

DEPARTMENT OF FISH AND GAME

**WILDLIFE CONSERVATION BOARD**

1807 13<sup>TH</sup> STREET, SUITE 103  
SACRAMENTO, CALIFORNIA 95811  
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[www.wcb.ca.gov](http://www.wcb.ca.gov)

State of California  
The Resources Agency  
Department of Fish and Game  
**WILDLIFE CONSERVATION BOARD**  
Minutes  
May 22, 2008

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**WILDLIFE CONSERVATION BOARD**

## Minutes

May 22, 2008

The Wildlife Conservation Board met on Thursday, May 22, 2008, in the Department of Food and Agriculture Auditorium in Sacramento, California. Before the meeting was called to order, Mr. John P. Donnelly, Executive Director of the Wildlife Conservation Board, introduced Mr. Donald Koch as the newly appointed Director of the Department of Fish and Game, and welcomed him as a new member of the Wildlife Conservation Board. He explained that Mr. Koch would act as Chair of the meeting in the absence of Mr. Richard Rogers. Mr. Koch called the meeting to order at 10:00 AM, introduced Ms. Karen Finn, Program Budget Manager, Department of Finance, and Ms. Mary Westlake, Office Technician, Wildlife Conservation Board, and turned the meeting over to Mr. Donnelly.

## 1. Roll Call

## WILDLIFE CONSERVATION BOARD MEMBERS

Karen Finn, Program Budget Manager  
Vice, Michael C. Genest, Member  
Director, Department of Finance

Donald Koch, Member  
Director, Department of Fish and Game

## JOINT LEGISLATIVE ADVISORY COMMITTEE

Senator Patricia Wiggins

## EXECUTIVE DIRECTOR

John P. Donnelly

**Wildlife Conservation Board Staff Present:**

John P. Donnelly, Executive Director  
Debra Townsend, Assistant Executive Director  
Dave Means, Assistant Executive Director  
Catherine Caldwell, Senior Land Agent  
Gary Cantrell, Research Analyst II  
Tony Chappelle, Public Land Management Specialist IV  
Scott Clemons, Public Land Management Specialist IV  
Marilyn Cundiff, Public Land Management Specialist IV  
Pat Dyas, Senior Land Agent  
Chad Fien, Public Land Management Specialist III

Bill Gallup, Senior Land Agent  
Carol Klein, Senior Land Agent  
Ashley Laurance, Office Technician  
Teri Muzik, Senior Land Agent  
Peter Perrine, Public Land Management Specialist IV  
Jenn Sanguayo, Assoc. Governmental Program Analyst  
Nancy Templeton, Chief Counsel  
Bonnie Turner, Public Land Management Specialist IV  
Mary Westlake, Office Technician  
Brian Wilkinson, Public Land Management Specialist IV

**Others Present:**

Mark Andre, City of Arcata  
Randy Benthin, Department of Fish and Game  
Tina Cannon-Leahy, Department of Fish and Game  
John Carlon, River Partners  
Michele Clark, California Rangeland Trust  
Amy Dieng, Department of Finance  
Robert Eddings, California Waterfowl Association  
Dave Feliz, Department of Fish and Game  
Karen Ferrell-Ingram, Eastern Sierra Land Trust  
Karen Frankel, Trust for Public Land  
Craig Garner, Ducks Unlimited, Inc.  
Pat Graham, Department of Fish and Game  
Dr. John Gray, Kings River Conservancy Board  
Mary Halterman, Department of Finance  
Linda Harper, Sierra Nevada Conservancy  
Linda Hatfield, California Rangeland Trust  
Stephen Ingram, Eastern Sierra Land Trust  
Drew Irby, Trout Unlimited  
Jake Jacobsen, The Nature Conservancy  
Brittany Juergenson, Sierra Nevada Conservancy  
Karen Kovacs, Department of Fish and Game

Dean Kwasny, Department of Fish and Game  
Jeremy Kwolek, California Waterfowl Association  
Jessica Little, Conservation Strategy Group  
Melinda Marks, San Joaquin River Conservancy  
Marlyce Myers, The Nature Conservancy  
Robert and Camille Overstreet, Ecker Ranch  
Charles Peck, Sierra Foothill Conservancy  
Matthew Sayles, Lassen Land and Trails Trust  
Rob Scholnick, Grimm and Scholnick  
Jennifer Skondin, Conservation Strategy Group  
Renee Spenst, Ducks Unlimited, Inc.  
Daniel Strait, U.S. Fish and Wildlife Service  
Jan Surbey, Morro Coast Audubon Society  
George Sutherland, Trout Unlimited  
Karrie Thomas, Department of Fish and Game  
Margaret Thornburn, Kings River Conservancy Board  
Edwina Troupe, Department of Finance  
Nita Vail, California Rangeland Trust  
Jim Van Haun, Kings River Conservancy  
Larry Wyckoff, Department of Fish and Game

2. Funding Status — Informational

(a) 2007-08 Wildlife Restoration Fund Capital Outlay Budget

Budget Act .....	\$1,000,000.00
Less Previous Board Allocations .....	(744,176.00)
Unallocated Balance .....	\$255,824.00

(b) 2006-07 General Fund Capital Outlay Budget

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

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

Budget Act .....	\$20,674,000.00
Less Previous Board Allocations .....	(7,352,712.00)
Unallocated Balance .....	\$13,321,288.00

(d) 2006-07 Habitat Conservation Fund Capital Outlay Budget

Budget Act .....	\$20,699,000.00
Less Previous Board Allocations .....	(4,263,000.00)
Unallocated Balance .....	\$16,436,000.00

(e) 2005-06 Habitat Conservation Fund Capital Outlay Budget

Budget Act .....	\$20,551,000.00
Less Previous Board Allocations .....	(19,475,542.00)
Unallocated Balance .....	\$1,075,458.00

(f) 2006-07 Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund Capital Outlay Budget

Budget Act .....	\$15,224,000.00
Less Previous Board Allocations .....	(4,710,078.50)
Unallocated Balance .....	\$10,513,921.50

(g) 2000-01 Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund Capital Outlay Budget (2006-07 Reappropriation)

Budget Act (San Joaquin River Conservancy Projects) .....	\$14,562,000.00
Less Previous Board Allocations .....	(14,417,375.33)
Unallocated Balance .....	\$144,624.67

(h) 1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund Capital Outlay Budget

Continuously Appropriated [Sec. 5096.350 (a)(1), (2), (4) & (7)] ...	\$36,100,000.00
Less Previous Board Allocations .....	(27,010,647.15)
Unallocated Balance .....	\$9,089,352.85

- (i) 2005-06 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund Capital Outlay Budget
  - Budget Act (San Joaquin River Conservancy Projects)..... \$1,545,000.00
  - Less Previous Board Allocations ..... (1,544,999.50)
  - Unallocated Balance..... \$.50
  
- (j) 2004-05 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund Capital Outlay Budget (2007-08 Reappropriation)
  - Budget Act (San Joaquin River Conservancy Projects)..... \$11,000,000.00
  - Less Previous Board Allocations ..... (10,000.00)
  - Unallocated Balance..... \$10,990,000.00
  
- (k) 2003-04 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Capital Outlay Budget
  - Budget Act (2006-07 Reappropriation)  
(San Joaquin River Conservancy Projects) ..... \$8,500,000.00
  - Less Previous Board Allocations ..... (7,845,849.40)
  - Unallocated Balance..... \$654,150.60
  
- (l) Chapter 983, Statutes of 2002 (2005-06 Reappropriation) ..... \$4,800,000.00
  - Less Previous Board Allocations ..... (4,655,354.83)
  - Unallocated Balance..... \$144,645.17
  
- (m) Chapter 984, Statutes of 2002 (2005-06 Reappropriation) ..... \$19,200,000.00
  - Less Previous Board Allocations ..... (17,372,022.93)
  - Unallocated Balance..... \$1,827,977.07
  
- (n) 2001-02 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund Capital Outlay Budget
  - Continuously Appropriated (Section 5096.650) ..... \$273,000,000.00
  - Less Previous Board Allocations ..... (163,004,762.94)
  - Unallocated Balance..... \$109,995,237.06
  
- (o) 2003-04 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 Capital Outlay Budget (Section 79568)
  - Budget Act (2006-07 Reappropriation) ..... \$32,500,000.00
  - Less Previous Board Allocations ..... (20,011,970.00)
  - Unallocated Balance..... \$12,488,030.00
  
- (p) 2002-03 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 Capital Outlay Budget
  - Continuously Appropriated (Sections 79565 and 79572),  
including Chapter 81, Statutes of 2005..... \$814,350,000.00
  - Less 2003-04 Budget Act Transfer to HCF from Section 79565 .... (21,000,000.00)
  - Less 2004-05 Budget Act Transfer to HCF from Section 79565 .... (21,000,000.00)
  - Less 2005-06 Budget Act Transfer to HCF from Section 79565 ..... (4,000,000.00)

	Less 2005-06 Budget Act Transfer to HCF from Section 79572 .....	(3,100,000.00)
	Less 2006-07 Budget Act Transfer to HCF from Section 79672 ....	(17,688,000.00)
	Less 2007-08 Budget Act Transfer to HCF from Section 79572 .....	(5,150,000.00)
	Less Previous Board Allocations .....	(637,642,362.16)
	Unallocated Balance .....	\$104,769,637.84
(q)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (San Joaquin River Conservancy Projects) .....	\$10,000,000.00
	Less Previous Board Allocations .....	(0.00)
	Unallocated Balance .....	\$10,000,000.00
(r)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (NCCP Section 75055c) .....	\$25,000,000.00
	Less Previous Board Allocations .....	(25,000.00)
	Unallocated Balance .....	\$24,975,000.00
(s)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (Section 75055(d)(1)) .....	\$14,293,000.00
	Less Previous Board Allocations .....	(25,000.00)
	Unallocated Balance .....	\$14,268,000.00
(t)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (Section 75055(d)(2)) .....	\$14,293,000.00
	Less Previous Board Allocations .....	(25,000.00)
	Unallocated Balance .....	\$14,268,000.00
(u)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (Section 75055(d)(3)) .....	\$4,762,000.00
	Less Previous Board Allocations .....	(0.00)
	Unallocated Balance .....	\$4,762,000.00
(v)	2006-07 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Continuously Appropriated (Section 75055a) .....	\$164,700,000.00
	Less Previous Board Allocations .....	(25,000.00)
	Unallocated Balance .....	\$164,675,000.00
	Continuously Appropriated (Section 75055b) .....	\$123,525,000.00
	Less Previous Board Allocations .....	(6,012,007.00)
	Unallocated Balance .....	\$117,512,993.00



(w) 2003-04 Oak Woodlands Conservation Fund Capital Outlay Budget

Budget Act (2006-07 Reappropriation) .....	\$5,000,000.00
Less Previous Board Allocations .....	(1,982,161.00)
Unallocated Balance.....	\$3,017,839.00

**RECAP OF FUND BALANCES**

Wildlife Restoration Fund (a) .....	\$255,824.00
General Fund (b) .....	\$1,535,000.00
Habitat Conservation Fund (c), (d) and (e) .....	\$30,832,746.00
Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (f), (g) and (h) .....	\$19,747,899.02
California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund (i), (j), (k), (l), (m) and (n).....	\$123,612,010.40
Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (o) and (p).....	\$117,257,667.84
Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (q), (r), (s), (t), (u) and (v) .	\$350,460,993.00
Oak Woodlands Conservation Fund (w).....	\$3,017,839.00

**RECAP OF NATURAL HERITAGE PRESERVATION TAX CREDIT ACT OF 2000**

Natural Heritage Preservation Tax Credit Act of 2000  
Chapter 113, Statutes of 2000 and Chapter 715, Statutes of 2004

Total Tax Credits Available .....	\$100,000,000.00
Less Previously Awarded Tax Credits .....	(48,598,734.00)
Balance of Tax Credits Available .....	\$51,401,266.00

Mr. Donnelly asked if there were any questions regarding this informational item. There were none.

