

DEPARTMENT OF FISH AND WILDLIFE

WILDLIFE CONSERVATION BOARD

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NOTICE OF MEETING

WILDLIFE CONSERVATION BOARD

March 11, 2013
1:00 PM
1/ State Capitol, Room 112
Sacramento, California 95814

FINAL AGENDA ITEMS

ITEM NO.	PAGE NO.
1. Roll Call	1
2. Funding Status — Informational	2
*3. Proposed Consent Calendar (Items 3—10)	7
*4. Approval of Minutes — November 29, 2012	7
*5. Recovery of Funds	7

* Proposed Consent Calendar

1/ These facilities are accessible to persons with disabilities

ITEM NO.		PAGE NO.
*6.	Arcata Community Forest (Humphry) Humboldt County	\$190,000.00 11

To consider the allocation for a grant to the City of Arcata (City) to acquire in fee 2± acres of land for the expansion of the City's Community Forest and protection of working forest habitat for important threatened and endangered species, and to provide future wildlife oriented public use opportunities in Humboldt County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for forest conservation and protection projects in order to promote the ecological integrity and economic stability of California's diverse native forests through forest conservation preservation and restoration of productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitats for native fish, wildlife and plants found on these lands. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055 (a)]

*7.	Sacramento River Riparian Restoration Planning, Rancho Breisgau and Jelly's Ferry Shasta and Tehama Counties	\$151,000.00 15
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To consider the allocation for a grant to River Partners for a cooperative project with the Bureau of Land Management (BLM) and the Bella Vista Foundation to develop a plan to restore 581± acres of riparian and wetland habitat on two separate BLM-owned properties on the Sacramento River in southern Shasta County and northern Tehama County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition, restoration or enhancement of riparian habitat to protect or enhance a flood protection corridor or bypass. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 1E)]

ITEM NO.		PAGE NO.
*8.	MacKerricher State Park (Sec.6-2008 RLA) Mendocino County	\$15,000.00 18

To consider the acceptance of a U.S. Fish and Wildlife Service Recovery Land Acquisition grant and the approval to subgrant these federal funds to the California Department of Parks and Recreation (State Parks), for a cooperative project with the State Coastal Conservancy to acquire 64± acres, located adjacent to the Inglenook Fen-Ten Mile Dunes Natural Preserve – MacKerricher State Park in Mendocino County for the protection of sand dune habitat and several listed species, and to provide future public use opportunities. The purposes of this project are consistent with the authorized uses of the proposed funding source which allows for the acquisition, development, rehabilitation, restoration and protection of habitat to promote the recovery of threatened and endangered species, to provide corridors linking separate habitat areas to prevent habitat fragmentation, and to protect significant natural landscapes and ecosystems and other significant habitat areas. [California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)]

*9.	Daugherty Hill Wildlife Area, Howard Hill Unit, Easement Exchange Yuba County	\$10,000.00 22
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This project is to exchange easements between the State and two separate property owners to provide clear title to the adjoining landowners and improved access to the Department of Fish and Wildlife's Daugherty Hills Wildlife Area (Howard Hill Unit). The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition of habitat, including native oak woodlands, to protect deer and mountain lions. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]

ITEM NO.		PAGE NO.
*10.	Marysville Ranch Conservation Easement Yuba County To consider the acquisition of a conservation easement over 1,277± acres of land by the Department of Fish and Wildlife (DFW) for a cooperative project with the U.S. Department of Defense, California Department of Transportation and the Trust for Public Land for the protection of oak woodland and grassland habitats and habitat linkages and open space buffers between DFW’s Spenceville Wildlife Area (SWA) and Beale Air Force Base (BAFB) in Yuba County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition of habitat, including native oak woodlands to protect deer and mountain lions. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]	\$265,000.00 25
11.	Lower Redwood Creek Restoration, Phase II Marin County To consider the allocation for a grant to the Golden Gate National Parks Conservancy for a cooperative project with the Golden Gate National Recreation Area of the National Park Service and the Department of Parks and Recreation to restore natural creek estuary function of Lower Redwood Creek just upstream of Muir Beach in Marin County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition, enhancement or restoration of wetlands to protect or enhance a flood protection corridor or bypass outside the Central Valley. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d)(Proposition 1E), Wetlands Outside the Central Valley]	\$450,000.00 29
12.	Little Chico Creek Oak Woodland Conservation Easement, and Expansions 1 and 2 (Mott, Smith and Brigham) Butte County To consider the allocation for a grant to the Northern California Regional Land Trust to acquire three conservation easements over 363± acres of land to protect and preserve oak woodland habitat areas as well as provide watershed protection benefits on property located approximately seven miles northeast of the City of Chico in Butte County. The purposes of the project are consistent with the proposed funding source that allows for the preservation of native oak woodland habitat pursuant to the Oak Woodlands Conservation Act (Fish and Game Code Section 1360 <i>et seq.</i>). [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), Public Resources Code Section 75055(d)(2)]	\$555,000.00 33

ITEM NO.		PAGE NO.
13.	San Joaquin River Parkway, Riverbottom Park and Schneider Property Habitat Restoration Madera and Fresno Counties	\$704,450.00 38

To consider the allocation for a grant to River Partners for a cooperative project with the San Joaquin River Conservancy (Conservancy) and the City of Fresno (City) to restore 147± acres of riparian habitat on the City's Riverbottom Park property in Fresno County and the Conservancy's Schneider property in Madera County, both of which are within the floodplain of the San Joaquin River in the vicinity of the Burlington Northern Santa Fe railroad crossing. The purposes of this project are consistent with the proposed funding source, which allows for the acquisition, development, rehabilitation, restoration and protection of land and water resources located within the boundaries of the San Joaquin River Conservancy. [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)]

14.	San Joaquin River Parkway, Lost Lake Park Campground Improvements Fresno County	\$1,403,000.00 42
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To consider the allocation for a grant to Fresno County for a cooperative project with the San Joaquin River Conservancy to improve recreational vehicle and tent camping facilities at Lost Lake Park campground, located one half mile southwest of the unincorporated community of Friant, approximately 6.5 miles east of the City of Fresno. The purposes of this project are consistent with the proposed funding source, which allows for the acquisition, development, rehabilitation, restoration and protection of land and water resources located within the boundaries of the San Joaquin River Conservancy. [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)]

ITEM NO.		PAGE NO.
15.	Puma Canyon, and Expansions 1 and 2 (Swart, J. Cox, and M&B Cox) San Bernardino County	\$488,000.00 46

To consider the allocation for a grant to the Transition Habitat Conservancy to acquire the fee title of three separate properties totaling 124± acres, to expand habitat connectivity and protection of diverse lower montane chaparral and woodland habitat areas for the benefit of desert wildlife species, unique to the western Mojave Desert Ecoregion, located in Puma Canyon on the lower northern slopes of the San Bernardino Mountains, near the community Pinon Hills in San Bernardino County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition and protection of habitat and to provide habitat corridors to prevent habitat fragmentation, and to protect significant natural landscapes and ecosystems and other significant habitat areas. [California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)(2)]

16.	Boyd Deep Canyon Desert Research Center Improvements Riverside County	\$1,182,000.00 50
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To consider the allocation for a grant to the Regents of the University of California to construct a new educational facility, construct new student housing facilities, and renovate the existing access road at the Boyd Deep Canyon Desert Research Center, located 6 miles south of the City of Palm Desert in Riverside County. The purposes of this project are consistent with the proposed funding source that allows 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. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Section 75055(b)(3)]

17.	Appraisal Review and Disclosure Policy	Action 53
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To consider a modification to the Board's Appraisal Review and Disclosure Policy adopted by the Wildlife Conservation Board during its meeting of May 2012. Consistent with SB 1266 (Corbett) that was signed and became law January 1, 2013, staff will recommend that the Policy be amended to remove the 5,000 acre threshold.

18.	Resolutions	58
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WILDLIFE CONSERVATION BOARD

March 11, 2013

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

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

Ana Matosantos, Member
Director, Department of Finance

Michael Sutton, Member
President, Fish and Game Commission

JOINT LEGISLATIVE ADVISORY COMMITTEE

Senator Jean Fuller
Senator Fran Pavley
Senator Lois Wolk

Assembly Member Richard Gordon
Assembly Member Ben Hueso
Assembly Member Das Williams

EXECUTIVE DIRECTOR

John P. Donnelly

2. Funding Status – Informational

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

(a)	2012-13 Wildlife Restoration Fund, (0447)	
	Budget Act	\$1,000,000.00
	Previous Board Allocations	<u>-979,500.00</u>
	Unallocated Balance	\$20,500.00
(b)	2012-13 Habitat Conservation Fund, (0262)	
	Budget Act	\$20,663,000.00
	Previous Board Allocations	<u>-35,000.00</u>
	Unallocated Balance	\$20,628,000.00
(c)	2011-12 Habitat Conservation Fund, (0262)	
	Budget Act	\$20,663,000.00
	Previous Board Allocations	<u>-3,386,213.00</u>
	Unallocated Balance	\$17,276,787.00
(d)	2010-11 Habitat Conservation Fund, (0262)	
	Budget Act	\$20,668,000.00
	Previous Board Allocations	<u>-14,242,833.00</u>
	Unallocated Balance	\$6,425,167.00
(e)	2008-09 Habitat Conservation Fund, (0262) (2012-13 Reappropriation)	
	Budget Act	\$20,668,000.00
	Previous Board Allocations	<u>-15,644,079.00</u>
	Unallocated Balance	\$5,023,921.00
(f)	2007-08 Habitat Conservation Fund, (0262) (2011-12 Reappropriation)	
	Budget Act	\$20,674,000.00
	Previous Board Allocations	<u>-16,780,457.05</u>
	Unallocated Balance	\$3,893,542.95

