, it reflects the strong environmental ethic of California voters and he hopes that the Board will help bring its operations up to the same high standards as its mission by making appraisals for large transactions public before DGS review, as opposed to after the State's money has been spent. In closing, Mr. Dean also added that for his company the acreage limitation aspect of this policy is not important.

Chairman Bonham thanked Mr. Dean for his input and asked Mr. Dean to remain involved over the 12-18 month review period so the WCB has the benefit of his perspective when it evaluates this policy. Chairman Bonham also added, addressing some of Mr. Dean's concerns, that we are willing to take the initial step of releasing information that no one else is willing to release 30 days prior to the Board meeting. At this time we do not know whether it is going to be helpful or enough – it is something we will test in this evaluation period to see whether it worked or should be done differently. Chairman Bonham said that he agrees with Mr. Dean that just because everyone else does not do something, should not be a reason for the WCB to conclude that it should not do that as well. On the vision process, Chairman Bonham went on to highlight that the actual creation of this draft policy has been done transparently, far more than it might have been done in the past. The WCB has purposely elicited consistent input and welcomed those who see it differently. WCB is taking a step that is farther than any other conservancy or State agency. Mr. Dean thanked the Chairman Bonham for his comments and added that his company will definitely stay engaged in this process.

Mr. Eric Eisenhammer, Director of Grassroots Operations at Howard Jarvis Taxpayer Association, introduced himself and spoke on this agenda item. Mr. Eisenhammer stated that the Association has long been an advocate for transparency and fiscal responsibility and represents 200,000 members in California. Mr. Eisenhammer said that California is currently facing enormous financial pressure, including pressures that are leading policy makers to consider cuts to health care for low-income children for example, so in this fiscal environment it is more important than ever that we do everything we can to make sure the taxpayers money is spent responsibly. Mr. Eisenhammer stated that the Association has come to understand that some of these major land purchases are being completed with critical analysis kept from the public view, and the Association urges the WCB to change the process to allow citizen input on appraisals themselves, not only on the appraisal review report. Mr. Eisenhammer said that he believes it is to the benefit of taxpayers, WCB and conservationists alike to ensure the impact of our scarce financial resources is maximized by taking the highest degree of accountability measures in WCB's land acquisition process. Mr. Eisenhammer went on to explain that the Association has a long history of advocating for transparency and accountability and fiscal responsibility in government and they are looking forward to working with WCB more on that issue going forward.

Chairman Bonham thanked Mr. Eisenhammer for his comments and letter and commented that he did not know until now that Mr. Eisenhammer knew about the WCB. Mr. Eisenhammer responded that he did not know about the WCB until a couple of weeks ago. Chairman Bonham commented that to the extent there is a

generally applicable concern about what should or should not be disclosed, but at the generally applicable level that seems more like a legislative topic.

Mr. Jim Rinehart, President of R&A Investment Forestry (R&A), introduced himself and spoke on this agenda item. Mr. Rinehart stated that R&A works with large institutional style forest investors, such as pension funds and college endowments. Mr. Rinehart commented that this is roughly a \$50 billion portfolio of assets in the United States, so this is a group that is significant in forest investing, and added that appraisal, appraisal review and valuation are the largest topics in every meeting of this group. The WCB is not alone in bringing light to valuation; its timing is good. Mr. Rinehart said that in general, while he is supportive of this proposed policy, in his mind it does not go far enough. Personally, Mr. Rinehart would like to see appraisals opened to the public before decisions are made rather than after. According to Mr. Rinehart, the proposed policy does not specify how the decision making is affected if there is a conflict between the appraisal and the appraisal review. Mr. Rinehart stated that he still believes that this policy is an important step forward and thanked the WCB for working on this policy. Mr. Rinehart added that he is in favor of accepting this policy, putting it into effect but watching it very closely over the review period.

Mr. Paul Mason, California Policy Director of the Pacific Forest Trust, introduced himself to the Board and spoke on this agenda item. Mr. Mason stated that the Pacific Forest Trust (PFT) supports this policy as a good way to move forward and also supports that we can review the policy in a year or year and a half to evaluate it. Mr. Mason added that the 5,000 acre threshold mentioned in this policy just seems out of place to PFT to the extent that this effort is primarily being driven by fiscal considerations making sure that we are being vigorous with State money, and Mr. Mason doesn't understand how the acreage threshold advances that goal. Mr. Mason suggested that the Board move forward with this policy as a pilot.

Mr. Steve Thompson, representing Steve Thompson, LLC., spoke on this agenda item. Mr. Thompson stated that the WCB is considered the best of the best and there are a lot of reasons why. Mr. Thompson added that a tremendous amount of respect goes out to the Board from other states and federal services because the WCB is flexible and gets a tremendous amount done, and the Board has been very respectful of private property rights. Mr. Thompson commented that he thinks on the policy the WCB has done the best it could in a very difficult situation. Mr. Thompson added that, from the private property owner viewpoint and having been involved in water and land conservation on the national level, it is very important to be transparent. Mr. Thompson added that what he found in federal government is that private property owners are very sensitive about the appraisal and what comes out of that. Mr. Thompson also pointed out that he thinks it would fair to apply this policy to new projects only if it is approved today.