3. Proposed Consent Calendar (Items 4 – 13 and Items 15 – 18)

Mr. Donnelly explained that Agenda Item #14 (San Jacinto Wildlife Area, Expansion 30) had been removed from consideration.

He also stated that there was an error on page 47 of the Wildlife Conservation Board Meeting minutes for February 20 which read California Coastal “Commission” instead of “Conservancy,” and that this error would be corrected.

Mr. Donnelly reported that a letter of support for Item #6 of the Consent Calendar (Humboldt Bay Coastal Reserve, Expansions 2 and 3) was received from Wesley Chesbro of the California Integrated Waste Management Board, former Senator for California’s second district (1998 – 2006).

Ms. Karen Finn moved that the Board approve Consent Calendar Items 4 through 13 and 15 through 18 as proposed in the individual agenda explanations, including the funding therein.

**Motion carried.**

\* 4 Approval of Minutes — February 20, 2008 Meeting

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve the minutes of the February 20, 2008 meeting.

**Motion carried.**

\* 5. Recovery of Funds

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

**\$5,000.00** to the **General Fund**

**\$40,112.00** to the **Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund**

**\$1,094,826.50** to the **Habitat Conservation Fund**

**\$72,521.25** to the **California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund**

**\$0.00** to the **Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002**

**GENERAL FUND**

South Spit Humboldt Bay, Humboldt County

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

**Total General Fund \$5,000.00**

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

Coachella Valley Ecological Reserve (Edom Hill Unit), Expansion 30  
Riverside County

Allocated	\$5,000.00
Expended	<u>-4,404.00</u>
Balance for Recovery	\$596.00

Crestridge Ecological Reserve, Expansion 1, San Diego County

Allocated	\$1,967,375.00
Expended	<u>-1,961,351.00</u>
Balance for Recovery	\$6,024.00

Santa Rosa Plateau, Tenaja Corridor, Riverside County

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

Sycuan Peak Ecological Reserve, Expansion 4, San Diego County

Allocated	\$392,750.00
Expended	<u>-374,012.00</u>
Balance for Recovery	\$18,738.00

Triple Creeks Conservation Area, Expansion 1, Riverside County

Allocated	\$5,000.00
Expended	<u>-246.00</u>
Balance for Recovery	\$4,754.00

Wilson Creek Riparian Corridor, Expansion 7, Riverside County

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

**Total Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund** **\$40,112.00**

**HABITAT CONSERVATION FUND**

Allensworth Ecological Reserve, Expansion 25, Tulare County

Allocated	\$12,500.00
Expended	<u>-192.00</u>
Balance for Recovery	\$12,308.00

Cuyama River Riparian Enhancement, San Luis Obispo/Santa Barbara County

Allocated	\$220,800.00
Expended	<u>-220,800.00</u>
Balance for Recovery	\$0.00

Humboldt Bay Coastal Reserve, Expansion 1, Humboldt County

Allocated	\$185,000.00
Expended	<u>-175,000.00</u>
Balance for Recovery	\$10,000.00

Knoxville Ranch Wildlife Area, Expansion 1, Napa/Yolo County

Allocated	\$7,268,930.00
Expended	<u>-7,222,880.00</u>
Balance for Recovery	\$46,050.00

North Claremont Preserve, Expansion 1, Los Angeles County

Allocated	\$1,010,000.00
Expended	<u>-0.00</u>
Balance for Recovery	\$1,010,000.00

San Jacinto Wildlife Area, Expansion 29, Riverside County

Allocated	\$211,000.00
Expended	<u>-194,531.50</u>
Balance for Recovery	\$16,468.50

**Total Habitat Conservation Fund** **\$1,094,826.50**

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

Dorrance Ranch, Monterey County

Allocated	\$3,010,000.00
Expended	<u>-3,007,011.00</u>
Balance for Recovery	\$2,989.00

Parker Ranch, Kern County

Allocated	\$1,515,000.00
Expended	<u>-1,504,428.00</u>
Balance for Recovery	\$10,572.00

Project Planning, Oak Woodlands Conservation Program

Allocated	\$20,000.00
Expended	<u>-0.00</u>
Balance for Recovery	\$20,000.00

Project Planning, Rangeland, Grazing Land and Grassland Protection Program

Allocated	\$15,000.00
Expended	<u>-30.00</u>
Balance for Recovery	\$14,970.00

Ridgewood Ranch Conservation Area, Mendocino County

Allocated	\$2,167,500.00
Expended	<u>-2,143,509.75</u>
Balance for Recovery	\$23,990.25

**Total California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund** **\$72,521.25**

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

Knoxville Ranch Wildlife Area, Expansion 1, Napa/Yolo County

Allocated	\$31,070.00
Expended	<u>-31,070.00</u>
Balance for Recovery	\$0.00

**Total Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002** **\$0.00**

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve the Recovery of Funds for the projects listed on pages 5 through 8 of the agenda and close the project accounts. Recovery totals include \$5,000.00 to the General Fund; \$40,112.00 to the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund; \$1,094,826.50 to the Habitat Conservation Fund; \$72,521.25 to the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund; and \$0.00 to the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002.

**Motion carried.**

- \* 6. Humboldt Bay Coastal Reserve, Expansions 2 and 3 \$495,000.00  
Humboldt County

This proposal was to consider the allocation for two grants to the Friends of the Dunes (Land Trust) for a cooperative project with the State Coastal Conservancy (SCC) to acquire fee title to two private ownerships totaling 53± acres located west of State Highway 255, southwest of Arcata, in Humboldt County. The purposes of this project are the preservation of beach and sand dune habitat, and the protection of threatened and endangered species, and are consistent with the proposed funding sources.

The subject properties are located on the west side of State Highway 255, also known as New Navy Base Road, about one-half mile north of the community of Manila, on the Samoa Peninsula. The City of Arcata is about four miles northeast of the properties and the City of Eureka is about five miles southeast.

Placement of the two properties in Land Trust ownership will buffer the coastal dune habitat from potential development of residential and other uses on the Samoa Peninsula. There are multiple purposes for this acquisition by the Land Trust including conservation of one of the remaining larger, undeveloped, contiguous tracts of coastal dune habitats. It is the primary objective of the Land Trust to ensure that the lands on the peninsula are managed for conservation and provide recreational opportunities and public access linkages with adjacent publicly owned lands.

The subject properties have multiple species values including habitat for the Humboldt Bay wallflower, beach layia, western snowy plover, northern legged frog, black-capped chickadee, yellow warbler, Swainson's thrush, native dune grass, seashore bluegrass, beach bursage, and the sea-rocket. There is also the potential for restoration of the multiple habitats including the beach, dunes, wetlands, and remnant maritime forest areas. It is anticipated the area will offer only passive recreational uses with the exception of surf fishing.

The total proposed allocation for the two acquisition grants and internal project-related expenses is \$495,000.00. Settlement information specific to the two properties is as follows:

Expansion 2:

The property owner has agreed to sell this 9± acre, unimproved property to the Land Trust at the appraised fair market value of \$370,000.00, as approved by the State Department of General Services (DGS). The proposed funding breakdown for the project is as follows:

WCB Grant	\$360,000.00
SCC	<u>10,000.00</u>
TOTAL	\$370,000.00

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

Expansion 3:

The property owner has agreed to sell this 44± acre, unimproved property to the Land Trust at the appraised fair market value of \$330,000.00, as approved by the DGS. The proposed funding breakdown for the project is as follows:

WCB Grant	\$115,000.00
SCC	<u>215,000.00</u>
TOTAL	\$330,000.00

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

The terms and conditions of the Grant Agreement provide that staff of the WCB review all proposed title documents, appraisal, documents for purchase and sale, escrow instructions, and instruments of conveyance prior to the disbursement of funds directly into an escrow established for the property.

The DFG has reviewed this project and recommends approval of the two grants. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines Section 15313, Class 13 as the acquisition of land for wildlife conservation purposes, and Class 25, Section 15325, as the transfer of an ownership interest in land to preserve open space. Subject to approval by the WCB, a Notice of Exemption will be filed with the State Clearinghouse. There are no claims of sovereign state land ownership within the properties.

Staff recommended that the Wildlife Conservation Board approve the grants to the Friends of the Dunes for this project as proposed; allocate \$370,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(3), for the acquisition of Expansion 2 and internal project-related expenses; allocate \$125,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40),

Section 5096.650, for the acquisition of Expansion 3 and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish these projects; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve the grants to the Friends of the Dunes for this project as proposed; allocate \$370,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(3), for the acquisition of Expansion 2 and internal project-related expenses; allocate \$125,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650, for the acquisition of Expansion 3 and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish these projects; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

- \* 7. Rancho Rio Chico Wetland Enhancement \$218,000.00  
Butte County

This proposal was to consider the allocation for a grant to Ducks Unlimited, Inc., for a cooperative project with the landowner, the North American Wetlands Conservation Council, and the Department of Fish and Game (DFG) to enhance and restore 160± acres of wetlands and uplands on privately-owned land, protected with a DFG wetland conservation easement, located approximately 15 miles south of the City of Chico, in Butte County. The property lies immediately east of the DFG's Llano Seco Unit of the Upper Butte Basin Wildlife Area.

The property has been a wetland and duck hunting club for decades, and in 1994, the WCB acquired a perpetual conservation easement on the property to protect the existing wetlands and associated upland and riparian habitats. The conservation easement provides for wetland protection and requires the landowner to actively manage the site to provide wetland benefits. Each year, biologists with the DFG's Comprehensive Wetland Habitat Program visit the site and give management recommendations to the landowners to maximize wetland values. Over the years it has become clear that the wetland cells and the water distribution system are not effectively maximizing wetland values. Areas within the property are too high to be flooded, pumps and ditches are not positioned well for efficient flooding and areas of the wetlands cannot be drained completely. As a result, some of the wetlands are dry and full of weeds, or too wet and choked with rank wetland vegetation and the small upland area in the southern portion is covered with non-native grasses and weeds.