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(g)	2006-07 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, (0005) (2010-11 Reappropriation)	
	Budget Act	\$15,224,000.00
	Previous Board Allocations	<u>-13,773,052.00</u>
	Unallocated Balance	\$1,450,948.00
(h)	1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, (0005)	
	Continuously Appropriated [Sec. 5096.350 (a)(1), (2), (4) & (7)]	\$36,100,000.00
	Previous Board Allocations	<u>-29,763,847.45</u>
	Unallocated Balance	\$6,336,152.55
(i)	2004-05 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund, (6029) (2010-11 Reappropriation)	
	Budget Act (San Joaquin River Conservancy Projects)	\$11,000,000.00
	Previous Board Allocations	<u>-4,623,302.94</u>
	Unallocated Balance	\$6,376,697.06
(j)	2001-02 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund, (6029)	
	Continuously Appropriated (Section 5096.650)	\$273,000,000.00
	Previous Board Allocations	<u>-230,576,984.24</u>
	Unallocated Balance	\$42,423,015.76
(k)	2003-04 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002, (6031) (2010-11 Reappropriation)	
	Budget Act (Section 79568)	\$32,500,000.00
	Previous Board Allocations	<u>-21,681,299.35</u>
	Unallocated Balance	\$10,818,700.65

(l)	2002-03 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002, (6031)	
	Continuously Appropriated (Sections 79565 and 79572), including Chapter 81, Statutes of 2005	\$814,350,000.00
	2003-04 Budget Act Transfer to HCF from Section 79565	-21,000,000.00
	2004-05 Budget Act Transfer to HCF from Section 79565	-21,000,000.00
	2005-06 Budget Act Transfer to HCF from Section 79565	-4,000,000.00
	2005-06 Budget Act Transfer to HCF from Section 79572	-3,100,000.00
	2006-07 Budget Act Transfer to HCF from Section 79572	-17,688,000.00
	2007-08 Budget Act Transfer to HCF from Section 79572	-5,150,000.00
	2008-09 Budget Act Transfer to HCF from Section 79572	-1,000,000.00
	Previous Board Allocations	<u>-666,355,909.11</u>
	Unallocated Balance	\$75,056,090.89
(m)	2010-11 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051)	
	Budget Act (San Joaquin River Conservancy Projects)	\$3,380,000.00
	Previous Board Allocations	<u>-0.00</u>
	Unallocated Balance	\$3,380,000.00
(n)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2010-11 Reappropriation)	
	Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
	Previous Board Allocations	<u>-2,866,000.00</u>
	Unallocated Balance	\$7,134,000.00
(o)	2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051)	
	Chapter 2, Statutes of 2009 (SB 8)	\$24,000,000.00
	Previous Board Allocations	<u>-5,082,901.00</u>
	Unallocated Balance	\$18,917,099.00
(p)	2008-09 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051), (2011-12 Reappropriation)	
	Budget Act (NCCP Section 75055(c))	\$25,000,000.00
	Previous Board Allocations	<u>-7,928,436.50</u>
	Unallocated Balance	\$17,071,563.50

WCB Final Agenda for March 11, 2013 Board Meeting

(q)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2010-11 Reappropriation)	
	Budget Act (NCCP Section 75055(c))	\$25,000,000.00
	Previous Board Allocations	<u>-22,897,170.00</u>
	Unallocated Balance	\$2,102,830.00
(r)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 , (6051) (2010-11 Reappropriation)	
	Budget Act (Section 75055(d)(1))	\$14,293,000.00
	Previous Board Allocations	<u>-13,013,422.00</u>
	Unallocated Balance	\$1,279,578.00
(s)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2010-11 Reappropriation)	
	Budget Act (Section 75055(d)(2))	\$14,293,000.00
	Previous Board Allocations	<u>-12,238,437.48</u>
	Unallocated Balance	\$2,054,562.52
(t)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051) (2010-11 Reappropriation)	
	Budget Act (Section 75055(d)(4))	\$4,762,000.00
	Previous Board Allocations	<u>-2,393,156.54</u>
	Unallocated Balance	\$2,368,843.46
(u)	2006-07 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (6051)	
	Continuously Appropriated (Section 75055a)	\$164,700,000.00
	Previous Board Allocations	<u>-82,651,526.50</u>
	Unallocated Balance	\$82,048,473.50
	Continuously Appropriated (Section 75055(b))	\$123,525,000.00
	Previous Board Allocations	<u>-83,712,485.03</u>
	Unallocated Balance	\$39,812,514.97

RECAP OF FUND BALANCES

Wildlife Restoration Fund (a)	\$20,500.00
Habitat Conservation Fund (b), (c), (d), (e) and (f)	\$53,247,417.95
Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (g) and (h)	\$7,787,100.55
California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund (i) and (j)	\$48,799,712.82
Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (k) and (l)	\$85,874,791.54
Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (m), (n), (o), (p), (q), (r), (s), (t) and (u)	\$176,169,464.95
TOTAL – ALL FUNDS	\$371,898,987.81

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 01/31/13	Encumbrances through 01/31/13	Cash Balances Includes Encumbrances
Proposition 12	\$12,621,973.31	\$7,487,539.40	\$238,490.75	\$4,895,943.16
Proposition 40	\$58,555,210.88	\$56,742,259.23	\$19,870,976.79	-\$18,058,025.14
Proposition 50	\$99,161,920.79	\$52,942,611.87	\$40,637,720.23	\$5,581,588.69
Proposition 84	\$202,673,069.95	\$197,150,762.59	\$28,626,690.08	-\$23,104,382.72
Proposition 1E	\$37,491,090.20	\$32,983,258.38	\$11,130,311.88	-\$6,622,480.06
Grand Totals	\$410,503,265.13	\$347,306,431.47	\$100,504,189.73	-\$37,307,356.07

- *3. Proposed Consent Calendar (Items 3—10)
- *4. Approval of Minutes – November 29, 2012
- *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.

\$3,950.00 to the **Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund**

\$47,127.14 to the **Habitat Conservation Fund**

\$19,855.00 to the **California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund**

\$76,409.00 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

Allensworth Ecological Reserve, Expansion 27, Tulare County

Allocated	\$17,500.00
Expended	<u>-17,500.00</u>
Balance for Recovery	\$0.00

Santa Margarita River Ecological Reserve, Expansion 4, Riverside County

Allocated	\$25,000.00
Expended	<u>-21,050.00</u>
Balance for Recovery	\$3,950.00

Total Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund \$3,950.00

HABITAT CONSERVATION FUND

Dos Rios Ranch, Stanislaus County

Allocated	\$5,509,000.00
Expended	<u>-5,505,861.00</u>
Balance for Recovery	\$3,139.00

Goodwin Sierra Valley Ranch Conservation Easement, Plumas County

Allocated	\$2,214,500.00
Expended	<u>-2,206,750.00</u>
Balance for Recovery	\$7,750.00

Los Vaqueros Ranch Conservation Easement, Monterey County

Allocated	\$8,000.00
Expended	<u>-2,760.00</u>
Balance for Recovery	\$5,240.00

Suisun Marsh, Denverton Legacy Project, Solano County

Allocated	\$1,510,000.00
Expended	<u>-1,505,592.22</u>
Balance for Recovery	\$4,407.78

Suisun Marsh, Grizzly Ranch Legacy Project, Solano County

Allocated	\$2,010,000.00
Expended	<u>-2,005,603.14</u>
Balance for Recovery	\$4,396.86

Watsonville Slough Ecological Reserve, Expansion 5, Santa Cruz County

Allocated	\$500,000.00
Expended	<u>-477,806.50</u>
Balance for Recovery	\$22,193.50

Total Habitat Conservation Fund **\$47,127.14**

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

Jacumba Peak (aka Jacumba-Eade), San Diego County

Allocated	\$10,000.00
Expended	<u>-2,292.00</u>
Balance for Recovery	\$7,708.00

Lower Redwood Creek Restoration, Marin County

Allocated	\$1,260,000.00
Expended	<u>-1,260,000.00</u>
Balance for Recovery	\$0.00

Redwoods to the Sea, Mattole River (Upper Tract) Property Exchange, Humboldt County

Allocated	\$5,000.00
Expended	<u>-1,603.00</u>
Balance for Recovery	\$3,397.00

Webber Lake/Lacey Meadows, Sierra and Nevada Counties

Allocated	\$5,010,000.00
Expended	<u>-5,001,250.00</u>
Balance for Recovery	\$8,750.00

Total California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund \$19,855.00

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

Gualala River Forest Conservation Easement, Mendocino County

Allocated	\$19,030,000.00
Expended	<u>-19,024,155.00</u>
Balance for Recovery	\$5,845.00

Little Shasta Conservation Easement - Townley, Siskiyou County

Allocated	\$1,332,900.00
Expended	<u>-1,329,900.00</u>
Balance for Recovery	\$3,000.00

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

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

Santa Rosa Mountains (Desert Ranch 1), Expansion 16, Riverside County

Allocated	\$10,000.00
Expended	<u>-0.00</u>
Balance for Recovery	\$10,000.00

Santa Rosa Mountains (Desert Ranch II), Expansion 17, Riverside County

Allocated	\$5,000.00
Expended	<u>-1,100.00</u>
Balance for Recovery	\$3,900.00

Sierra Crest Conservation Easement, Phases I and II, Sierra and Nevada Counties

Allocated	\$6,430,000.00
Expended	<u>-6,423,680.00</u>
Balance for Recovery	\$6,320.00

The Environmental Trust Bankruptcy, San Diego County

Allocated	\$30,000.00
Expended	<u>-362.00</u>
Balance for Recovery	\$29,638.00

Usal Forest Conservation Easement, Mendocino County

Allocated	\$19,540,000.00
Expended	<u>-19,527,294.00</u>
Balance for Recovery	\$12,706.00

Total Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 **\$76,409.00**

- *6. Arcata Community Forest (Humphry) \$190,000.00
Humboldt County

This proposal is to consider the allocation for a grant to the City of Arcata (City) to acquire fee title to 2± acres of land in Humboldt County to expand the City's Community Forest; protect working forest habitat for important fish and wildlife species; and provide potential future wildlife-oriented public access opportunities between the Arcata Community Forest to the north and the Sunny Brae Forest to the south.

LOCATION AND SURROUNDING USES

The subject property (Property) is located on Fickle Hill Road, approximately two miles east of the City of Arcata and Highway 101. To the north of the Property is the Arcata Community Forest, a ±793-acre protected working forest and park area managed by the City. Adjacent and to the south of the Property is the ±336-acre Sunny Brae Forest, which the City also manages. Further south is the Jacoby Creek watershed, a major salmonid stream and tributary into Humboldt Bay. The Jacoby Creek watershed is located within a California Department of Fish and Wildlife (CDFW) Conceptual Area Protection Plan (CAPP). The Wildlife Conservation Board (WCB) has approved funding to protect approximately 820 acres of land within the Jacoby Creek watershed. The Property is in an area of rural residential estate developments where pressures to convert timberland to residential use are high. The current general plan use designation for this Property is Single Family Residential. The Property is located adjacent to the WCB-funded Schmidbauer forest parcel which the City acquired in 2012. That parcel borders the City's Morris forest parcel funded by WCB in 2011, and the larger Sunny Brae Forest, that the WCB helped fund in 2006.