Ms. Finn commented that people who are pursuing conservation easements truly have an interest in conservation and asked Mr. Thompson how he thinks one additional step in a process would turn these people from implementing a conservation easement and make them decide to sell for development instead. Mr. Thompson responded that this is a very difficult public policy issue and some landowners would prefer to keep the land in the family while others have strong conservation ethics. Mr. Thompson said that the WCB has a very successful program in place now, and any additional requirements would make it more difficult for private landowners.

Mr. Chris Kelly, California Program Director from The Conservation Fund (TCF), introduced himself and spoke on this agenda item. Mr. Kelly said that the WCB has been extremely diligent and transparent in allowing them to participate in the process and added that he supports this proposal. Mr. Kelly added that he had not intended to speak today, but some comments were made during the discussion of this item and he wanted to speak to those comments. Mr. Kelly said that there was one set of comments that stated that the appraisals were fundamentally flawed and said that those allegations are not proven. Mr. Kelly went on to explain that in the case of the project Mr. Dean mentioned, there was public disclosure of the independent review and an exchange between Mr. Dean and Mr. Kelly about the conclusions. Mr. Kelly also commented that there are landowners who have conflicts of interest when a piece of property goes up for sale and possibly for conservation, and the disclosure of an appraisal will provide an opportunity for this conflict of interest to be manifested by impeding the transaction. Mr. Kelly added that all of these appraisals do become part of public record post-closing and if there is a systemic problem, it can be identified by post-closing review of the documents.

Chairman Bonham said that if we go forward and treat this policy as a pilot, he would like to encourage us to focus the policy's implementation on those new projects coming in the door tomorrow and not re-litigate our particular views on prior transactions and projects. Chairman Bonham asked if the 5,000 acre threshold elimination would destroy the policy. Mr. Donnelly responded that it would not destroy the policy and explained that staff considered the 5,000 acre threshold based on the projects that day-lighted this issue in the first place (Usal and Gualala forests conservation easements). During that time frame the only policy guidance we had was the Public Resources Code that applies to \$25 million or more of State investment. At that time, Ms. Finn pointed out that, cumulatively, both of those projects were over 60,000 acres, and while they did not meet the value threshold that was currently in law, in Ms. Finn's opinion, conservation of 60,000 acres constitutes as a "major acquisition." Mr. Donnelly went on to explain that including this 5,000 acre threshold in this policy would provide another avenue to engage appraisal reviews by the WCB and it would not put necessarily additional burden on the workload. Mr. Donnelly commented

that if we eliminate the 5,000 acre threshold, fewer projects will be evaluated over the next year and a half. Ms. Finn suggested that we should keep the threshold and it will be a part of the evaluation after the policy is in place in the next 12-18 months.

Ms. Tina Andolina, Senator Wolk's representative, commented that she had a conversation with the Senator about this issue yesterday, and the Senator suggested going forward with this policy. Ms. Andolina also stated that Senator Wolk is fine with the acreage threshold, and supports the \$5 million trigger mentioned in the policy.

Chairman Bonham commented that he agrees to test the policy as it is proposed today over the evaluation period.

Mr. Donnelly clarified that the policy, if adopted today, will become effective as to all new proposals not yet approved by the Board, and does not apply to the projects that are already in process with the WCB.

Chairman Bonham asked if there were any other comments or questions on this agenda item. There were none.

It was moved by Ms. Finn that the Wildlife Conservation Board adopt the policy as proposed and evaluate this policy after it has been in effect for 12 months; as adopted, the policy becomes effective immediately as to all new proposals that are not yet approved by the Board, and does not apply to the projects that are already in process with the Board.

Motion carried.

Mr. Donnelly stated that he deeply appreciates everybody's involvement, comments and participation, and he is looking forward to implementing this policy going forward and he hopes to see everyone back to review this policy in the 12 months from now.

38. Strategic Planning Update

Informational

This item was to provide a brief update on a Strategic Plan for the Wildlife Conservation Board and to solicit feedback and direction from Board members on how they see our planning process advancing forward.

Chairman Bonham suggested that at the next meeting of the Wildlife Conservation Board (WCB) we have a substantial conversation about how to create a process going forward to design a strategic plan for the WCB that involves our constituents. Ms. Finn agreed.

Mr. Donnelly introduced new staff members of the WCB, Mr. Ken Anderson, Mr. Lloyd Warble, and Ms. Candice Marg.

Mr. Donnelly also welcomed Mr. Adam Gotbe, a student at Sonoma State University. Mr. Donnelly went on to explain that Mr. Gotbe has completed his first year at the University and is interested in legal career, and is focusing on political science and economics.