The project will include a topographic survey and a final engineering design. Construction will include the excavation of potholes and swales, recontouring the land, improving the existing water delivery and drainage canals, removing and installing new water control structures, transplanting willows, cottonwoods and tules, planting native grasses on five acres of wetland-associated uplands, relocating an existing low

lift pump, installing one new low lift pump and project management. The swales and potholes will provide a better mix of open water and emergent vegetation and will be linked to outlet water control structures to provide positive drainage and prevent areas of standing water that can lead to mosquito production.

The enhancement of wetland, riparian and upland habitats will improve breeding, migration, and wintering habitat for a variety of waterfowl, shorebirds, and other waterbirds. Mallards and gadwalls nest on site, as do many other birds such as northern harriers and black headed grosbeaks. Thousands of waterfowl and shorebirds visit the area every winter, and mammals such as mule deer and river otters are permanent residents. The project will also enhance habitat for listed species. Giant garter snakes are known to inhabit nearby wetlands and are thought to reside on site. Bald eagles are often found on site in the fall through spring, and special status species, notably white-faced ibis, long billed curlew, and tri-colored blackbirds are commonly seen.

This site is located in the Butte Basin. The management of wetlands in the basin is identified in the Central Valley Joint Venture 2006 Implementation Plan (Plan) as critical to meeting the goals for maintaining waterfowl and other wetland bird populations. The authors of this Plan understood that managed wetlands, wetlands like the Rancho Rio Chico, decline in food production over time, and that all wetlands should undergo some level of structural enhancement every ten to fifteen years to bring them back to full production. As a result, enhancement objectives in the Plan are expressed on an annual basis and are perpetual. The annual wetland enhancement objective for Butte Basin, as identified in the Plan, is 3,381 acres per year. It has been more than fifteen years since the wetland units of Rancho Rio Chico were last modified and they are now in need of enhancement.

The landowner has agreed to manage and maintain the property for 25 years, pursuant to the terms and conditions of the Habitat Management Plan. If at any time during the life of the project, the landowners are unable to manage and maintain the project improvements, they will refund to the State of California an amortized amount of funds based on the number of years left on the project life.

The proposed funding breakdown for the project is as follows:

WCB	\$218,000.00
Ducks Unlimited, Inc. (in-kind)	9,137.00
Landowner (cash)	13,861.00
Landowner (in-kind)	3,920.00
North American Wetland Conservation Council	<u>145,816.00</u>
TOTAL	\$390,734.00

Project costs will be for mobilization; site preparation; two pumps, one new and one relocated; earthwork; water control structures; native grass planting; tule and riparian planting; and project design, permitting, construction supervision and administration.

The proposed funding source for this project is the WCB's Habitat Conservation Fund (Prop. 117), Section 2786(d) (Inland Wetland Conservation Program), which provides funds for the restoration of wetland habitat and is consistent with the objectives of this



project. The DFG has reviewed this proposal and recommends it for funding by the WCB. This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration to land. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$218,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d), (Inland Wetland Conservation Program); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve this project as proposed; allocate \$218,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d), (Inland Wetland Conservation Program); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

- \* 8. Riparian Habitat Restoration, Feather River Wildlife Area \$500,350.00  
O'Connor Lakes Unit, Fund Shift  
Sutter County

This proposal was to consider a shift in funding source for an existing project. On August 13, 2003, the Wildlife Conservation Board approved funding totaling \$1,307,000.00 toward the restoration of the O'Connor Lakes Unit of the Feather River Wildlife Area. These funds came from the Habitat Conservation Fund.

The WCB subsequently entered into a restoration grant agreement for \$1,307,000.00 with River Partners to complete the restoration work on behalf of the Department of Fish and Game (DFG). The project encountered significant delays in obtaining an encroachment permit from the State Reclamation Board to start on the ground restoration work, based on concerns with the planting of riparian vegetation and the impacts it might have on flood control. These concerns were ultimately addressed and satisfied through a series of Memorandum of Understanding agreements related to safe harbor assurances and the ability to manage these areas for flood control.

To date most of the initial restoration work has been completed. What remains is mostly follow-up restoration, maintenance and monitoring needed to ensure reestablishment of the habitat areas. This will require approximately two more years to complete. The current funding will revert on June 30, 2008, and it is necessary to provide an alternative fund source to carry out the remaining two years of work.

This item was to request a fund shift of up to \$500,350.00 from the Habitat Conservation Fund to the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(2), to complete the restoration work as part of Grant Agreement No. WC-3003SC between the Wildlife

Conservation Board and River Partners. These funds can be used for the protection, restoration or enhancement of riparian habitat and are consistent with the objectives of this project.

Staff recommended that the Wildlife Conservation Board approve this fund shift as proposed; allocate up to \$500,350.00 to fund Grant Agreement No. WC-3003SC between the Wildlife Conservation Board and River Partners from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(2), to cover the remaining obligations of the Grant Agreement; authorize staff to enter into appropriate agreements as necessary to accomplish this fund shift; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve this fund shift as proposed; allocate up to \$500,350.00 to fund Grant Agreement No. WC-3003SC between the Wildlife Conservation Board and River Partners from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(2), to cover the remaining obligations of the Grant Agreement; authorize staff to enter into appropriate agreements as necessary to accomplish this fund shift; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

- \* 9. Yolo Bypass Wildlife Area Fireman's Unit Wetland Enhancement           \$163,000.00  
Yolo County

This proposal was to consider the allocation for a grant to the California Waterfowl Association to enhance 262± acres of seasonal wetlands and 118± acres of associated upland habitat on the Department of Fish and Game's (DFG) Yolo Bypass Wildlife Area. The project site is located 5± miles southeast of the City of Davis, in Yolo County.

The Wildlife Conservation Board's (WCB) initial acquisition of 3,150± acres in 1991 began a process that created one of the largest and most visited wildlife areas in the state. Now more than 16,500± acres in size, the Yolo Bypass Wildlife Area provides habitat for hundreds of species, demonstrating how farming, grazing and wildlife can thrive together, offering educational programs to local schools through the Yolo Basin Foundation, and providing recreational opportunities to thousands of nature enthusiasts, hunters and anglers. The WCB helped with the restoration of 350± acres in 2007 and has leveraged funds from the North American Wetland Conservation Council to restore thousands more.

The Fireman's Unit, located on the southern boundary of the wildlife area, consists of one square mile of uplands and vernal pools, with a broad wetland swale flowing through its center. Previous owners placed a series of small levees across the swale to spread the water and create additional wetland acreage. These efforts were successful; wetlands now make up a high percentage of the area. Unfortunately, these wetlands can no longer be managed effectively. The structures

are failing and the levees are porous. Since the area cannot be drained effectively, cattails and tules have taken over much of the area. Once a favorite hunting area, the area now attracts relatively few waterfowl during the fall and winter.

The proposed project will develop open water swales and potholes in the existing wetlands, replace all the failed structures and install three new ones to allow for better water control. Other improvements will include levee upgrades, planting trees for improved biodiversity, new fencing to control grazing, improvements to the entrance road and parking lot and hunting blinds to reestablish recreational opportunities.

Seasonal wetlands provide benefits to a large variety of waterfowl and wetland dependent species, including northern pintails, northern shovelers, long-billed dowitchers and red-winged blackbirds. The location of this site is especially important due to its location within a much larger upland/vernal pool complex. These habitats complement each other in many ways. For instance, the uplands provide breeding habitat for wetland birds and the vernal pools benefit wetland species by providing additional wetland habitats, especially in wet springs. Migratory waterfowl such as snow geese and American widgeon, often in huge flocks, take advantage of the short grasses and invertebrates found in and around vernal pools each spring as important feeding and stop-off areas, before returning to their arctic breeding grounds. The new fencing will allow the DFG to more effectively manage the uplands and vernal pools through improved grazing control.

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board	\$163,000.00
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Project costs will be for earthmoving; water control structures; gravel for the road and parking lot; tree planting; gates and fencing; installation of a sign; and project design, construction supervision and administration.

The proposed funding source for this project is the WCB's Habitat Conservation Fund (Prop. 117), Section 2786(d) (Inland Wetland Conservation Program). This funding allows for the restoration of wetland habitat in the Central Valley. The DFG has reviewed this proposal and recommends it for funding by the WCB. This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration to land. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$163,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Inland Wetland Conservation Program); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve this project as proposed; allocate \$163,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Inland Wetland

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

**Motion carried.**

- \* 10. Napa-Sonoma Marshes Wildlife Area, Napa Plant Site \$150,000.00  
Restoration, South Unit Pre-construction Planning and Design  
Napa County

This proposal was to consider the allocation for a grant to the Resources Legacy Fund to conduct pre-construction planning and design of 1,080± acres on the Department of Fish and Game's South Unit of the Napa Plant Site, Napa-Sonoma Marshes Wildlife Area, located approximately seven miles south of the City of Napa, on the east bank of the Napa River, in Napa County.

The Napa Plant Site is divided into three units: North, Central, and South. This proposal encompasses only the 1,080 acres within the South Unit consisting of a combination of nine crystallizer ponds (where salt was harvested) and several pickle ponds, where brines were concentrated to near-harvest concentrations prior to transfer into the crystallizers. The ponds are surrounded and divided by levees of varying size, construction material, and quality. Most of these salt ponds retain a layer of salt and gypsum across the bottom. Depending on the amount of rainfall, these ponds range from mostly dry to retaining up to several feet of water. On-site borrow ditches and historical slough channels also retain high salinity water during the dry season.

The purpose of this grant is to contract, manage, and fund the design of the South Unit. The design will include a 50%, 90%, and 100% design level (consistent with accepted practice in the engineering design field), as well as funding for stakeholder involvement, permit management, and alternative refinement.

The resulting habitat after construction and restoration will be 1,324± acres of tidal wetlands and marsh (including the North and Central Units). It will contain water of varying salinity and depth depending on the season and tidal cycle. Restoration will result in sedimentation and partial vegetation on ecotones and elevated areas, providing critical habitat for fish, migratory birds and sensitive species such as the salt marsh harvest mouse and the California clapper rail.

In addition to habitat improvements, this tidal marsh will improve water quality and flood protection for surrounding areas through raising low areas on landside levees. The project will provide a greatly enhanced visitor experience at the site through improved public access consisting of trails, an improved access road, a picnic area with restrooms, parking areas, a hand-launch area for non-motorized watercraft, and a viewing area on Green Island. Once the project is completed, the site will be managed by the DFG. Currently, a comprehensive land management plan is being written for the entire 14,000± acre Napa-Sonoma Marshes Wildlife Area complex that includes this site. The project also conforms to the goals of the 1999 San Francisco Bay Area Wetlands Ecosystem Goals Project.

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board (WCB)	\$150,000.00
Resources Legacy Fund	<u>248,770.00</u>
TOTAL	\$398,770.00

Project costs funded by the WCB will include the 90% and 100% designs, along with quality control/quality assurance assessments, and project management. The proposed funding source for this project is the WCB's Habitat Conservation Fund (Prop. 117), Section 2786(d) (Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) SF Bay). This funding allows for the acquisition, enhancement, or restoration of wetlands in the San Francisco Bay region.