PROJECT DESCRIPTION

The Property is undeveloped forestland and is relatively flat. It provides high quality forest and riparian habitat for a variety of plant and wildlife species. This includes a mature conifer stand comprised of redwood, grand-fir Sitka spruce and Douglas-fir, with several redwood trees exceeding 50" in diameter. Acquisition of the Property will protect habitat for dozens of native plants and animal species that are known to exist on the Sunny Brae Forest tract or immediate vicinity, including the federally threatened steelhead trout and northern spotted owl, the state and federally threatened coho salmon, the federally endangered tidewater goby, and the state endangered bald eagle. State-listed Species of Special Concern on the site include southern torrent salamander, northern red-legged frog, Del Norte salamander, foothill yellow-legged frog, coastal cutthroat trout, osprey, Cooper's hawk, sharp-shinned hawk, Pacific fisher, red tree vole, and the "Fully Protected" ring-tailed cat.

Several sensitive plant species found in the Sunny Brae Forest tract and the immediate area would also benefit from the conservation of the Property. These include running pine, Indian-pipe, small ground cone, and twayblade. Other native species that may occur on the Property include Oregon bensoniella, Thurber's reed grass, leafy reed grass, meadow sedge, California lady slipper, mountain lady slipper orchid, Howell's montia, white-flowered rein orchid, maple-leaved checkerbloom, Siskiyou checkerbloom, coast checkerbloom, and trifoliate laceflower.

The proposed Grant Agreement would prohibit conversion to rural residential uses or any other uses incompatible with the conservation objectives for this site. In addition to habitat benefits, the acquisition would also help reduce greenhouse gas impacts by sequestering greenhouse gas emissions.

The Property will complete a more than four mile community forest greenbelt that will form an urban limit line; maintain a four mile long contiguous forested ridgeline; provide a wildlife corridor and offer the potential to create a trail that could link the two tracts of existing community forest land. The neighboring forest lands provide extensive passive recreational uses including hiking, mountain biking, horseback riding, and nature walks to the 16,000 town residents, as well as the surrounding communities and the greater Humboldt County area.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Forest Conservation Program (Program). Grant proposals for the Program 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 CDFW. The Program seeks to preserve and restore productive managed forest lands, forest reserve areas, redwood forests and other forest types, including the conservation of water resources and natural habitat for native fish and wildlife and plants found on these lands. One of the primary objectives of the Program is the protection and conservation of working forests and productive managed forestlands. Selected projects promote the restoration and/or the maintenance of the ecological integrity and economic stability of the property in the context of the surrounding landscape and regional economy.

MANAGEMENT OBJECTIVES AND NEEDS

The Property will be managed as an expansion to the City's Community Forest. Management objectives include harvesting timber on a sustainable basis, maintaining and enhancing the integrity of the watershed, wildlife, fisheries, plant resources and providing potential future recreation and educational opportunities for the community.

The Arcata Community Forest was dedicated in 1955 as the first municipally owned forest in California. For more than 50 years it has functioned as a recreational, educational, habitat and timber resource for the community and is the first municipally owned working Community Forest in the State. In addition to owning and operating the Arcata Community Forest, the City also owns and manages other forest lands in the region including the Jacoby Creek Forest, with a total of approximately 2,500 acres of forestlands in City stewardship. The experience and dedication of the City in managing its Community Forest resources demonstrates the strength and capability of the City to manage the Property for long-term sustainability and benefit to the local economy and quality of life.

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 of \$180,000.00. The terms and conditions of the proposed WCB grant to the City 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 City 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. Separate from this transaction, the City plans to acquire rights to the Property's timber stock before the close of escrow. After the City acquires the Property, these timber rights will merge into and be a part of the Property and be subject to the terms of the WCB Grant Agreement.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

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

It is estimated that an additional \$10,000.00 will be needed to cover project-related expenses, including DGS appraisal review and closing costs, bringing the total proposed allocation for this project to \$190,000.00.

FUNDING SOURCE

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

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 1525, Class 25, as a transfer of an ownership interest in land to preserve open space and existing natural conditions, including plant or animal habitats.

STAFF RECOMMENDATION

Staff recommends 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(a) for the grant and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

- *7. Sacramento River Riparian Restoration Planning, Rancho Breisgau and Jelly's Ferry Shasta and Tehama Counties \$151,000.00

This proposal is to consider the allocation for a grant to River Partners for a cooperative project with the U.S. Bureau of Land Management (BLM) and the Bella Vista Foundation to develop plans to restore 581± acres of riparian and wetland habitat on two separate BLM-owned properties on the Sacramento River in southern Shasta County and northern Tehama County.

LOCATION AND SURROUNDING USES

The ±306-acre Rancho Breisgau project site and the ±155-acre Jelly's Ferry project site are located within the BLM's ±18,500 acre Sacramento River Bend Area of Critical Environmental Concern, which Congress is considering for possible designation as a National Recreation Area.

Rancho Breisgau is located at the confluence of the Sacramento River and Battle Creek in Shasta County. Battle Creek is the largest Sacramento River tributary north of the Feather River, with a watershed that covers approximately 360 square miles. Its headwaters are in Lassen Volcanic National Park. The property is adjacent to the California Department of Fish and Wildlife's (CDFW) Battle Creek Wildlife Area (BCWA) and directly across the Sacramento River from the CDFW's Mouth of Cottonwood Creek Wildlife Area.

Jelly's Ferry is approximately 6 miles downstream of Rancho Breisgau and approximately 11 miles north of the City of Red Bluff on the left (east) bank of the Sacramento River at River Mile 266. Both properties were intensively farmed in the past, and portions of Rancho Breisgau still contain old walnut orchards that are no longer productive.

PROJECT DESCRIPTION

The BLM acquired these two properties with the express goal of restoring them to native habitats. Restoration on the Sacramento River requires extensive planning and permitting. Phase 1 of the Jelly's Ferry and Rancho Breisgau Habitat Restoration projects will focus on planning only. Once the restoration plan is complete, River Partners and BLM will work in concert to obtain all necessary permits for future habitat restoration activities. These properties, once restored, will provide valuable habitat for willow flycatcher, yellow-billed cuckoo, and several special-status salmonid fish species, and offer the potential for many recreational opportunities for quiet enjoyment of the natural environment.

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 BLM owns and is responsible for the long-term management of the properties. The Rancho Breisgau and Jelly’s Ferry Habitat Restoration Planning project supports the objectives of, and is based on the following “Resource Condition Objectives” in BLM’s Redding Resource Management Plan (BLM 1993):

- Protect existing and improve degraded riparian vegetation
- Enhance wetlands (native and human-made)
- Ensure long term survival of special status species
- Maintain and improve, if feasible, scenic quality
- Provide semi-primitive recreational opportunities

The plan will also identify the long-term management needs after the area is restored.

PROJECT FUNDING

Combined Planning Budgets: Rancho Breisgau & Jelly's Ferry					
Item	Total Cost	WCB	River Partners	BLM	Bella Vista Foundation
Rancho Breisgau:					
Planning	129,500	72,000	-	27,500	30,000
Permitting	18,000	-	-	18,000	-
Administration	9,490	7,000	2,490	-	-
Subtotal - Rancho Breisgau	156,990	79,000	2,490	45,500	30,000
Jelly's Ferry:					
Planning	60,000	60,000	-	-	-
Permitting	18,000	-	-	18,000	-
Administration	8,100	6,000	2,100	-	-
Subtotal - Jelly's Ferry	86,100	66,000	2,100	18,000	-
Combined Budget:					
RHJV Coordination	6,000	6,000	-	-	-
Total	249,090	151,000	4,590	63,500	30,000
Contribution %	100%	61%	2%	25%	12%

The grant will provide funding to River Partners for activities necessary to develop restoration plans for the Rancho Breisgau and Jelly's Ferry areas including analyzing soil profiles to optimize the mixture and location of restored plant species onsite. Following an initial assessment and baseline survey of the site, River Partners will develop detailed restoration plans that include irrigation designs and planting palates for the different ecosystems and soil types identified on the property. Once the restoration plan is complete, River Partners and BLM will work in concert to obtain all necessary permits for future habitat restoration activities.

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 objective 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 15061(b)(3) and Section 15262, Planning and Feasibility Studies). Subject to approval of this proposal by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$151,000.00 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 California Department of Fish and Wildlife to proceed substantially as planned.

- *8. MacKerricher State Park \$15, 000.00
(Sec.6-2008 RLA)
Mendocino County

This proposal is to consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) Recovery Land Acquisition grant and the approval to subgrant these federal funds to the California Department of Parks and Recreation (State Parks), for a cooperative project with the State Coastal Conservancy to acquire fee title to 64.5± acres of land for the protection of sand dune habitat and several federally and state listed threatened or endangered species. The subject property (Property) is located adjacent to the Inglenook Fen-Ten Mile Dunes Natural Preserve, a preserve unit located within MacKerricher State Park in Mendocino County.

LOCATION AND SURROUNDING USES

The Property, also known as the Hunt property, is comprised of a single L-shaped parcel located between the Pacific Ocean and State Highway One, just south of the State Highway One bridge over Ten Mile River, approximately 10 miles north of Fort Bragg. The Property lies adjacent to the Inglenook Fen – Ten Mile Dunes Natural Preserve (Preserve), a preserve unit managed by State Parks and located within MacKerricher State Park.

Surrounding land uses are mostly open space, rural agricultural properties, with working forest lands located in the higher elevations of the coastal range to the east of the Property. This area along the coast consists mainly of rolling hills with coastal prairie habitat areas, coastal estuaries and wetlands, riparian corridors leading to the ocean from the coastal range, sand dunes and small stands of conifer forests. Going east of State Highway One, the topography becomes steeper and the habitat transitions more into an area predominated by larger stands of mixed conifer forests.