Mr. Donnelly commented that it is a great day as we got through all the projects, but it is also a sad day as Ms. Marilyn Cundiff of WCB's staff is retiring and today is her last day. Mr. Donnelly went on to explain that Ms. Cundiff has had a 32-year career with the State of California, the first twelve of which were with the Department of Finance, and we were fortunate to have her at the WCB for the last twenty years. During Ms. Cundiff's tenure at the Board, there has been eight new programs put into place, including the Wetlands Conservation Program, Rangeland, Grazing Land and Grassland Protection Program, Oak Woodlands Conservation Program, Natural Heritage Preservation Tax Credit Program, Forest Conservation Program, and also two policies – the conservation easement monitoring policy and appraisal disclosure policy that was adopted today. Mr. Donnelly thanked Ms. Cundiff for her hard work and dedication to the WCB. Mr. Donnelly added that Ms. Cundiff, personally, is a great friend and has been an outstanding employee. Mr. Donnelly wished Ms. Cundiff all the best in her retirement. Ms. Cundiff thanked everyone and said that she feels really honored to have been involved in so many great programs.

With no further business to discuss, the meeting was adjourned at 1:45 P.M.

Respectfully submitted,

John Donnelly
Executive Director

PROGRAM STATEMENT

At the close of the meeting on May 31, 2012, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$2,420,413,950.51. This total includes funds reimbursed by the Federal Government under the Accelerated Public Works Program completed in 1966, the Land and Water Conservation Fund Program, the Anadromous Fish Act Program, the Sport Fish Restoration Act Program, the Pittman-Robertson Program, and the Estuarine Sanctuary Program.

The statement includes projects completed under the 1964 State Beach, Park, Recreational and Historical Facilities Bond Act, the 1970 Recreation and Fish and Wildlife Enhancement Bond Fund, the Bagley Conservation Fund, the State Beach, Park, Recreational and Historical Facilities Bond Act of 1974, the General Fund, the Energy Resources Fund, the Environmental License Plate Fund, the State, Urban and Coastal Park Bond Act of 1976, the 1984 Parklands Fund, the 1984 Fish and Wildlife Habitat Enhancement Bond Act, the California Wildlife, Coastal and Park Land Conservation Act of 1988, Cigarette and Tobacco Products Surtax Fund of 1988, California Wildlife Protection Act of 1990, the Safe, Clean, Reliable Water Supply Act of 1996, the Natural Resources Infrastructure Fund, the Harbors and Watercraft Revolving Fund, Forest Resources Improvement Fund, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond, Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Fund, California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund, Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002, Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, and the Wildlife Restoration Fund. In addition to projects completed with the above funding sources, this statement includes tax credits awarded under the Natural Heritage Preservation Tax Credit Act. The tax credits are not reflected in the total amount allocated to projects.

A. Fish Hatchery and Stocking Projects	\$18,264,719.06
B. Fish Habitat Preservation, Development & Improvement	45,581,887.73
Reservoir Construction or Improvement	5,605,699.00
Stream Clearance and Improvement.....	32,081,077.09
Stream Flow Maintenance Dams.....	542,719.86
Marine Habitat	3,191,619.07
Fish Screens, Ladders and Weir Projects	4,160,772.71
C. Fishing Access Projects.....	56,134,164.96
Coastal and Bay	5,095,013.11
River and Aqueduct Access	19,620,175.38
Lake and Reservoir Access	10,666,123.43
Piers	20,752,853.04
D. Game Farm Projects.....	146,894.49
E. Wildlife Habitat Acquisition, Development and Improvement	2,224,801,608.44

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Wildlife Areas (General)	421,229,377.69
Miscellaneous Wildlife Habitat Development	32,472,242.04
Wildlife Areas/Ecological Reserves, (Threatened, Endangered or Unique Habitat)	769,704,636.89
Land Conservation Area	12,992,940.18
Inland Wetlands Conser. Grants & Easements	26,287,966.69
Riparian Habitat Conser. Grants & Easements	83,143,934.78
Other Wildlife Habitat Grants	878,970,510.17
F. Hunting Access Projects	1,366,898.57
G. Miscellaneous Projects (including leases)	32,021,485.92
H. Special Project Allocations.....	2,011,372.89
I. Miscellaneous Public Access Projects	39,556,463.38
State Owned	2,286,884.42
Grants	37,269,578.96
J. Sales and/or exchanges	528,455.07
K. Natural Heritage Preservation Tax Credit Act (tax credits awarded)...	(48,598,734.00)
Statutory plans	(0.00)
Corridors, wetlands, wildlife habitat, streams and riparian habitat	(6,234,658.00)
Agricultural lands	(13,775,640.07)
Water and water rights.....	(0.00)
State and local parks, open space and archaeological resources	(28,588,435.93)
 Total Allocated to Projects	 \$2,420,413,950.51