The DFG, as lead agency, completed a final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and filed a Notice of Determination with the State Clearinghouse on April 10, 2007. Staff considered the Environmental Impact Report and has prepared 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. The DFG has reviewed this proposal and recommends it for funding by the WCB.

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$150,000.00 from the Habitat Conservation Fund Habitat (Prop. 117), Section 2786(d) (Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) (SF Bay)); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board adopt the written findings and approve this project as proposed; allocate \$150,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) (SF Bay)); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

- \*11. San Joaquin River Parkway, Habitat Restoration and Public Access, Jensen River Ranch, Phase II Planning and Design Fresno County \$385,176.00

This proposal was to consider the allocation for an interagency agreement with the Department of Water Resources for a cooperative project with the San Joaquin River Conservancy to conduct Phase II planning and design for the Jensen River Ranch habitat restoration and public access project. The 67± acre site, owned by the San Joaquin River Conservancy, is located on the San Joaquin River Parkway near the junction of Highway 41, northeast of the City of Fresno, in Fresno County.

The purpose of the agreement is for the Department of Water Resources, San Joaquin District (DWR) to complete 95% construction working drawings and specifications, and to secure environmental and regulatory compliance. The majority of the restoration work on Phase I, located south of the Phase II site, is complete. The Phase II site is still irrigated pasture, with a narrow belt of mixed riparian woodland along the river frontage.

Once completed, both Phase I and II will include: created wetlands fed by a modified storm water drainage channel; a public use area; grading to create changes in site hydrology and to widen the riparian terrace; and natural propagation of oak woodlands, wetland, and riparian habitat. Public access features will include a trail extension from the MacMichael Trail ascending the bluff to connect with the Eaton Trail. Native shade trees and other native vegetation will be planted throughout the site, including riparian plants on the expanded riparian terrace. The MacMichael Trail and public access features of the project will be operated and maintained by the City of Fresno. A topographic survey and preliminary design have been completed for both phases.

The entire restoration project was approved by the San Joaquin River Conservancy Board in March of 2002. Specifically, Phase II of this project was approved by the San Joaquin Conservancy Board on March 13, 2008. The Bureau of Reclamation has completed an environmental assessment of the project pursuant to the National Environmental Policy Act (finding of No Significant Impact), and has secured concurrence from the U.S. Fish and Wildlife Service as to avoidance and protection measures necessary to ensure against adverse impacts to blue elderberries (host plant to the endangered valley elderberry longhorn beetle). As lead agency for the entire project, the San Joaquin River Conservancy filed a Mitigated Negative Declaration pursuant to the provisions of the California Environmental Quality Act (CEQA) in March of 2002.

DWR will assist in environmental and regulatory compliance for the project, including but not limited to City of Fresno grading permits; the State Reclamation Board floodway and flood zone approvals; Department of Fish and Game streambed alteration agreement; Clean Water Act Section 404 compliance, and Section 401 Regional Water Quality Control Board Water Quality Certification (as necessary); State Lands Commission approvals (as necessary); and encroachment permits and easements (City of Fresno, County of Fresno, Fresno Metropolitan Flood Control District).

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board (WCB)	\$385,176.00
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Project costs funded by the WCB will include the evaluation of Phase I restoration; engineering cost estimates; re-evaluation of project goals and objectives; regulatory compliance approvals, work-plan and permits; 95% working drawings and specifications; and coordination with agencies and partners. The WCB's allocation also includes \$176.00 for Department of General Services' review costs.

The proposed funding source for this project allows for the acquisition, development, rehabilitation, restoration and protection of land and water resources, and other projects consistent with the Conservancy's mission and the Parkway Master Plan [California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Prop. 40), Section 5096.650(b)]. Staff considered the Mitigated Negative Declaration and has prepared written findings documenting the WCB's compliance with CEQA. Subject to approval by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$385,176.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650(b)(5); and authorize staff to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board adopt the written findings and approve this project as proposed; allocate \$385,176.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650(b)(5); and authorize staff to proceed substantially as planned.

**Motion carried.**

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| *12. Canebrake Ecological Reserve, Canebrake Creek Unit<br>Expansion 3<br>Kern County | \$404,500.00 |
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This proposal was to consider the acquisition of fee title to 196± acres as an addition to the Department of Fish and Game's (DFG's) Canebrake Ecological Reserve (Reserve) located near the community of Canebrake, northwest of State Highway 178, in eastern Kern County. The purposes of this project are the protection of habitat for rare, endangered, threatened, or fully protected species, and the protection of hydrologic resources, and are consistent with the proposed funding source.

The subject property is accessed by dirt roads leading off State Highway 178. The terrain is flat to rolling, covered in a mix of grasslands, scrub and Joshua trees, and lies adjacent to the path of Canebrake Creek, just above its confluence with the South Fork of the Kern River. There are no improvements on the property. There is scattered rural residential development in the area and a sand mining operation near the easternmost parcel of the property.

The Wildlife Conservation Board (WCB) and the DFG have been acquiring property in the South Fork Kern River Valley and its tributaries since the late 1990's for both the Reserve and the nearby South Fork Wildlife Area. With this purchase, the DFG will own and manage almost 7,200 acres in the watershed, which supports the finest and largest Great Valley cottonwood riparian forest left in existence. This is an area of unparalleled diversity and striking natural beauty where five out of seven of California's bioregions converge. Over 330 species of birds have been documented

in the South Fork Valley. Approximately 2,000 species of plants, 67 percent of the state's butterfly species, and 115 species of mammals also occur here.

The primary purpose of this acquisition is the preservation and protection of the riparian habitat of the South Fork Kern River, its wildlife, vegetation, hydrology, and soils. Lying just east of the existing ecological reserve, this purchase will specifically

protect the hydrologic resources of Canebrake Creek, a major source of water for the lush riparian growth that commences just where the South Fork and Canebrake Creek converge, within the borders of the Reserve. This will help assure the continued health of habitat crucial to the existence of many rare and special status species such as the southwestern willow flycatcher, yellow-billed cuckoo, tri-colored blackbird, summer tanager, and the western pond turtle. Acquisition of the property will also assure that it will remain part of a viable and important wildlife corridor that extends between the Domeland Wilderness in the north and the isolated Scodie and Kiavah Mountains in the south. If residential development or expanded mining and other commercial operations were to occur on the floor of Canebrake Creek, it would likely result in adverse impacts to the wildlife and vegetation in the larger Reserve.

The DFG's work in the South Fork Valley is part of a much larger cooperative effort on the parts of many public agencies and non-profit conservation groups, including the U.S. Bureau of Land Management, the U.S. Forest Service, the Army Corps of Engineers, the Audubon Society, the National Fish and Wildlife Foundation, the Packard Foundation, and The Nature Conservancy, all seeking to preserve this diverse and beautiful corner of California.

The DFG proposes to manage the property as an integral part of the existing Canebrake Creek Unit of the Reserve, at minimal additional expense. Potential future purchases may connect these parcels directly to the east border of the Reserve.

The sellers have agreed to sell the property to the state at the appraised fair market value of \$394,500.00, as approved by the State Department of General Services (DGS). It is estimated that an additional \$10,000.00 will be required for administrative expenses, including the DGS' review costs, escrow fees, closing costs, and title insurance, bringing the total recommended allocation for this proposal to \$404,500.00.

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



Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$404,500.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(b/c) for the acquisition and project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve this project as proposed; allocate \$404,500.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(b/c) for the acquisition and project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

- \*13. Coachella Valley Ecological Reserve (Edom Hill Unit) \$5,000.00  
Expansion 31  
Riverside County

This proposal was to consider the acceptance of a Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service (USFWS) and the authorization to enter into an Agreement to Subgrant the federal funds to the Center for Natural Lands Management (CNLM) for a cooperative project with the Coachella Valley Mountains Conservancy (CVMC) to acquire fee title to 80± acres from a private owner located southeast of the City of Desert Hot Springs, in Riverside County. The purposes of this project are the preservation of desert habitat and the protection of threatened and endangered species, and are consistent with the proposed funding sources.

The subject property is located approximately three miles north of Interstate Highway 10, and approximately two miles east of the City of Desert Hot Springs in an area known as Edom Hill. The subject area is located between the Department of Fish and Game's (DFG's) larger holding near Thousand Palms (Coachella Valley Ecological Reserve) and Willow Hole Ecological Reserve adjacent to Desert Hot Springs.

The Coachella Valley Ecological Reserve (Reserve) is a large conservation area with various holdings located northerly of Interstate 10 between Desert Hot Springs and Sun City – Palm Desert. Within a four mile radius of the subject property, there are a number of public and private owners protecting 20,000± acres of habitat including the CNLM, The Nature Conservancy, U.S. Bureau of Land Management, California State Parks, USFWS, and Friends of the Desert Mountains.

The initial acquisition in the Coachella Valley for the protection of the fringe-toed lizard and desert sand habitat began around 1982 through acquisitions by the Wildlife Conservation Board (WCB) and continues to grow through public and private acquisitions and exchanges. Development has been sporadic in the immediate area over the past 20 years and additional residential construction and development within the area is considered to be detrimental to the sand and desert habitat. This

acquisition will allow for further protection of the desert sand habitat and the viability of the sand-dependent species within the Coachella Valley.

Preservation of the property as identified within the Edom Hill area will ensure the continued success of the Reserve and will enhance the habitat for the Coachella Valley fringe-toed lizard. This area also provides possible habitat for several other species that are found in the Coachella Valley including the flat-tailed horned lizard, Coachella Valley milk vetch, Palm Springs pocket mouse, Palm Springs ground squirrel, and the Coachella giant sand treader cricket.

When acquired, the acreage will be incorporated into and managed in conjunction with other holdings of the CNLM. It is anticipated that the area will offer passive recreational uses as the habitat is maintained as open space. The property is currently vacant, but has the potential for subdivision and residential development.

The property owner has agreed to sell to the CNLM at the appraised fair market value of \$675,000.00, as approved by the State Department of General Services (DGS). The proposed funding breakdown for the project is as follows:

USFWS Grant	\$ 72,000.00
CVMC	523,930.00
CNLM	<u>79,070.00</u>
TOTAL	\$ 675,000.00

It is estimated that \$5,000.00 will be needed to cover project-related expenses by the WCB, including DGS' appraisal review costs, bringing the total recommended allocation for this proposal to \$5,000.00.

The terms and conditions of the proposed Agreement to Subgrant provide that staff of the WCB will review and approve all proposed title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions, and the instruments of conveyance prior to disbursement of grant funds directly into the escrow established for this property.

The DFG has identified this property as being critical to the protection of the Coachella Valley fringe-toed lizard and has recommended the purchase of this property. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines, Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as the transfer of an ownership interest in land to preserve open space. Subject to approval by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; accept the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$72,000.00 and approve an Agreement to Subgrant the federal funds to the Center for Natural Lands Management; allocate \$5,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(5), for

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

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve this project as proposed; accept the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$72,000.00 and approve an Agreement to Subgrant the federal funds to the Center for Natural Lands Management; allocate \$5,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(5), for internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

- \*14. San Jacinto Wildlife Area, Expansion 30  
Riverside County

This item was withdrawn from consideration.