PROJECT DESCRIPTION

The Property is presently unimproved, vacant land that the owners have historically used primarily for recreation purposes. Access to the Property is developed from State Highway One over an old private road way that leads into the Property. The Property has hillsides that are moderately level to undulating and has excellent westerly facing views that overlook the MacKerricher State Park sand dunes and the Pacific Ocean coastline. The Property contains relatively pristine coastal dune, coastal prairie, and wetland habitats located next to the northern end of the Preserve.

The Inglewood Fen-Ten Mile Dunes ecosystem, which includes the Property, represents a natural heritage treasure of statewide significance. The proposed acquisition will provide benefits to coastal dunes and wetland ecosystems by enlarging its contiguous area and bringing what is effectively a private land in-holding under the stewardship of State Parks. Furthermore, the Property serves as an important buffer that will help to maintain the integrity of the existing Preserve and reduce ongoing threats from development and potential destructive effects of off-road vehicles and trespassing that have been noted by State Parks staff to occur in the area. The project is one of State Parks' highest priorities in terms of new land acquisitions.

The acquisition will also help enhance the recovery of three listed species: the federally threatened western snowy plover (a California species of special concern) and the federally and California listed as endangered Howell's spineflower and Menzies' wallflower. The distribution of Howell's spineflower, for example, is limited primarily to area in and around the MacKerricher State Park. In addition, there are several other rare plants associated with coastal dune habitat found on the Property, along with a number of bird species that utilize the coastal prairie areas that will benefit from this acquisition.

WCB PROGRAM

The proposed acquisition is being considered under the Wildlife Conservation Board's (WCB) Land Acquisition Program (Program). The Program is administered pursuant to the Board's original enabling legislation, "The Wildlife Conservation Law of 1947" (Fish and Game Code Section 1300, et seq.) authorizing the WCB to acquire real property or rights in real property on behalf of the California Department of Fish and Wildlife (CDFW), grant funds to other governmental entities or nonprofit organizations to acquire real property or rights in real property and accept federal grant funds to facilitate acquisitions or subgrant these federal funds to assist with acquisitions of properties. The USFWS grant proposed for acceptance for this project has been reviewed and approved by CDFW as a participant in the USFWS Recovery Land Acquisition grant selection and review process.

MANAGEMENT OBJECTIVES AND NEEDS

If acquired, the Property would be added to the Preserve, and managed and operated by State Parks according to the Preserve's Management Plan. Management activities would include regular on-going monitoring by State Parks staff to ensure that the conservation values of the Property are properly protected. State Parks would enforce and prevent unauthorized access to the Property and develop plans to determine potential future recreational activities suitable for the Property. All operational activities will be handled within their current operations budget for the Preserve.

TERMS

The Property has been appraised as having a fair market value of \$625,000.00. 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 \$525,000.00, less than the approved value. The USFWS grant requires a non-federal match that will be provided by the State Coastal Conservancy and State Parks. The terms and conditions of the proposed WCB subgrant of USFWS grant funds provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. Following Board's approval, this project will need to be considered for approval by the State Public Works Board (PWB), with the DGS reviewing and recommending approval of the project as staff to the PWB. The State Coastal Conservancy has already reviewed and approved funding for this project at its December 2012 Board meeting.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

USFWS Section 6 subgrant	\$393,750.00
State Coastal Conservancy (Non-Federal Match)	65,625.00
California Department of Parks & Recreation (Non-Federal Match)	65,625.00
TOTAL Purchase Price	<u>\$525,000.00</u>
Other Project-Related Costs	\$ 15,000.00
TOTAL WCB ALLOCATION	\$ 15,000.00

It is estimated that an additional \$15,000.00 will be needed to cover project-related administrative costs, including environmental site assessment, appraisal and DGS appraisal review. Under the USFWS grant, the WCB can seek reimbursement for these costs from USFWS.

FUNDING SOURCE

The proposed funding source for this project is California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a), which allows for the acquisition, development, rehabilitation, restoration and protection of habitat to promote the recovery of threatened and endangered species, to provide corridors linking

habitat areas to prevent habitat fragmentation, and to protect significant natural landscapes and ecosystems and other significant habitat areas.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The acquisition has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and 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 recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$15,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a) to cover internal project-related expenses for the acquisition; accept the USFWS Habitat Recovery Land Acquisition grant in the amount of \$393,750.00 and authorize the subgrant of these funds to California Department of Parks and Recreation; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff to proceed substantially as planned.

- *9. Daugherty Hill Wildlife Area, Howard Hill Unit, \$10,000.00
Easement Exchange
Yuba County

This proposal is to consider the exchange of easements between the California Department of Fish and Wildlife (CDFW) and two separate property owners to provide improved access and use for two adjoining landowners and improved access to CDFW's Daugherty Hills Wildlife Area (Howard Hill Unit). The easement received by CDFW will allow a less steep and safer access from a public road onto the Howard Hill Unit.

LOCATION

The two private properties are located in the Sierra Foothills, in northeastern Yuba County, specifically at the end of McGough Court, off of Scoff Forbes Road and Highway 20 near the community of Loma Rica. The Howard Hill Unit (Property) is approximately 2 miles east of the University of California Foothill Research and Extension Center and within the CDFW Daugherty Hill Wildlife Area.

The area where the Property is located provides excellent and essential deer winter range habitat, which over the last decade has been rapidly subdivided and developed. The Property is located along the migratory corridor for the Mooretown deer herd, comprising a portion of the lower elevation wintering grounds, providing important foraging habitat for the deer herd. CDFW has recognized the need to protect this area through development of CDFW Daugherty Hill Conceptual Area Protection Plan (CAPP). The Howard Hill Unit was previously acquired as a priority acquisition because of the Property's habitat values and location within the migration corridor for the wintering Mooretown deer herd.

PROJECT DESCRIPTION

Shortly after the acquisition of the Howard Hill Unit by CDFW, two private homes were built on adjoining lots at the end of McGough Court. During the course of construction, the shared driveway and joint utilities were inadvertently installed partially on CDFW property. It was near this time that the existing access point from McGough Court to the Howard Hill Unit was found to be too steep to provide a safe ingress and egress point, causing considerable damage to the terrain in the process. An alternate access to the Howard Hill Unit was needed, and the only viable entry point was to cross both private property parcels in a diagonal manner. In the interim, the private property owners have allowed CDFW staff to use an existing dirt roadway across their properties to access the Howard Hill Unit; however, CDFW does not have a formal easement at this time. A logical resolution to both concerns was to exchange like easements between the private landowners (Birch and Forde) and CDFW. Under the proposed exchange, Birch and Forde will each receive individual easements from CDFW for their existing

utilities and driveway. CDFW will receive an easement from Birch and another from Forde, for roadway access to the Howard Hill Unit. The easements were all appraised as having nominal value. Since this transaction must occur on a voluntary and cooperative basis, and CDFW has an urgent need for improved, safer access, all parties agree that the mutual benefit of the exchange is satisfactory, and no monetary compensation between the parties is necessary or being provided.

WCB PROGRAM

The proposed exchange is considered under the Wildlife Conservation Board's (WCB) Land Acquisition Program with the support and recommendation from CDFW. 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 same authorization, the Board may also authorize the transfer or exchange of property, including easements across CDFW lands.

MANAGEMENT OBJECTIVES AND NEEDS

The access easement received by CDFW will improve and reduce the cost to operate and maintain the current access to the Howard Hill Unit. The easement areas provided by CDFW are next to McGough Court, in an unfenced area, and will not impact the utility and maintenance of the Howard Hill Unit.

TERMS

The individual easements have each been appraised as having a nominal fair market value of less than \$1,000 each. The appraisals have been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The private property owners have agreed to exchange the easements for no monetary consideration. WCB staff will review and approve all title documents, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to acceptance and transfer of the proposed easements.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$	0.00
TOTAL Easement Price	\$	0.00

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 title reports, escrow fees and closing costs, bringing the total proposed allocation for this project to \$10,000.00.

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(a), which allows for the acquisition of habitat, including native oak woodlands, to protect deer and mountain lions.

ENVIRONMENTAL COMPLIANCE AND-STATE RECOMMENDATION

This project is the grant of easements for utilities already in place and roadway use that is already occurring. These grants of easement will not lead to any new or additional use but instead provide each party with a legal right to continue its existing use. Because this project will not lead to any new or additional uses, it is exempt from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (California Code of Regulations, Title 14, Chapter 3 (“CEQA Guidelines”), Section 15061(b)(3).) The project is also categorically exempt from CEQA under CEQA Guidelines Section 15301, Class 1, Existing Facilities, as the operation of existing public or private structures and topographical features, including streets and similar facilities. Subject to the approval of this proposal by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve the project as proposed; allocate \$10,000.00 from the Habitat Conservation Fund, (Proposition 117), Fish and Game Code Section 2786(a) for the acquisition and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

- *10. Marysville Ranch Conservation Easement \$265,000.00
Yuba County

This proposal is to consider the acquisition of a conservation easement over 1,277± acres of land by the California Department of Fish and Wildlife (CDFW) for a cooperative project with the U.S. Department of Defense (DOD), the California Department of Transportation, and the Trust for Public Land for the protection of oak woodland and grassland habitats, habitat linkages, and open space buffers between CDFW's Spenceville Wildlife Area (SWA) and Beale Air Force Base (BAFB) in Yuba County.

LOCATION AND SURROUNDING USES

The subject property (Property) is located approximately 15 miles east of Yuba City and approximately 5 miles southwest of Smartsville, in Yuba County and is situated in an L-shaped in-holding of unprotected lands. Surrounding the Property are the SWA located to the east, BAFB on its south and west, and the Yuba Highlands conservation easements, recently approved by the Wildlife Conservation Board (WCB) in two phases--on February 24, 2011 and August 23, 2012, to the north.

The Property is also located within the CDFW's Lower Yuba Watershed Conceptual Area Protection Plan (CAPP) area and identified as a priority site for protection. The CAPP and surrounding areas are located in the first series of rolling foothills rising up from the east side of the Sacramento Valley, comprised mainly of grasslands and oak savanna woodlands interspersed with riparian corridors habitat areas. One of the main goals of the CAPP is to protect open space, oak woodland areas and habitat linkages between the valley floor and foothills areas in the Lower Yuba River Watershed. Most of the surrounding uses include agricultural livestock grazing, rural residential development, and public open space.

In addition to habitat values, another compelling reason for encumbering the Property is its strategic location within a ring of protected lands and the threat from development. Somewhat of a more extreme example of this development threat is the planned community development of over 14,000 residential units, located on the State Highway 65 corridor just north of the Property. Prior to the recent decline in the real estate market, there were several other major residential developments planned for this foothill region of Yuba County. These development proposals demonstrate the potential high demand for more intensive development of these rolling foothill properties as the real estate market in the State begins to rebound.

PROJECT DESCRIPTION

The Property is unimproved, rural agricultural-zoned land and consists of rolling foothills, grasslands, oak woodlands, and a small riparian area. The 1,277 acres of the Property, combined with the 2,453 acres of the Yuba Highland conservation easements, will create a 3,730-acre block of conservation easements and buffer lands, managed by CDFW linking and protecting an expanse of land located between the SWA and BAFB. The proposed conservation easement will ensure that the wildlife linkages between SWA and BAFB are protected in perpetuity. Resident wildlife includes migratory and resident deer, raccoon, skunk, bobcat, woodpeckers and several raptor species, including prairie falcons, the red-tailed hawk and red-shouldered hawk.

The conservation easement will also protect the long-term sustainability of livestock grazing on the Property and prevent the conversion from open space agricultural grazing lands to nonagricultural uses. For BAFB, the open space qualities of the Property will enhance buffer lands around the base that help avoid disturbance and conflicts associated with more intensive developed lands that may occur around defense facilities.

WCB PROGRAM

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

MANAGEMENT OBJECTIVES AND NEEDS

According to the terms of the conservation easement, CDFW will take the primary role in monitoring and enforcing the terms of the conservation easement; however, the DOD shall at all times retain equal rights to monitor and enforce the terms of the easement. CDFW has determined that existing staff resources will be sufficient to monitor the conservation easement, which will be conducted in conjunction with activities at SWA. Since the conservation easement is on private land, public access will not be allowed absent landowner approval. Livestock grazing practices will be permitted to continue in perpetuity. The

conservation easement will also serve in providing a defense buffer for the Beale Air Force Base.

TERMS

The conservation easement has been appraised as having a fair market value of \$2,040,000.00. The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The Property owner has agreed to sell the conservation easement for \$1,620,000.00, less than the appraised value. TPL holds a purchase option agreement with the landowner to purchase the conservation easement. The conservation easement deed includes a provision for the assignment of TPL's interest in the conservation easement to the DOD. The assignment of TPL's interest to DOD would occur during the escrow process. Consequently, ownership interest in the conservation easement would be jointly held by both CDFW and DOD, similar to the ownership and management structure currently in place for the aforementioned Yuba Highlands conservation easements. WCB staff 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. This project is also subject to transaction review and approval by the DGS prior to disbursement.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$ 250,000.00
DOD	1,020,000.00
Caltrans EEMP	350,000.00
TOTAL Purchase Price	\$1,620,000.00
Other Project-Related Costs	\$15,000.00
TOTAL WCB ALLOCATION	\$ 265,000.00

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

FUNDING SOURCE

The proposed funding source is the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) that allows for the acquisition and protection of native oak woodland habitat necessary to protect deer and mountain lion, which is consistent with this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space 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 recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$265,000.00 from the from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a) to cover the acquisition and pay internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

- *11. Lower Redwood Creek Restoration, Phase II \$450,000.00
Marin County

This proposal is to consider the allocation for a grant to the Golden Gate National Recreation Area of the National Park Service (NPS) for a cooperative project with the Golden Gate National Parks Conservancy (Parks Conservancy) and the California Department of Parks and Recreation (DPR) to restore natural estuary function of Lower Redwood Creek estuary just upstream of Muir Beach in Marin County.

LOCATION AND SURROUNDING USES

This project is the fourth phase of the five-phase ±46-acre Redwood Creek Restoration Project at Muir Beach in southern Marin County. The project area extends along the last half-mile of the creek as it transitions from an inland stream to the coastal interface, just west of Highway 1. Part of the UNESCO Golden Gate Biosphere Reserve, Redwood Creek flows from Mt. Tamalpais, through the old-growth redwood forest of Muir Woods National Monument, and out to the ocean at Muir Beach. Throughout that zone, a range of habitats occur, including riparian, emergent wetland, seasonal wetland, open water, intermittent tidal lagoon and dunes. The watershed is 95% public land that includes federal, State, and county property. NPS owns most of the site, which extends from a levee road to the ocean and includes a riparian parcel upstream of the county-owned road known as Pacific Way. The San Francisco Zen Center owns a small portion of the site, over which NPS has obtained a conservation easement to protect this area in perpetuity.

PROJECT DESCRIPTION

In 2009, NPS, working with its partner, the Parks Conservancy, began to implement large-scale actions to restore natural estuary and creek wetland and riparian habitats, re-connect floodplains, provide functional winter habitat for coho salmon, and re-establish the intricate network of habitat types at the site. Phase 1 actions were completed in 2009; Phase 2 in 2010, and Phase 3 in 2012. The Wildlife Conservation Board (WCB) provided substantial support for the Phase 3 actions. Two additional phases of work remain to be completed.

The current proposal is for Phase 4 of the project, which consists primarily of removing the visitor parking lot from the floodplain and restoring a natural wetland in the footprint of the former parking lot. In order for NPS to maintain existing visitor access, the parking lot will be relocated out of the center of the estuary and parallel to the main road, Pacific Way. To provide access to the beach, a second 225-linear foot (LF) span of a new pedestrian bridge/boardwalk will be constructed from the new parking lot over the new wetland and will connect with the first 225-LF span of the pedestrian bridge/boardwalk that was built in 2011. These actions meet one of the primary goals of the project, which

is to accommodate visitors in a manner that fully allows natural ecological processes to occur.

The current visitor parking lot extends most of the way across the heart of the estuary. By removing this lot, the floodplain width will expand to a total of 400 feet from its current 50-foot total width. All of the fill in the parking lot, even that below the natural floodplain elevation, will be removed. After all the fill is removed, the new floodplain will be regraded, adding fill from appropriate native soils (stockpiled from previous phases) to rebuild the natural floodplain elevation.

The floodplain will be graded with broad swales which are connected to the expanded tidal lagoon constructed in a previous phase. The connection to the tidal lagoon will allow the new swales to function as backwaters, providing critical rearing habitat for coho salmon and other fish. The swales will direct flows into the expanded tidal lagoon and help provide a mechanism to scour out sediment.

The new parking lot will be built at the same time the old one is removed to minimize loss of visitor access. The new parking lot will have 165 parking spaces, a picnic area with about 10 tables, and new vault toilets. The parking lot will also have a new entrance that allows visitors to access the new lot without having to drive in front of private homes.

A 225-LF span of a new pedestrian bridge/boardwalk will be constructed and connected to the first 225-LF bridge span built in 2011, for a total of 450-LF bridge/boardwalk over the new floodplain. Small pull-outs will be built within the new span to provide viewing and resting areas for visitors.

WCB PROGRAM

The proposed project will be funded through the Habitat Enhancement and Restoration Program and meets one of the program's goals by providing for restoration of wetlands that fall outside the jurisdiction of the Inland Wetland Conservation Program.

MANAGEMENT OBJECTIVES AND NEEDS

NPS will conduct long-term management of the site according to project and monitoring plans, management strategies, and guidelines identified in the Final EIS/EIR for this project. The site will be managed following the 2006 NPS Management Policies, which include specific measures for land protection, biological and water resource management, stewardship and education, and visitor use of the Golden Gate National Recreation Area. Proposed actions are consistent with the *Redwood Creek Watershed Vision for the Future*, which was prepared by watershed stakeholders in a yearlong process to identify guiding principles and desired future conditions in the watershed.

The project has been designed to restore natural, self-sustaining ecosystem function to the mouth of Redwood Creek; as such, no additional costs to maintain hydrologic benefits are anticipated. In fact, the restoration will eliminate the current costs related to periodic flood reduction actions, such as dredging. While removal of non-native vegetation is incorporated into site restoration over a four-year period, future removal and sustained control of non-native plants (harding grass and cape ivy in particular) are likely to represent the only long-term cost to maintain ecosystem function. NPS and the Parks Conservancy are dedicated to invasive species eradication at the site and have developed a plan for the long-term management and maintenance as a part of the watershed-based stewardship program. NPS is also dedicated to managing and conducting necessary maintenance of this site to meet its mission to protect resources for the enjoyment of future generations.

If at any time during the life of the project the NPS is unable to manage and maintain the project improvements, the Grant Agreement requires it to refund to the State of California an amortized amount of funds based on the number of years left in the project life.

The project is consistent with the California Department of Fish and Wildlife’s (CDFW) Recovery Strategy for California Coho Salmon, 2004, and the National Marine Fisheries Service’s Public Draft Recovery Plan for the Central California Coast Coho Salmon (*Oncorhynchus kisutch*) Evolutionarily Significant Unit. It is also supported by the San Francisco Bay Joint Venture.

PROJECT FUNDING

The following table shows the partnership funding breakdown:

Task	Funding Sources						TOTALS
	Cosco Busan	Funds To Be Raised	NPS Rec Fee	Parks Conservancy	DPR	WCB	
Wetland Restoration	\$423,327	\$102,500	\$92,281	\$0	\$180,000	\$344,065	\$1,142,173
Parking Lot and Infrastructure	\$806,356	\$0	\$0	\$0	\$0	\$4,500	\$810,856
Project Management	\$313,097	\$30,385	\$79,320	\$7,500	\$0	\$101,435	\$531,737
Contingency	\$248,716	\$0	\$0	\$0	\$0	\$0	\$248,716
Bridge Construction	\$208,504	\$461,944	\$138,000	\$120,000	\$0	\$0	\$928,448
TOTALS	\$2,000,000	\$594,829	\$309,601	\$127,500	\$180,000	\$450,000	\$3,661,930

Project costs will be for parking lot relocation, pedestrian bridge construction, restroom construction/installation, native plant propagation, fencing, winterization, and project management. Funding from the Cosco Busan Settlement Agreement, the NPS, the Parks Conservancy and DPR has been confirmed. The Parks Conservancy and the NPS are currently working to raise the needed funds to complete the project. Should those efforts fall short, the NPS will augment any shortfall through their operating budget to assure that the project is completed as designed and visitor services are restored.