- \*15. Santa Rosa Mountains Wildlife Area, Expansions 9 and 10 \$280,000.00  
Riverside County

This proposal was to consider the acquisition of fee title to two properties totaling 10± acres as additions to the Department of Fish and Game's (DFG's) Santa Rosa Mountains Wildlife Area; the acceptance of a Recovery Land Acquisition Grant from the U.S. Fish and Wildlife Service; and the authorization to use the federal funds for the State's purchase of the properties located west of Jefferson Street and south of Avenue 62, in the City of La Quinta, in Riverside County. The purposes of this project are the preservation of desert habitat and the protection of threatened and endangered species where the funding is leveraged with other funds, and are consistent with the proposed funding source.

The subject properties are located in the southwestern portion of the Coachella Valley Multiple Species Habitat Conservation Plan approved for the Coachella Valley portion of Riverside County. Lake Cahuilla is about three miles north, and the Salton Sea located about 14 miles to the southeast of the subject properties. These acquisitions are the ninth and tenth land acquisitions in the DFG's Conceptual Area Protection Plan for the protection of bighorn sheep. The project area is 150,000± acres in size with 35,000± acres identified as candidates for possible acquisition.

The acquisition of the subject properties is important because it would place an additional 10± acres of foothill, "canyon mouth," and alluvial fan lands under permanent protection. Placement of this area in public ownership will add a buffer from the developing residential lands to the east and north. The subject properties have multiple species values including habitat for peninsular bighorn sheep, desert tortoise, least Bell's vireo, and the southwestern willow flycatcher. There is also potential habitat for several sensitive bat species including the western yellow bat, pallid bat, California leaf-nosed bat, spotted bat, pocketed free-tailed bat, and

western mastiff bat. Protection of the properties would also benefit other species that inhabit the area including mountain lion, mule deer, golden eagle, and prairie falcon.

The DFG has identified the subject properties as being within a Significant Natural Area and has recommended the purchase of the properties, which would be incorporated into and managed in conjunction with other nearby existing wildlife areas and ecological reserves. It is anticipated that the area will offer both passive and consumptive recreational uses. The proposal being considered at this time will bring the total number of acres protected to over 110,000± acres.

The total proposed allocation for the acquisitions and internal project-related expenses is \$280,000.00. Settlement information specific to the two properties is as follows:

Expansion 9:

The property owner has agreed to sell this five± acre property to the State at the appraised fair market value of \$165,000.00, as approved by the State Department of General Services (DGS). The proposed funding breakdown for the project is as follows:

WCB Grant	\$127,500.00
USFWS Grant	<u>37,500.00</u>
TOTAL	\$165,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project-related costs by the WCB for appraisal, escrow, and title insurance fees, and DGS' review charges.

Expansion 10:

The property owner has agreed to sell this 5± acre property to the State at the appraised fair market value of \$170,000.00, as approved by the DGS. The proposed funding breakdown for this project is as follows:

WCB Grant	\$132,500.00
USFWS Grant	<u>37,500.00</u>
TOTAL	\$170,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project-related costs by the WCB for appraisal, escrow and title insurance fees, and review charges by the DGS.

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

Staff recommended that the Wildlife Conservation Board approve this project as proposed; accept the Recovery Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$75,000.00; allocate \$280,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(5), for the acquisition and project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve this project as proposed; accept the Recovery Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$75,000.00; allocate \$280,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(5), for the acquisition and project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

- \*16. Triple Creeks Conservation Area, Expansion 3 \$5,000.00  
Riverside County

This proposal was to consider the acceptance of a Cooperative Agreement and a Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service (USFWS) and the authorization to enter into an Agreement to Subgrant the federal funds to the Western Riverside County Regional Conservation Authority (Authority) to acquire fee title to 36± acres located west of State Highway 79, south of Scott Road in Murrieta, in Riverside County. The purposes of this project are the protection of threatened and endangered species and wildlife movement corridors, and are consistent with the proposed funding source.

This private property is located on Liberty Road on the west, and just westerly of Winchester Road (Highway 79), in Murrieta. The north and west sides of the property can be accessed by graded dirt roads. The property is gently rolling with some swales that provide drainage off the property to Temecula Creek and Warm Springs Creek. The land is currently vacant except for occasional cattle grazing. There are no improvements on the property.

The Triple Creeks Conservation Area is comprised of coastal sage scrub, chaparral, and annual grasslands. The habitat complex supports a diverse wildlife community including a number of state and federally-listed threatened and endangered species including the Quino checkerspot butterfly, coastal California gnatcatcher, least Bell's vireo, Swainson's hawk, California orcutt's grass, Munz's onion, and Stephens' kangaroo rat. In addition to protecting the habitat and wildlife species, this acquisition will help to establish and protect a contiguous landscape linkage, habitat nodes for wildlife dispersal, and wildlife connectivity within a rapidly developing area. The project also conforms to the Western Riverside Multiple Species Habitat

Conservation Plan and will further implement joint federal, state, and local Natural Community Conservation Planning efforts in southwestern Riverside County.

The Authority has proposed that the area be managed primarily to preserve threatened and endangered species and to conserve biodiversity. Additional management objectives may include allowing public access for recreational pursuits such as hiking and wildlife viewing. Upland game hunting opportunities may be available with adequate space for safe separation of public users and distance from residential properties. Management will be the responsibility of the Authority and costs of management will be provided by operating funds from the Assessment District 161 held by the Authority. The State will have no responsibility for management of this property.

The appraised fair market value of the property is \$2,500,000.00, as approved by the State Department of General Services (DGS). The property owner has agreed to sell the property to the Authority at a bargain sale of \$2,000,000.00. The proposed funding breakdown for the project is as follows:

USFWS Cooperative Agreement	\$1,275,750.00
USFWS Grant	23,500.00
Authority	<u>700,750.00</u>
TOTAL	\$2,000,000.00

Additional non-federal funds required as a match for acquisitions made by the Authority under these federal grants, including the subject property, will be satisfied by an in-kind match property acquired by the Authority in December 2007. The in-kind match has been approved by the USFWS.

It is estimated that an additional \$5,000.00 will be needed for project-related expenses by the WCB, including DGS' appraisal review costs, bringing the total recommended allocation for this proposal to \$5,000.00.

The terms and conditions of the proposed Agreement to Subgrant provide that staff of the WCB will review and approve all proposed title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions, and the instruments of conveyance prior to disbursement of funds directly into an escrow established for this property.

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

Staff recommended that the Wildlife Conservation Board approve this project as proposed; accept the Cooperative Agreement and the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service totaling \$1,299,250.00 and approve an Agreement to Subgrant the federal funds to the

Western Riverside County Regional Conservation Authority; allocate \$5,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(5) for internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve this project as proposed; accept the Cooperative Agreement and the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service totaling \$1,299,250.00 and approve an Agreement to Subgrant the federal funds to the Western Riverside County Regional Conservation Authority; allocate \$5,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(5) for internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

- \*17. Western Riverside County MSHCP, Expansion 3 \$5,000.00  
Riverside County

This proposal was to consider the acceptance of a Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service (USFWS), and the authorization to enter into an Agreement to Subgrant the federal funds to the Western Riverside County Regional Conservation Authority (Authority) to acquire fee title to 102± acres located approximately eight miles south of Hemet, in Riverside County. The purposes of this project are the protection of habitat and threatened and endangered species where the funding is leveraged with other funds, and are consistent with the proposed funding source.

The subject property has no improvements other than apparent partial frontages along dirt roads. Physical access is afforded from these dirt roads. The land is currently raw, vacant land with a rolling to sloping topography.

At its November 15, 2007 meeting, the WCB approved the acceptance of \$2,967,097.00 from the USFWS for the acquisition of three properties totaling 172± acres in western Riverside County by the Authority in furtherance of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The approved acquisitions, as well as the subject property, conform to the MSHCP and will further implement joint federal, state, and local Natural Community Conservation Planning efforts in western Riverside County.

Open space and natural lands are rapidly declining in western Riverside County due to unprecedented growth and rapid development. The purpose of the MSHCP is to preserve and protect 146 plant and animal species by acquiring lands for a habitat reserve system, and to provide open space for habitat and recreation. The properties covered by the MSHCP support a variety of native plant species,

including thread-leaved brodiaea, Davidson's saltscale, Parish's brittlescale, smooth tarplant, round-leaved filaree, Coulter's goldfields, and little mousetail, and provide potential suitable breeding and foraging habitat for burrowing owls, a species of special concern, as well as the threatened or endangered California gnatcatcher and least Bell's vireo. The subject property, found in the Wilson and Cactus Valley region, supports some of the highest recorded densities of the Quino checkerspot butterfly. It also supports many listed species, including the Stephens' kangaroo rat and coastal California gnatcatcher.

The region is an important habitat linkage between several public lands, including the Southwestern Riverside County Multi-Species Reserve, the San Bernardino National Forest, the Cleveland National Forest, Camp Pendleton Marine Corps Base, San Diego State University's Santa Margarita River Ecological Reserve, and the Cahuilla Indian Reservation. Permanent conservation of this region is needed for the genetic viability of the gnatcatcher and other species, as well as to maintain ecological processes in upland and riparian areas.

The Authority intends to manage this site to preserve threatened and endangered species and to conserve biodiversity. Additional management objectives may include preserving public access for recreational pursuits such as hiking and wildlife viewing. Management costs of the above parcel will be provided by operating funds from Assessment District 161 and the Authority. No state funds will be used for the management of this property.

The owner of the property has agreed to sell the to the Authority at the appraised fair market value of \$1,020,000.00, as approved by the Department of General Services (DGS). The proposed funding breakdown for the project is as follows:

USFWS Grant	\$ 658,065.00
County of Riverside	<u>361,935.00</u>
TOTAL	\$1,020,000.00

It is estimated that an additional \$5,000.00 will be needed to cover internal projected-related costs by the WCB, including the DGS' appraisal review fees, bringing the total proposed allocation for this project to \$5,000.00.

The terms and conditions of the Agreement to Subgrant provide that staff of the WCB will review all proposed title documents, appraisal, preliminary title reports, documents for purchase and sale, escrow instructions, and instruments of conveyance prior to disbursement of funds directly into an escrow for the acquisition.

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



Staff recommended that the Wildlife Conservation Board approve this project as proposed; accept the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$658,065.00 and approve the Agreement to Subgrant the federal funds to the Western Riverside County Regional Conservation Authority; allocate \$5,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop. 12), Section 5096.350 (a)(5) for internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve this project as proposed; accept the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$658,065.00 and approve the Agreement to Subgrant the federal funds to the Western Riverside County Regional Conservation Authority; allocate \$5,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(5) for internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

- \*18. Ramona Grasslands, Expansion 3 \$5,000.00  
San Diego County

This proposal was to consider the acceptance of a Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service (USFWS) and the authorization to enter into an Agreement to Subgrant the federal funds to The Nature Conservancy (TNC) for a cooperative project with the California Department of Water Resources and the County of San Diego Department of Parks and Recreation (County) to acquire fee title to 476± acres located west of the community of Ramona, in San Diego County. The purposes of this project are the protection of habitat for threatened and endangered species and the preservation of wildlife corridors located within an approved Natural Community Conservation Plan, and are consistent with the proposed funding source.

Known as Oak Country Estates, the subject property is privately held and was in the process of receiving residential subdivision entitlements when TNC secured an option to purchase. Located west of the unincorporated community of Ramona, it is accessed from Highland Valley Road. The land consists of rolling to hilly native and non-native grasslands and vernal pools, oak woodlands, Diegan coastal sage scrub and, on the eastern boundary, the riparian corridor of Santa Maria Creek. The ground has traditionally been used for cattle pasturage and is part of the historic Rancho Santa Maria. There are no permanent improvements on the property and no current public water connections.

Over 90 percent of the historic native grassland areas in San Diego County have already been lost to development. This purchase will benefit numerous species of

conservation concern, among them western spadefoot toad, graceful tarplant, Orcutt's brodiaea, Englemann Oak, and the federally endangered Stephens' kangaroo rat, arroyo southwestern toad, San Diego fairy shrimp, and California gnatcatcher. Other notable wildlife species in the area include badger, mountain lion, bobcat, gray fox, coyote, San Diego horned lizard, granite spiny lizard, and several species of raptors including golden eagle, merlin, prairie falcon, ferruginous hawk, red-tailed hawk, burrowing owls, and great blue heron.

The grasslands/vernal pool complex supports numerous sensitive plant species including southern tarplant, spreading navarretia, and little mousetail. In addition, intact natural habitats within the watershed, such as riparian forest, vernal pools, meadows, and seeps have been demonstrated to provide water filtration, groundwater recharge, flood control, and other benefits to water quality. The proposed acquisition will offer permanent protection to this property which is threatened by the rapidly encroaching development in the area, together with the associated impact on the natural habitat and animal life.

The valley of Santa Maria Creek provides an essential wildlife corridor between open and public lands to the east and south and the valley of the San Dieguito River, of which Santa Maria Creek is a tributary.

This acquisition will be the fourth that the Wildlife Conservation Board (WCB) has assisted in the Ramona Grasslands Preserve area, totaling almost 3,200 acres. All of the Ramona Grasslands are slated to come under the ownership and management of the County, which has spent considerable time in making formal plans for the area, having published its "Area Specific Management Directives" in June 2007. Scientific, educational, and low-impact recreational uses are planned for the preserve. County personnel are currently planning the location of hiking trails in the area covered by this acquisition.

The Ramona Grasslands are surrounded by encroaching suburban and rural residential development. This property would probably have secured a final subdivision map by the end of summer. The developers' plans called for 52 two-acre luxury homesites, five larger residential parcels, access roads, building pads, and individual septic systems. Failure to acquire the property at this time would mean that such development, with its inevitable destruction of habitat will take place some time in the near future.

Public and non-profit ownership of lands in the Ramona Grasslands aid in the larger aim of preserving habitat and open space in significant locations all through San Diego County's "backcountry", an endeavor that the WCB and the DFG have supported both financially and through direct State ownership and management.

This property has long been identified as especially significant for preservation in conjunction with the Department of Fish and Game's (DFG's) Natural Community Conservation Plans in San Diego County and the San Diego County's Multiple Species Conservation Plan. Its importance was also described in the DFG's Conceptual Area Protection Plan for the Ramona Grasslands Wildlife Reserve. The

USFWS, TNC, the County, the WCB, and the DFG have been a strong team in San Diego preservation efforts. In this particular acquisition the State Department of Water Resources (DWR) will also be a funding partner.

The current owners of the property are willing sellers and have entered into a purchase agreement with the TNC. The fair market value of the property as determined by an appraisal, approved by the State Department of General Services (DGS), is \$12,500,000.00. The sellers have agreed a bargain sale of \$11,500,000.00. The proposed funding breakdown for the project is as follows:

USFWS Grant	\$ 10,000,000.00
DWR Grant	700,000.00
TNC	<u>800,000.00</u>
TOTAL	\$ 11,500,000.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related costs by the WCB, including the DGS' appraisal review fees, bringing the total proposed allocation for this project to \$5,000.00. The terms and conditions of the proposed Agreement to Subgrant provide that staff of the WCB will review and approve all proposed title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions, and the instruments of conveyance prior to disbursement of funds directly into an escrow established for the property.

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

Staff recommended that the Wildlife Conservation Board approve this project as proposed; accept the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$10,000,000.00 and approve an Agreement to Subgrant the federal funds to The Nature Conservancy; allocate \$5,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(6), for internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

As one of the consent items heard at the beginning of the meeting, it was moved by Ms. Finn that the Board approve this project as proposed; accept the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$10,000,000.00 and approve an Agreement to Subgrant the federal funds to The Nature Conservancy; allocate \$5,000.00 from the Safe

Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(6), for internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

19. Rails to Trails, Modoc Line \$420,000.00  
Lassen and Modoc Counties

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to the Lassen Land and Trails Trust (Land Trust) for a cooperative project with the Department of Fish and Game (DFG), the United States Bureau of Land Management (BLM), and the Sierra Nevada Conservancy to assist with the acquisition of approximately 86 miles of railway corridor covering 2,180± acres through a railbanking agreement. The corridor is currently owned by Union Pacific Railroad through a combination of fee title ownership, rights-of-way, and easements. This project will protect a critical wildlife corridor and will provide increased public access and educational opportunities in the area covered by the proposed acquisition. The proposal will also prevent the fragmentation of the corridor as a result of the reversion of land interests to underlying private landowners and the piecemeal sale of the fee interest held by Union Pacific Railroad. Ms. Teri Muzik briefly described the project and its location.

The rail corridor being proposed for acquisition is the Modoc Line (Line) located in Lassen and Modoc Counties. The Line extends between Wendel, 20 miles east of Susanville, and the McArthur siding, 12 miles south of Alturas. The Line roughly parallels U.S. Highway 395 as it runs on a north-south axis through the remote high desert of northeastern California. Union Pacific Railroad assumed control of the Line in 1996 and has not operated a through train over the Line since 1997. The Line was proposed for abandonment and rails and ties were removed between Wendel and the McArthur siding during 2003 and 2004.

In 1983, the United States Congress amended the National Trails System Act to create the railbanking program. The Rails to Trails Act allowed the federal government to regulate the disposition of soon-to-be abandoned railroad lines to preserve the right-of-way in case the need for future rail use arose, and make way for the development of alternative transportation uses for railway corridors, including trails. This process is called "railbanking." Some railroad right-of-ways contain easements that revert back to underlying landowners when an abandonment is consummated. However, if a line is railbanked, the corridor is treated as if it had not been abandoned. As a result, the integrity of the corridor is maintained, and any reversions that could break it up into small pieces are prevented. Because of the 1983 Act, nearly 2,100 miles of rail lines have been converted into more than 90 multiple-use trails, approximately 17 percent of the nation's total number of rail-trails.

Acquisition of the Modoc Line would preserve the integrity of the corridor for a variety of recreation, wildlife, and economic benefits. All public use of the corridor is currently illegal. Once the acquisition is completed and a management plan will be

prepared by the BLM and the Land Trust through a public planning process. BLM will enter into a cooperative agreement with the Land Trust to manage the Modoc Line as a trail resource. Public uses of the corridor may include trail recreation, touring, hunting, cross-country skiing, wildlife viewing, biking, and other appropriate activities. The acquisition would also provide educational and interpretive opportunities. The Line has the potential to be the centerpiece of a 150-mile rail-to-rail resource running from Westwood to Alturas.

Much of the adjacent land is excellent wildlife habitat. Both mule deer and pronghorn are common sights along the Line. The Line also traverses the Buffalo-Skedaddle Sage Grouse Population Management Unit, one of the few remaining sage grouse strongholds in the west. Improved access will increase both management and educational opportunities.

The fair market value of the property was appraised at \$805,000.00. The appraisal was reviewed and approved by the State Department of General Services (DGS). The landowners have agreed to sell the property to the Land Trust for a bargain sale of \$400,000.00. It is estimated that an additional \$20,000.00 will be needed to cover project-related costs by the Wildlife Conservation Board (WCB), including the DGS' appraisal review fees, bringing the total proposed allocation for the project to \$420,000.00. The protection of the wildlife corridors is consistent with the purposes of the proposed funding.

The terms and conditions of the grant provide that staff of the WCB review all proposed title documents, appraisal, documents for purchase and sale, escrow instructions, and instruments of conveyance prior to the disbursement of funds directly into an escrow established for the property.

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

Staff recommended that the Wildlife Conservation Board approve a grant to the Lassen Land and Trails Trust for this project as proposed; allocate \$420,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650, for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Muzik introduced Matthew Sayles, Executive Director of the Lassen Land and Trails Trust, who was in the audience and available to answer any questions.

Ms. Finn had some questions regarding the property rights being acquired. Mr. Sayles answered these questions to her satisfaction.

Mr. Donnelly reported that a letter of support for this project was received from the Chairman of the Modoc County Board of Supervisors, David Bradshaw.

It was moved by Mr. Koch that the Board approve a grant to the Lassen Land and Trails Trust for this project as proposed; allocate \$420,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650, for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

20. Jacoby Creek Forest, Expansion 4 \$509,000.00  
Humboldt County

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to the City of Arcata for a cooperative project with the Humboldt Area Foundation and private donors to acquire fee title to 120± acres of land within the Jacoby Creek watershed, approximately seven miles southeast of the City of Arcata, in Humboldt County. The purposes of this project are the protection of the watershed, riparian buffers, and the protection of threatened and endangered species, and are consistent with the proposed funding source. Mr. Gallup briefly described the project and its location.

The subject property is located north of Kneeland Road in an area consisting of a few single family homes on small to medium acreage parcels, as well as timber production zones along the steeper slopes of the Jacoby Creek drainage. Topography of the property ranges from level areas near Jacoby Creek to modest and steep slopes. The subject property will become part of a larger 800± acre area owned and managed by the City of Arcata.

The primary purpose of this acquisition is to protect and maintain the mix of redwood, western hemlock, grand fir, Douglas fir and western red cedar habitat, and also to create a riparian reserve area adjacent to the Jacoby Creek corridor. Approximately 10,625 linear feet of the upper reaches of Jacoby Creek are located on this property. This property is an integral part of the Jacoby Creek watershed, and in large part contributes to the Humboldt Bay ecosystem that provides an adequate water supply to maintain habitat for fish, waterfowl, wading birds, shorebirds, and other water associated wildlife. This acquisition will help insure the integrity of the watershed and enhance the downstream habitat restoration investments that have been made in the Humboldt Bay Wildlife Area, Jacoby Creek/Gannon Slough Enhancement Area.