FUNDING SOURCE

The proposed funding source for this project is the Habitat Conservation Fund (Proposition 117), Section 2786(d)(Proposition 1E), Wetlands Outside the Central Valley. This funding allows for the acquisition, enhancement or restoration of wetlands to protect or enhance a flood protection corridor or bypass outside the Central Valley, and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The CDFW has reviewed this proposal and recommends it for funding by the WCB. All permits have been obtained for this project. The National Park Service and the County of Marin, as lead agencies under National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA), have certified a Final EIS/EIR for the project pursuant to the provisions of NEPA and CEQA. Staff has considered the Final EIS/EIR and has prepared proposed, written findings documenting WCB's compliance with CEQA. Subject to approval by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$450,000.00 from the Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d)(Proposition 1E), Wetlands Outside the Central Valley; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

12. Little Chico Creek Oak Woodland Conservation Easement, \$555,000.00
and Expansions 1 and 2 (Mott, Smith and Brigham)
Butte County

This proposal is to consider the allocation for grant funding to the Northern California Regional Land Trust (NCRLT) to acquire conservation easements over three separate properties totaling 363± acres of land in Butte County to protect and preserve oak woodland habitat, as well as to provide watershed protection benefits. The protection of these properties will expand on 176± acres of adjacent protected land owned by the California Department of Fish and Wildlife (CDFW), known as the Little Chico Creek property, and enhance habitat connectivity for numerous species.

LOCATION AND SURROUNDING USES

The three properties (Properties) are located off of Highway 32 on 10 Mile House Trail, approximately seven miles northeast of the City of Chico in Butte County. The Little Chico Creek Watershed is located in northwestern Butte County, trending generally northeast to southwest. The watershed spans two distinct geomorphic provinces: the Cascade Range Province and the Great Valley Province. Elevations range from approximately 115 feet near the Sacramento River to slightly over 3,510 feet in the lower Cascade Range. The topography of the watershed is diverse, including the relatively flat valley floor, the low angle slope of the creek's alluvial fan, lower canyons, and steep-sloped headwaters. The adjoining landscape terrain is moderately sloped with northern and southern aspects on either side of Little Chico Creek.

Together the Properties and the contiguous CDFW-owned property will permanently protect approximately 539 acres (363± acre Properties and 176± acres of CDFW-owned land), including approximately one (1) river mile of riparian habitat along Little Chico Creek, and will be known as the Little Chico Creek Linkage Project. These riverine and riparian corridors are optimal migration corridors for plants and wildlife, providing essential habitat connectivity, and greatly contribute toward ease of wildlife movement across ownerships throughout the Little Chico Creek watershed. The Properties are also within 1.5 miles of the Big Chico Creek Ecological Reserve, a 3,950-acre acquisition funded by the Wildlife Conservation Board (WCB) in 2001. Adjacent to the Big Chico Creek Ecological Reserve are the Musty Buck Ridge properties, a combination of fee land and conservation easements also funded by the WCB, totaling approximately 10,000 acres of protected lands.

A major threat to the survival of many plant and animal species in this region of the Sierra foothills is the destruction, fragmentation and degradation of habitats through development encroachment leading up from the Sacramento Valley. The conservation of landscape connectivity, where animals, plants, and ecological processes can move freely from one habitat to another is an important

objective of environmental protection plans. Furthermore, protecting corridors and linkages that allow species to move between habitats of varying elevations can help species better adapt to potential impacts from climate change. For migratory species that spend their summers at higher elevations, such as the Tehama deer herd (once the largest migratory deer herd in California), the project offers exceptional connectivity to large, contiguous oak woodlands at lower elevations, providing essential wintertime forage areas for deer and other species.

PROJECT DESCRIPTION

The Properties consist of three separate ownerships totaling 363± acres.

Brigham Property

The first ownership (Brigham) consists of two parcels totaling 239± acres. The parcels are moderately sloped with northern and southern aspects on either side of Little Chico Creek. Onsite improvements includes 7 structures; two (2) residential dwellings (the old house and cottage); three (3) one-bedroom cabins; one (1) barn; and one (1) outbuilding (the “stone house”); and a developed spring and domestic water conveyance system.

Expansion 1 (Mott)

The Expansion 1 ownership (Mott) consists of two parcels totaling 83± acres. The parcels are rolling to steep terrain with acreage on both sides of Little Chico Creek. Onsite improvements include one (1) residential dwelling (three years old and in good condition), one (1) barn, and several sheds and garden structures, as well as an in-ground pool.

Expansion 2 (Smith)

The Expansion 2 ownership (Smith) consists of one parcel totaling 41± acres. The property is rolling to steep terrain with acreage on the westerly ridge of Little Chico Creek Canyon. Onsite improvements include one (1) residential dwelling in good condition; one (1) 900-square foot music studio and extensive landscaping around the residence.

Under the terms of the proposed conservation easements, existing improvements can remain and be maintained and repaired.

The Properties support oak woodland habitat, primarily blue oak, and interspersed smaller numbers of valley oak, black oak, interior live oak, canyon live oak and scrub oak. Other habitats also found on the Properties to a lesser degree include annual grassland, mixed chaparral, spring-fed wetlands, and approximately one-river mile of riverine and valley-foothill riparian habitat along Little Chico Creek.

Habitats onsite support over 300 common wildlife species, including western scrub jay, red-shouldered hawk, acorn woodpecker, Nuttall's woodpecker, downy woodpecker, hairy woodpecker, black phoebe, house sparrow, barn owl, great horned owl, western screech owl, local rainbow trout, mallard, wood duck, western rattlesnake, gopher snake, western fence lizard, northern alligator lizard, ground squirrel, gray squirrel, mountain lion, bobcat, striped skunk, gray fox, and coyote. Rare and sensitive species known to occur onsite or with the potential of occurring onsite include American peregrine falcon, northwestern pond turtle, Butte County checkerbloom, California beaked-rush, Mildred's clarkia, foothill yellow-legged frog, alkali milk-vetch, Butte County morning glory, white-stemmed clarkia, and the migratory Tehama deer herd.

WCB PROGRAM

The proposed grant for this project is being considered under the WCB's Oak Woodlands Conservation Program (Program). Grant proposals are evaluated and selected for funding by WCB staff based on established criteria, and must be located within a county that has adopted an Oak Woodlands countywide management plan. The Program is designed to assist local efforts to achieve oak woodland protection.

The Butte County Board of Supervisors adopted a countywide oak woodlands management plan in 2006. These projects represent the first conservation easements funded by WCB under its Oak Woodlands Program in the Butte County.

MANAGEMENT OBJECTIVES AND NEEDS

The conservation easements will be owned and managed by the NCRLT, which holds other similar conservation easements in the vicinity. Baseline conditions reports will be required of the grantee along with annual monitoring to assure conformance with the terms of the conservation easements. A stewardship endowment in the amount of \$94,775.00 will be secured by the NCRLT prior to escrow closing. As with most oak woodland conservation easements, these easements do not convey a general right of access to the public.

TERMS

The conservation easements have been appraised as having a fair market value of \$540,000.00. Specifically, the Brigham conservation easement has an appraised value of \$310,000.00; the Mott conservation easement has an appraised value of \$180,000.00; and the Smith conservation easement has an appraised value of \$50,000.00. The appraisals have been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The property owners have each agreed to sell the conservation easement over their property for its approved appraised fair market value. The terms and conditions of the proposed WCB grant to NCRLT provide that staff of the WCB must review and approve all title documents, preliminary title reports, documents

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

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$540,000.00
TOTAL Purchase Price	\$540,000.00
Other Project-Related Costs	\$ 15,000.00
TOTAL WCB ALLOCATION	\$555,000.00

It is estimated that an additional \$15,000.00 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 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 75055(d)(2), that allows for the preservation of native oak woodland habitat pursuant to the Oak Woodlands Conservation Act (Fish and Game Code Section 1360, *et seq.*).

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of lands for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of ownership interests 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 reviewed under the WCB's Oak Woodlands Protection and has been recommended for approval.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$555,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), Public Resources Code Section 75055(d)(2) 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 California Department of Fish and Wildlife to proceed substantially as planned.

13. San Joaquin River Parkway, \$704,450.00
Riverbottom Park and Schneider Property Habitat Restoration
Madera and Fresno Counties

This proposal is to consider the allocation for a grant to River Partners for a cooperative project with the San Joaquin River Conservancy (Conservancy/SJRC) and the City of Fresno (City) to restore 147± acres of riparian habitat on the City's Riverbottom Park property in Fresno County and the Conservancy's Schneider property in Madera County. Both properties lie within the floodplain of the San Joaquin River in the vicinity of the Burlington Northern Santa Fe railroad crossing.

LOCATION AND SURROUNDING USES

The San Joaquin River Parkway (Parkway) is defined by State law as approximately 5,900 acres on both sides of a twenty-two mile long reach of the San Joaquin River between Friant Dam in the east and State Route 99 to the west, in Fresno and Madera counties. The Conservancy 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 local communities. The Conservancy's mission includes providing public access and restoring habitat within the Parkway.

River Partners developed the following proposal to enhance and restore riparian, wetland, and woodland habitat on 147 acres within the Conservancy's Schneider property and the City's Riverbottom Park property, both of which lie within the floodplain of the San Joaquin River in the vicinity of the Burlington Northern Santa Fe railroad crossing. The Schneider property is in Madera County. The Riverbottom Park property is directly across the river in Fresno County and within the city limits of Fresno.

The project area is situated within the Pacific Flyway, which extends the length of North and South America west of the Rocky Mountains and Andes Mountains. It is used by millions of waterfowl, shorebirds, and songbirds for migration to and from wintering and breeding grounds. In particular, this project will increase the amount of migration stopover habitat available to Neotropical migrant songbirds. It will also provide critical breeding, roosting, and foraging habitat for nesting songbirds, woodpeckers, raptors, and waterbirds.

PROJECT DESCRIPTION

The proposed project will establish diverse types of habitat. To accomplish this task, River Partners will complete a site assessment including thorough investigation of soils, existing plant communities, depth to water table, flood and fire regimes, and known wildlife occurrences near the project area to support the development of an ecologically-based habitat restoration plan. The Restoration Plan will describe target wildlife species and their habitat needs, as well as a

detailed plan for site preparation, planting, maintenance and performance standards and monitoring protocols for the habitat restoration project suitable to support any permitting needs for the project. River Partners will host meetings with stakeholders at the project site to elicit detailed comments on the Restoration Plan. If necessary, a hydraulic analysis will be completed by a registered engineer to ensure the Restoration Plan will not significantly increase water surface elevations within the designated floodway.