Most of the middle and upper reaches of Jacoby Creek have traditionally been used for timber production. The subject property contains primarily second growth with a few small stands of old growth timber still remaining. The lower portion of Jacoby Creek, west of the subject property, was originally part of Humboldt Bay's extensive inter-tidal salt marsh and mud flats prior to the construction of the Northwestern

Railroad line adjacent to the bay, and later the construction of State Highway 101. Construction of these facilities, as well as timber harvest in the upper watershed and conversion of the riparian areas to agricultural uses in the lower watershed, have impacted Jacoby Creek. There are a number of listed and sensitive species that should benefit from this acquisition, including the northern spotted owl, osprey, yellow warbler, sharp-shinned hawk, Pacific fisher, mountain lion, deer, white-footed vole, and the red tree vole. Maintaining this upper part of the watershed in forest cover will provide benefits for downstream species including coastal cutthroat trout, coho salmon, steelhead, red-legged frog, tailed frog, and Pacific giant salamander.

The property will be managed by the City of Arcata along with its other properties in the Jacoby Creek watershed. The Department of Fish and Game (DFG) will have no management responsibilities.

The property owner has agreed to sell the property for the appraised fair market value of \$510,000.00, as approved by the State Department of General Services (DGS). The proposed funding for the project is as follows:

WCB Grant	\$494,000.00
City of Arcata	<u>16,000.00</u>
TOTAL	\$510,000.00

It is estimated that an additional \$15,000.00 will be needed to cover project-related costs by the WCB, including DGS' appraisal review charges, bringing the total proposed allocation for this project to \$509,000.00.

The terms and conditions of the grant provide that staff of the WCB review all proposed title documents, appraisal, documents for purchase and sale, escrow instructions, and instruments of conveyance prior to disbursement of funds directly into an escrow established for the property.

The DFG has recommended the acquisition of this property as part of the Jacoby Creek Forest Protection Plan. The project is exempt from 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 the transfer of an ownership interest in land to preserve open space. Subject to approval by the WCB, a Notice of Exemption will be filed with the State Clearinghouse. There are no claims of sovereign State land ownership on the property.

Staff recommended that the Wildlife Conservation Board approve a grant to the City of Arcata for this project as proposed; allocate \$509,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Prop. 84), Section 70755(b), for the grant and internal project-related expenses; authorize staff to enter appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Gallup introduced Mark Andre, Environmental Services Director for the City of Arcata, who was in the audience and available to address any questions.

It was moved by Ms. Finn that the Board approve a grant to the City of Arcata for this project as proposed; allocate \$509,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Prop. 84), Section 75055(b), for the grant and internal project-related expenses; authorize staff to enter appropriate agreements as necessary to carry out this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

21. Mouth of Cottonwood Creek Wildlife Area \$1,745,000.00  
Balls Ferry Unit, Expansion 2  
Shasta County

Mr. Donnelly reported that this proposal was to consider the acquisition of fee title to 141± acres as an addition to the Department of Fish and Game's (DFG) Mouth of Cottonwood Creek Wildlife Area, located east of the community of Cottonwood, in Shasta County. The purposes of this project are the protection of habitat and prevention of habitat fragmentation through linkages of wildlife corridors, and are consistent with the proposed funding source. Ms. Carol Klein briefly described the project and its location.

The subject property is a private property specifically located along Balls Ferry Road, east of Interstate Route 5, approximately 12 miles southeast of Redding. This nearly level, unimproved property consists of irrigated pasture with 30± acres of seasonal wetlands and riparian habitat in the drainages. Additional acreage is flooded seasonally due to beaver activity. The property has been historically and is currently used for cattle grazing.

The Mouth of Cottonwood Creek Wildlife Area, located at the confluence of Cottonwood Creek and the Sacramento River, now contains 571± acres of habitat for the Swainson's hawk, bald eagle, ringtail, and river otter. The proposed acquisition will add habitat characterized by high seasonal occupation by wood ducks, Canada geese, mallards, cinnamon teals, pintails, wigeons, shovelers, green-winged teals, white pelicans, snow geese, herons, and a variety of shore birds. The property also provides habitat for numerous raptors such as red-tailed hawks, rough-legged hawks, northern harriers, ospreys, kestrels, and great horned owls, as well as upland game birds such as pheasants and valley quail.

The Wildlife Conservation Board (WCB) and the DFG have previously acquired property in the Cottonwood Creek area for both the Mouth of Cottonwood Creek Wildlife Area and the nearby Battle Creek Wildlife Area. The subject property is situated northwest of, and adjacent to, the existing Mouth of Cottonwood Creek Wildlife Area. The proposed acquisition will contribute to potential linkage of the Mouth of Cottonwood Creek Wildlife Area to the Battle Creek Wildlife Area which consists of 582± acres of riparian forests, marshes, oak woodland, Battle Creek Chinook salmon spawning grounds, and bald eagle and osprey nesting habitat. The



Battle Creek Wildlife Area is contiguous with thousands of acres of Bureau of Land Management (BLM) land to the immediate east and to the south into Tehama County.

Much of the wetlands and riparian vegetation surrounding the subject property have been lost to rural residential development. Acquisition of the subject property would protect the wetlands and riparian habitats from further development. This project would link wildlife habitat and wildlife corridors from the Mouth of Cottonwood Creek Wildlife Area through the Battle Creek Wildlife Area and into vast BLM lands to the east and south.

The DFG proposes to manage the area primarily to preserve open space and significant wetland habitat as part of the existing Mouth of Cottonwood Creek Wildlife Area and at minimal additional expense. Any additional operating expenses will be at least partially offset by continued seasonal grazing lease income.

The landowner has agreed to sell the property to the State for \$1,710,000.00, the appraised fair market value as approved by the State Department of General Services (DGS). It is estimated that an additional \$35,000.00 will be needed to cover project-related expenses which include the DGS' review costs, title and escrow fees, and survey costs for a total recommended allocation for this proposal of \$1,745,000.00.

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

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$1,745,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Prop. 40), Section 5096.650, for the acquisition and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Klein introduced Karen Kovacs, Wildlife Biologist for the Department of Fish and Game's Northern Region (Region), who was in the audience and available to answer questions.

Ms. Finn asked whether the land is currently being used for grazing, and whether this use would continue. Ms. Kovacs stated that livestock grazing is used throughout the Region as a tool for managing properties for short grass and seasonal wetlands, and that this use is compatible with wildlife habitat. She explained that the land owner, now retired from the dairy business, leases the property for grazing. Typically, when the DFG acquires a property, it works through Resource Conservation Districts to implement grazing leases. Ms. Klein added that the Region has requested that the land owner continue his current leasing arrangement with an option for the tenant to renew.

In response to a question from Mr. Koch regarding staffing challenges, Ms. Kovacs explained that this acquisition would constitute expansions of both the Battle Creek Wildlife Area and the Cottonwood Creek Wildlife Area, and would be managed as a satellite of the Cottonwood Creek Wildlife Area. She expressed confidence that staffing levels would be adequate.

It was moved by Ms. Finn that the Board approve this project as proposed; allocate \$1,745,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Prop. 40), Section 5096.650, for the acquisition and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

22. Mill Creek Water Right \$580,000.00  
Tehama County

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to The Nature Conservancy (TNC) to acquire a privately-held water right (Right) totaling an annual volume of 890± acre feet of water in Mill Creek near Los Molinos, north of Chico, in Tehama County. The purpose of this project is to secure flow augmentation of water in support of anadromous fish, aquatic animals, and other wildlife in and near Mill Creek, and is consistent with the proposed funding source. Mr. Bill Gallup briefly described the project and its location.

The proposal involves the acquisition of a Right located on Mill Creek, part of the “Lassen Foothills” plan area that totals over 900,000 acres, lying east of the Sacramento River. Mill Creek, a tributary of the Sacramento River, is located at Sacramento River Mile 230 and flows from east to west through the community of Los Molinos from its origination point in Lassen Volcanic National Park.

The Right being acquired is an adjudicated right as established in about 1920 and allows for a diversion of 13± cubic feet per second of the first 203 cubic feet of flow on the creek. Historically, the water has been used to irrigate prune orchards located immediately west of State Highway 99 just southerly of the community of Los Molinos. Over the past 15 years, the Wildlife Conservation Board (WCB) has partnered with others through grants and direct acquisitions to acquire a number of large land holdings in both fee and conservation easement form to protect the water quality as well as threatened and endangered species along the foothills of the Sierra. This has resulted in the prevention of habitat fragmentation and the overuse and diversion of eastside tributaries made up of many small and medium size creeks.

The primary purpose of the acquisition of the Right is as “environmental water” to remain in the creek and not to be diverted to other uses, and to assist in the protection and recovery of spring, fall and late fall runs of Chinook salmon. The increased flows during the spring and fall will provide improved habitat for the salmon and will be accomplished through agreements with a number of private and public entities including the Department of Fish and Game (DFG), Department of Water

Resources, Los Molinos Mutual Water Company, Mill Creek Conservancy, and TNC. Mill Creek also supports steelhead trout, Pacific lamprey, and other aquatic species including western pond turtle, yellow-legged frog, and numerous neo-tropical migratory birds. The Tehama deer herd, the largest migratory deer herd in California, uses the Mill Creek watershed and the surrounding Lassen Foothills for both their winter and summer ranges.

Historically, Mill Creek flows have been managed by the Los Molinos Mutual Water Company. The above noted parties recently reached an agreement known as the "Agreement for the Implementation of a Long-Term Cooperative Management Plan for Mill Creek." This agreement memorializes a collaborative effort to provide flows in Mill Creek for Chinook salmon migration in the spring and fall. The DFG management component of this team effort is expected to be limited initially, and may increase as more water rights are acquired.

The appraised fair market value of the Right, as approved by the State Department of General Services (DGS), is \$967,000.00. The owner of the Right has agreed to sell to TNC at a bargain sale of \$850,000.00. The proposed funding for the project is as follows:

WCB Grant	\$570,000.00
TNC/Private Funders	<u>280,000.00</u>
TOTAL	\$850,000.00

It is estimated that an additional \$10,000.00 will be needed to cover project-related expenses by the WCB, including DGS' appraisal review charges and a review by an outside appraiser, bringing the total proposed allocation for this project to \$580,000.00.

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

The DFG has reviewed this project and recommends approval of the acquisition. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines, Section 15304, Class 4, as minor alterations in land, water, and vegetation which result in improvement of habitat for fish and wildlife resources or greater fish production. Subject to approval by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve a grant to The Nature Conservancy for this project as proposed; allocate \$580,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop. 12), Section 5096.350(a)(5), for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to



by the former owner, Cargill, Inc., and was acquired by the State in 2004 along with other salt ponds in south San Francisco Bay.