Details of site preparation and planting will be determined through the development of the Restoration Plan. In general, however, River Partners, through several site visits, identified the project construction items. Weed and debris clearing will be required across the site, and standing Eucalyptus trees within the project area will be targeted for replacement through a phased removal and replanting approach. Select trees (those identified by a certified arborist as posing minimal hazard) may be girdled and left standing to enhance habitat for snag-nesting birds.

A drip irrigation system will be designed and installed by a hired irrigation contractor. It is anticipated that the site will require irrigation for a period of three years. At the end of three years, the planted trees and shrubs should have large-enough root systems to exploit existing groundwater resources and the above-ground portions of the drip irrigation system will be removed from the site.

River Partners will collect and process native seed and vegetation from existing stands on the properties or nearby lands on which access is granted. River Partners will contract to grow native trees, shrubs and herbs for the restoration project at a native plant nursery. Plants will be installed per the Restoration Plan with plant protectors and sawdust mulch to facilitate weed control and favorable moisture conditions around the plantings. River Partners will plan to perform one replanting event after the first growing season to replace any trees or shrubs that did not survive the first growing season. After the second growing season, River Partners will seed perennial herbaceous species such as mugwort, Great Valley gumplant, and stinging nettle across the site.

The restoration area will be maintained by River Partners for three years following planting. Maintenance will include regular visits to the site to operate and repair the irrigation systems, remove trash and debris, and treat problematic weeds as necessary. Annually, River Partners biology staff will prepare an "End of Season" report which summarizes the results of annual monitoring and documents site performance. Following the fourth growing season, a "Final Project Report" will be prepared and submitted to the Wildlife Conservation Board (WCB), the Conservancy, and interested stakeholders.

WCB PROGRAM

The proposed project is consistent with 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. In addition, funds were allocated to the WCB in 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 San Joaquin River Conservancy and is consistent with the objectives of this project.

MANAGEMENT OBJECTIVES AND NEEDS

Developing the Riverbottom Park and Schneider property for potential future public access and recreation is among the Conservancy's highest priorities. Habitat restoration will contribute to the values of the site for wildlife and for potential future public use, and is consistent with the goals and objectives of the San Joaquin River Parkway Master Plan and the statutory mission of the Conservancy. The project will identify the most cost effective plan for the long-term management of the property; but in any case, the management of the property will be less problematic than is currently experienced due to the fact that mature native riparian habitats are self-sustaining and more resistant to wild fire than the existing invasive weeds. The Grant Agreement requires that River Partners, as the grantee, maintain the improvements for twenty-five years. If at any time during the life of the project the grantee does not manage and maintain the project improvements, the Grant Agreement requires River Partners 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:

Project Task	Total Cost Per Task	WCB Funding Request	River Partners Funding
Planning	\$29,643	\$29,643	
Monitoring	\$69,568	\$69,568	
Management	\$35,433	\$35,433	
Habitat Restoration Activities	\$446,287	\$446,287	
Administration	\$73,296	\$58,093	\$15,203
Contingency	\$65,426	\$65,426	
TOTAL	\$719,653	\$704,450	\$15,203

Project costs will be for planning, management, site preparation, installation of irrigation, planting, maintenance, monitoring and administration.

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 San Joaquin River Conservancy, and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The proposed project is included among the high priority projects recommended by the Interagency Project Development Committee, which includes representatives of the California Department of Fish and Wildlife, and whose role is to evaluate projects to be considered by the SJRC Board. The SJRC reviewed and approved the project and recommended funding during its public meeting of October 12, 2012. 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, Minor Alterations to Land. Subject to approval of this proposal by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$704,450.00 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 California Department of Fish and Wildlife to proceed substantially as planned.

14. San Joaquin River Parkway, \$1,403,000.00
Lost Lake Park Campground Improvements
Fresno County

This proposal is to consider the allocation for a grant to Fresno County (County) for a cooperative project with the San Joaquin River Conservancy (Conservancy) to improve recreational vehicle and tent camping facilities at Lost Lake Park campground, located one half mile southwest of the unincorporated community of Friant, approximately 6.5 miles east of the City of Fresno.

LOCATION AND SURROUNDING USES

The San Joaquin River Parkway (Parkway) is defined by State law as approximately 5,900 acres on both sides of a twenty-two mile long reach of the San Joaquin River between Friant Dam in the east and State Route 99 to the west, in Fresno and Madera counties. The Conservancy 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 Conservancy's mission includes both public access and habitat restoration within the Parkway.

The County's Lost Lake Park is one of the largest and most heavily visited parks in the Parkway. The park has been open since the 1950's, and its upgrade has been among the Conservancy's and its partners' highest priorities in the earliest Parkway master plans.

Lost Lake Park, the upstream hub of the San Joaquin River Parkway, consists of ±190 acres owned by the County and 76± acres leased from the California Department of Fish and Wildlife (CDFW). The campground comprises approximately five acres and is located in the northern portion of the park, adjacent to CDFW's San Joaquin Fish Hatchery (Fish Hatchery). The park has river access for fishing and non-motorized boating, picnic tables and shade structures, minimal playing fields, and a nature trail. The park is located on Friant Road, an expressway leading from Fresno to Millerton Lake State Recreation Area and other Sierra Nevada recreational areas. The park site was the source of gravel for construction of Friant Dam in the 1940's, and became a public park thereafter.

PROJECT DESCRIPTION

The campground has a restroom, utilities (security lighting, septic system, and water), access road, barbeques, and a circular drive, essentially all of which are in very poor, nearly unusable condition. Due to Lost Lake Park's strategic location and important recreational use, in 2002 the Wildlife Conservation Board (WCB) granted funds to the County to replace restrooms and in 2007 to develop a long range Master Plan. The WCB has also funded visitor improvements on

the neighboring Fish Hatchery, including a trail that will lead to and connect with Lost Lake Park at the campground.

The project includes performing design engineering, preparing plans and specifications, and bidding and entering into construction contracts for the following proposed improvements:

- Removing the narrow dirt median islands on the river side of the camping area to improve the vehicle flow and vehicle accessibility through Lost Lake Park campground;
- Repairing the remaining asphalt road within the campground and the parking lot area of the adjacent restroom;
- Improving the existing RV area by redesigning the layout and, as needed, adding additional decomposed granite to the existing decomposed granite and moving locations of existing water spigots to each new RV site;
- Rehabilitating or replacing the existing RV area picnic shelter;
- Replacing picnic tables and fire pit/barbeques at each campsite;
- Replacing picnic tables and fire pit/barbeques, as needed, within the RV area;
- Redesigning campsites #19 and #20 to make them Americans with Disabilities Act (ADA) accessible;
- Demolishing and replacing the restroom adjacent to the campground with an ADA accessible restroom (this restroom was not among the restrooms replaced previously using WCB funds);
- Purchasing and installing a new picnic shelter over the existing concrete slab in the group picnic area and running utilities from the restroom adjacent to the campground to the group picnic area;
- Replacing picnic tables and appropriate size barbeques in the group picnic area;
- Purchasing and installing new boulders (or bollards) on perimeter of parking lot by restroom adjacent to campground;
- Purchasing and installing approximately 800' to 900' of chain link fence along Belcher Avenue to prevent illicit entry into the campground area and mitigate illegal dumping;
- Establishing ADA-placard parking for visitors using the adjacent Fish Hatchery trail.

All redesigned and improved areas shall remain within disturbed or previously developed areas only. Detailed design is part of the work proposed to be funded through the grant. The schedule in the grant will provide one year after executing the Grant Agreement to perform all design engineering and prepare plans and specifications, and one year to construct, for a total of two years. Construction in the river environs is generally limited to a short window of time between bird breeding season and the rain season, August through October.

The proposed project conforms to the goals and objectives of the Parkway Master Plan.

WCB PROGRAM

The proposed project is consistent with WCB's Public Access Program and meets the program's goal of providing public access for hunting, fishing, or other wildlife-oriented recreation statewide. In addition, funds were allocated to the WCB within 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 San Joaquin River Conservancy and is consistent with the objectives of this project.

MANAGEMENT OBJECTIVES AND NEEDS

The County has operated Lost Lake Park for over 60 years and has committed to the long term operation and maintenance of the campground improvements for a minimum of 25 years. While the County and most public park agencies have significant limitations in their resources to maintain parks, quality campground facilities can generate user fees to sustain their operation. The County utilizes a campground host, and has the support of stewardship organizations, including the Friends of Lost Lake Park, RiverTree Volunteers, the Audubon Society, California State University Fresno student volunteers and researchers, and the San Joaquin River Parkway and Conservation Trust.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Project Task	WCB
Engineering, Design, Testing, Inspections	\$211,790
Permits	\$5,000
Construction	\$1,058,950
Administration	\$21,179
Construction Contingency	\$106,081
TOTAL	\$1,403,000

Project costs will be for developing restoration and public access plans for the property, completing design, permitting, and construction of approved improvements as outlined above.

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 San Joaquin River Conservancy, and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The proposed project is included among the high priority projects recommended by the Conservancy's Interagency Project Development Committee, which includes representatives of the CDFW, and whose role is to evaluate projects to be considered by the Conservancy Board. The project was approved for submittal to the WCB by the Conservancy Board on September 12, 2012. 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 15301, Class 1, as the repair or minor alteration of existing facilities involving negligible or no expansion of use; 15302, Class 2, as the replacement or reconstruction of existing facilities at the same site and with substantially the same purpose and capacity; and 15303, Class 3, as the construction or conversion of new, small facilities or structures. Subject to approval of this proposal by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$1,403,000.00 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 California Department of Fish and Wildlife proceed substantially as planned.

15. Puma Canyon, and Expansions 1 and 2 (Swart, J. Cox, and M&B Cox) San Bernardino County \$488,000.00

This proposal is to consider the allocation of grant funding to the Transition Habitat Conservancy (THC) to acquire fee title to three separate properties totaling 124± acres, to conserve high desert habitat, provide for habitat connectivity and protect wildlife corridors.

LOCATION AND SURROUNDING USES

The subject properties (Properties) are all adjacent to one another, located approximately five miles south of the community of Pinon Hills, southwest of Phelan on the southern border of the San Bernardino National Forest and the high Mojave Desert, and range in elevation from 4,470 to 5,658 feet. Surrounding land uses are primarily rural/suburban home sites. Puma Canyon itself contains a unique blend of vegetative communities that only occur at the transition zone of two distinct ecoregions: the Mojave Desert and the San Gabriel Mountains. The general terrain in the subject area is high desert, with large washes and arroyos separated by small undulating hills and ridges, leading to steeper terrain towards the San Gabriel Mountains. Pinyon pines, juniper and Joshua tree dominate the landscape and provide important habitat to many desert wildlife species.

The Properties fall within the California Department of Fish and Wildlife’s (CDFW) Puma Canyon Conceptual Area Protection Plan (CAPP). Puma Canyon plays an important role in maintaining regional landscape connectivity. The main objectives of this CAPP are to conserve and enhance biodiversity, and protect threatened vegetative communities along with other rare and important plants and animals. This project and CAPP also seek to protect the upper Sheep Creek Wash watershed, infiltration area, and drainage tributary, located east of the subject property.

PROJECT DESCRIPTION

The Properties are all covered with natural vegetation consisting of desert shrubs, Pinyon pines, junipers, and Joshua trees. The Properties have a series of alternating ridges and canyons running north to south and the ridge tops afford good views of Victor Valley to the north and east. All three Properties provide important habitat for wide-ranging species such as mountain lion, bobcat, Cooper’s hawk, golden eagles, and loggerhead shrikes, as well as other special status species such as the Arroyo toad, California red-legged frog, coastal horned lizard, and the southwestern willow flycatcher.

WCB PROGRAM

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

MANAGEMENT OBJECTIVES AND NEEDS

The Properties will be managed and owned by THC who will provide resource stewardship, monitoring and offer wildlife oriented public access as appropriate.

TERMS

The Properties have been appraised as having a combined fair market value of \$468,000.00 and are broken out as follows: M&B Cox \$76,000.00(20± ac); J Cox \$162,000.00 (43± ac); and Swart \$230,000.00(61± ac). The appraisal has been reviewed by WCB staff and reviewed and approved by the Department of General Services (DGS). The terms and conditions of the grants between WCB and THC provide that staff of the WCB must review and approve all title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In the event of a breach of the grant terms, the WCB can require the grantee to encumber the Properties with a conservation easement in favor of the State or another entity approved by the State and seek reimbursement of funds.

PROJECT FUNDING

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$468,000.00
Total Purchase Price	\$468,000.00
Other Project-Related Costs	\$20,000.00

TOTAL WCB ALLOCATION

\$488,000.00

It is estimated that an additional \$20,000.00 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, California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)(2), which allows for the acquisition and protection of habitat and to provide habitat corridors to prevent habitat fragmentation, and to protect significant natural landscapes and ecosystems and other significant habitat areas.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$488,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)(2) for the grant funding and to cover internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the California Department of Fish and Wildlife to proceed substantially as planned.

16. Boyd Deep Canyon Desert Research Center Improvements Riverside County \$1,182,000.00

This proposal is to consider the allocation for a grant to the Regents of the University of California to construct a new educational facility, construct new student housing facilities, and renovate the existing access road at the Boyd Deep Canyon Desert Research Center, located 6 miles south of the City of Palm Desert in Riverside County.

LOCATION AND SURROUNDING USES

The Boyd Deep Canyon Desert Research Center is located in the Coachella Valley and is comprised of 6,122 acres of University-owned land and 10,000 acres of adjacent federal lands made available for research under use agreements. Deep Canyon is within the Santa Rosa and San Jacinto Mountains National Monument, and forms the northern boundary of the Monument in the Deep Canyon watershed.

PROJECT DESCRIPTION

In the fifty-three year history of Deep Canyon, there has never been an indoor facility to support academic teaching and community outreach. This project will rectify that by constructing an education facility and student housing facilities, and reconstructing the existing access road. The newly constructed education facility will promote new opportunities for teaching by providing a facility that will enable indoor classroom instruction and provide access to library and computer resources.

The current outdoor teaching facilities at Deep Canyon are inadequate to support more than short-term field classes in primitive campground conditions during late fall and spring. Extreme temperatures discourage class use from mid-May through September. The newly constructed housing facilities will encourage classes and researchers to conduct more complex field exercises than can be accomplished in extended or overnight visits. This project will construct Americans with Disabilities Act accessible rustic lodging facilities, shade structures, and restroom facilities to accommodate up to 24 students. Lastly, the sole access road to the site is badly deteriorated and requires replacement.

MANAGEMENT OBJECTIVES AND NEEDS

UC Riverside, as Grantee, has agreed to manage the improvements for twenty-five years, pursuant to the grant agreement, and agreed to pay back amount commensurate with the period of time the property is not managed and maintained as agreed.

WCB PROGRAM

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

	<u>Cost</u>	<u>UCR</u>	<u>WCB</u>
Construction	\$1,128,000	\$245,000	\$883,000
Project Planning & Design	\$153,000	\$73,000	\$80,000
Project Management	\$342,000	\$204,000	\$138,000
Conservation Easement (Donation)	\$634,000	\$634,000	
Contingency	\$107,000	\$26,000	\$81,000
Total Project Costs	\$2,364,000	\$1,182,000	\$1,182,000

Project costs will be for new facility construction; road renovation; and design, engineering and management. A portion of UCR’s contribution will come from an appraised value of a land donation that expanded the reserve.

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 University of California for the Natural Reserve System for the construction and development of facilities that will be used for research and training to improve the management of natural lands and the preservation of California’s wildlife resources and is consistent with the objectives of this project.

ENVIRONMENTAL COMPLIANCE AND STATE RECOMMENDATION

The project is categorically exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15301 and 15303, as maintenance of existing facilities and construction of new small structures. Subject to approval by the Board, the appropriate Notice of Exemption will be filed with the State

Clearinghouse. The project was vetted through the University of California Natural Reserve System's Ad Hoc Subcommittee and recommended for funding.

STAFF RECOMMENDATION

Staff recommends that the Wildlife Conservation Board approve this project as proposed; allocate \$1,182,000.00 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 California Department of Fish and Wildlife to proceed substantially as planned.

17. Appraisal Review and Disclosure Policy

Action

This is a proposal to consider an amendment to the Wildlife Conservation Board's Appraisal Review and Disclosure Policy (Policy) adopted during its meeting of May 2012. Subsequent to the adoption of the Policy, legislation was signed into law [Chapter 394, Statutes of 2012 (SB 1266, Corbett)], which among other things prescribes actions for which one or more agencies must undertake when proposing to spend more than \$15 million of State funds and makes other changes to existing law, all of which will become effective on January 1, 2013. Among these changes include a prohibition on the use of acreage as a categorical threshold to impose an independent review. The following is a "redline" of the Board's Policy showing the proposed changes consistent with law.

WILDLIFE CONSERVATION BOARD
APPRAISAL REVIEW AND DISCLOSURE POLICY
(AMENDED MARCH 2013)

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.

Chapter 394, Statutes of 2012 (SB 1266) extends the independent appraisal review requirement to any acquisition for which one or more agencies propose to spend more than \$15 million of State funds and makes other changes to existing law, all of which became effective on January 1, 2013.

To continue to ensure public trust and confidence in the WCB acquisition process, ~~and~~ provide additional transparency in the purchase of real property, and conform to the requirements of SB 1266, 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:

or 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).

The independent appraisal must ~~be~~:

(a) ~~be~~ prepared by a licensed appraiser³ ~~(or, for a major acquisition of conservation lands, a qualified member of the Appraisal Institute who is licensed in good standing pursuant to the Real Estate Appraisers’ Licensing and Certification Law⁴, who does not have a financial interest in the property being appraised and is qualified to appraise the specific property⁵;~~ and

(b) ~~prepared in accordance with~~ Conform to 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 laws and policies including, without limitation, any applicable requirements of Chapter 1.695 (beginning with Section 5096.500) of Division 5 of the Public Resources Code~~ (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.

¹ ~~As of January 1, 2013, a “Major acquisition”~~ is defined in Public Resources Code section 5096.501 (c) as an acquisition ~~where an agency proposes to for which one or more agencies propose to~~ spend more than ~~twenty five~~fifteen million dollars (~~\$25~~15,000,000.00) 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).”

³ Fish and Game Code section 1348.2

⁴ Public Resources Code section 5096.51~~4~~7(b)

⁵ Public Resources Code Section 5096.510 (b)(3) and (c)

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,⁶ did not conduct the appraisal under review and has no financial interest in the proposed project.⁷

The independent review must include a field review⁸ 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 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.⁹

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:~~

⁶ Public Resources Code section 5096.512 (a)(2)

⁷ Public Resources Code section 5096.512 (a)(1)

⁸ 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.

⁹ Public Resources Code section 5096.512 (b)

~~(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.~~

45. This policy is intended to provide additional appraisal review and 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 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, and 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.

STAFF RECOMMENDATION

Staff recommends that the Board approve the policy as amended.

18. Resolutions

Congressman Jared Huffman

WHEREAS, Congressman Jared Huffman, while a member of the California State Assembly, served with distinction as a member of the Joint Legislative Advisory Committee of the Wildlife Conservation Board for five years, leaving this position upon his election to the United State Congress in November of 2012; and

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

WHEREAS, as an Assembly Member, he actively supported the Board's program through his tenure as Chairman of the Assembly Water, Parks and Wildlife Committee, and due to his unwavering resolve was able to promote the Board's mission of wildlife resource conservation; and

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

RESOLVED, that we, the Members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee, and the Board staff convey to Congressman Huffman our sincere appreciation for his noteworthy contributions to the Board, and express our best wishes as he continues his distinguished career as a member of the United States Congress; and be it further

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

Assembly Member Michael Allen

WHEREAS, Assembly Member Michael Allen, in his capacity as a Member of the California State Assembly, has served as a dedicated member of the Joint Legislative Advisory Committee of the Wildlife Conservation Board; and

WHEREAS, Assembly Member Allen's commitment and personal devotion to protecting and preserving California's natural resources and environmental health, coupled with his sound judgment and experience with California's wildlife

resources, has greatly assisted the Board on numerous occasions in carrying out its duties and responsibilities; and

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

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

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