The Napa Plant Site is divided into three units based on hydrologic connectivity and geography. The North Unit (205± acres), includes Ponds 9 and 10, which are located between the Northwest Pacific Railroad and Fagan Slough; the Central Unit (175± acres), includes Wash Ponds W1, W2, and W3. The Central Unit also includes Green Island, salt production facilities, the barge channel, and the site's access road. The South Unit (1,080± acres), which is not included in this proposal, includes Ponds CB1 through CB9 and Ponds B-1, B-2, B-3, and will be considered for restoration at a later date.

Ponds 9, 10, W1, W2, and W3 have been inactive since the early 1990s when salt production ceased. During that period, these ponds have been passively managed, and have accumulated water solely by precipitation. Evaporation has been the only means of drying these ponds. When flooding persists into the summer months, the ponds have very high salinities. Due to high pond salinities, and the flooding and drying pattern, the site currently supports limited wildlife use compared to other salt ponds and managed wetlands in the region.

Salinity reduction operations began in 2003. Cargill's phase-out operations were focused on reducing the aerial extent of plant operations by sequentially decreasing the residual salts remaining in the ponds. This was accomplished by allowing the pickle ponds to flood by precipitation in winter so that salt in the pond bottoms would dissolve into solution. The solution was then moved to crystallizer beds for evaporation and harvest. The salt product would be stockpiled and then shipped from the site via barges on the Napa River. Salinity in Ponds 9, 10, W1, W2, and W3 has been reduced to the point where tidal restoration may begin.

The intent of the restoration project is to restore tidal hydrology and connectivity to the site by lowering perimeter levees along the Napa River and Fagan Slough, breaching levees at strategic locations in the barge channel and along Fagan Slough, creating excavated channels, and lowering internal levees within the North and Central Units. In addition, levees along adjacent properties and the Northwest Pacific Railroad will be raised and improved to provide flood protection and valuable transitional tidal to upland ecotone habitat.

Restored tidal marsh will provide critical habitat for the endangered California clapper rail, the salt marsh harvest mouse, and sensitive plant species. Marsh areas with extensive channel systems will also provide habitat for fish and other aquatic life. The project will also benefit resident and migrating waterfowl on the wildlife area such as mallard, northern pintail, northern shovelers, American widgeon, bufflehead, green-winged teal, tundra swan, and Canada goose (including Aleutians). Other wetland-associated species include white-faced ibis, double-crested cormorant, long-billed marsh wren, red-winged blackbird, great blue heron, black crowned night heron, great egret, snowy egret, long-billed curlew, western snowy plover, western sandpiper, willet, dunlin, black-bellied plover, greater yellow legs, brown pelican, pied-billed grebe, and horned grebe. Raptors using the site include bald eagle, northern harrier, American kestrel, and peregrine falcon.

The site is located directly adjacent to the Napa County Airport, a 2,045±acre general aviation airport. The Northwest Pacific Railroad also crosses through the site separating the North and Central Units. The project's design takes into account these conditions and will mitigate against concerns with bird strikes and railroad levee failure. Potential conflicts between wildlife and the airport are being addressed to a large degree by the design and placement of wetlands and habitat adjacent to the airport that tend not to attract larger waterfowl species. Restoration planning and detailed engineering have addressed flood protection to adjacent properties. Wildlife-oriented public access and recreation opportunities are expected to include a segment of the San Francisco Bay Trail (Bay Trail) for biking and hiking, as well as the planning and identification of other potential uses such as hunting, angling, bird watching, and environmental education opportunities.

This project conforms to the goals of the 1999 San Francisco Bay Area Wetlands Ecosystem Goals Project. Once the project is completed, the site will be managed by the DFG. Currently, a comprehensive land management plan is being written for the entire 14,000± acre Napa-Sonoma Marshes Wildlife Area complex, which includes this site.

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board (WCB)	\$7,910,850.00
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Project costs will include construction management, surveys, staking, compliance monitoring, site preparation, mobilization of equipment, levee lowering, channel and breach excavation, access road and public access components, utility pole reconfiguration, and project administration.

The proposed funding sources for this project are the Water Security, Clean Drinking Water, Coastal and Beach Protection Bond Fund of 2002 (Prop. 50), Section 79572(c), and the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) SF Bay). Both sources allow for the restoration of wetlands in the San Francisco Bay area and are consistent with the objectives of the proposed project.

Regional Water Quality Control Board and San Francisco Bay Conservation and Development Commission permits have been approved. At this writing, the National Oceanographic and Atmospheric Administration (NOAA) has completed its Section 7 review and has forwarded a letter to the U.S. Army Corps of Engineers (COE). The COE permit is pending upon review of the NOAA letter. The DFG completed a Final Environmental Impact Report and filed a Notice of Determination (NOD) with the State Clearinghouse on April 10, 2007. Staff has considered the Final EIR and DFG Findings of Overriding Consideration, and has prepared written findings documenting the WCB's compliance with CEQA. Subject to approval by the WCB, the appropriate NOD will be filed with the State Clearinghouse. The DFG has reviewed this proposal and recommends it for funding by the WCB.

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve this project as proposed: allocate \$6,942,850.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Prop. 50), Section 79572(c), and \$968,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) SF Bay); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Turner introduced Larry Wyckoff of the DFG's Bay Delta Region, who was in the audience and available to answer questions.

Ms. Finn asked how long the project would take. Ms. Turner explained that they would begin the restoration this fall, stop for the nesting season, and complete the project next year. She stated that the project would take no more than two years.

Ms. Finn asked whether the DFG had sufficient resources to manage the site. Ms. Turner answered that management costs would be minimal, with virtually no costs for managing the restored tidal marsh, and that most of the costs would be for public access uses and/or recreational features. Mr. Donnelly added that the DFG currently has staff managing the Napa-Sonoma Marshes Wildlife Area, and that the proposed restoration would make managing the site easier.

It was moved by Mr. Koch that the Board adopt the written findings and approve this project as proposed: allocate \$6,942,850.00 from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Prop. 50), Section 79572(c), and \$968,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Wetlands Outside the Central Valley) (Prop. 50, Section 79572(c) SF Bay); authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

25. Grizzly Island Wildlife Area Uplands and Wetlands Enhancement      \$750,000.00  
Solano County

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to the California Waterfowl Association (CWA), for a cooperative project with the U.S. Geological Survey and the Department of Fish and Game (DFG) to enhance 475± acres of uplands and 150± acres of wetlands on the DFG's Grizzly Island Wildlife Area, located in the Suisun Marsh, south of the City of Fairfield in Solano County. Mr. Peter Perrine briefly described the project and its location.

The Wildlife Conservation Board (WCB) has a long history in Suisun Marsh (Marsh), dating back to 1949 with the acquisition of 8,600± acres to protect feeding and resting habitat for waterfowl, and to provide public hunting opportunities. Since then, projects have included the construction of fishing access sites, the protection of additional wetland habitat, the restoration of wetland habitats, and the construction of the Grizzly Island Road Bridge over Montezuma Slough. More recently, the WCB

funded projects to renovate the main water delivery and drainage structures on Joice Island and the enhancement of wetlands on the Crescent Unit on Grizzly Island.

The Marsh supports vast numbers wildlife species; as many as 250 bird species, 45 species of mammals, 26 fish species and 15 reptile and amphibian species. The Suisun Marsh is one of the most productive and diverse places in California. These biological riches now depend on the abilities of the landowners to manage the various habitats to maximize species diversity. The DFG is the largest of these land owners, but has limited resources available for staff and management. As a result, certain areas of the Grizzly Island Wildlife Area are now in need of enhancement and renovation. The two most critical areas identified by the DFG for improvement are the uplands of Grizzly Island and the wetlands of the West Family Unit.

### Grizzly Island Uplands

In the heart of Grizzly Island lie 1,500± acres of uplands, making up ten percent of the entire Wildlife Area. This vast area provides much needed nesting habitat for a number of waterfowl and other bird species. In 1985, biologists with the CWA, the U.S. Geological Survey (USGS), and the DFG began nesting surveys of the site, and continued the effort uninterrupted for the next 20 years. Nesting success was very high at the beginning; with some of the highest non-island densities ever recorded for certain duck species in North America. Unfortunately, by the mid 1990s breeding success began to decline. While it is not completely clear what factors may have triggered the declines, clearly the grassland habitat is one area that has been significantly altered over the years. Weeds have taken over large areas, a trend that was accelerated significantly by a major flood that inundated much of this area for several months in 1998. In addition, the water delivery system has deteriorated significantly, further reducing the DFG's ability to effectively manage the uplands.

Within the 1,500± acre upland area, 570± acres consist of small semi-permanent wetlands, food plots, and water delivery infrastructure. The management of these areas will not change. To restore the remaining uplands (930± acres) and to determine what management strategy will be the most productive in the long-term, the project will divide the upland area into three restoration sites, with separate management strategies for each. To maintain some upland habitat in the short term, and to provide a control for future nesting studies and monitoring, approximately half of the area, or 460± acres, will be left untouched. The remaining area, 470± acres, will be randomly assigned to one of two strategies: native grass restoration (funded by the WCB) or non-native grass enhancement, paid for with DFG funds. Once the fields are identified, 18 months of weed control work focusing on pepperweed (*lepidium latifolium*) and common reed (*phragmites australis*), will begin, with planting planned for the fall of 2009.

To provide the DFG with the tools necessary to manage the entire upland complex for the long-term, the water conveyance and irrigation infrastructure that runs throughout the upland complex will be completely renovated. All failed water control structures will be replaced with either stainless steel gates or plastic risers and plastic pipe to ensure longevity. All levees and ditches will be repaired and



enhanced to ensure proper conveyance and drainage. In conjunction with these long term improvements, temporary irrigation ditches will be constructed to allow the newly planted fields to be irrigated in the event of adverse weather conditions. The brood pond in the far southeast corner of the upland complex will also be enhanced with a series of swales to improve drainage and habitat diversity.

The USGS and CWA will conduct base line nesting studies, and once fields are selected and planted, will conduct nest surveys on all the fields to determine nesting and breeding success of each of the different treatments, as compared to the untreated controls. These monitoring efforts will help guide the DFG in its long-term management of these important upland areas.

### West Family Unit

On the far western edge of the Marsh, adjacent to Highway 680, lies the West Family Unit. This unit was an active duck club when acquired in 1994, and has since been managed by the DFG as seasonal wetland. The area has proven to be one of the most popular hunting sites on the wildlife area. The unit, already beginning to age when acquired, cannot be properly managed because of poor drainage and water circulation. This project will create a new swale and island complex that will improve water circulation, drainage, and habitat diversity, and will replace two exterior water control structures to improve water management efficiency.

The existing hunting blinds and parking area have been in use for decades and are badly in need of repair or replacement. To improve recreational opportunities, all existing blinds, only two of which can now be used, will be removed and six new blinds will be installed. One blind will be handicap accessible. In addition to replacing all the blinds, the small existing parking lot will be renovated, a small new parking lot constructed, and a new steel gate installed to allow controlled access to the new parking lot. This new parking lot will provide closer access to several blinds, including the handicap accessible blind. A large sign will be installed identifying the project and acknowledging all the partners, and will be visible to travelers on Highway 680.

The project will benefit a wide range of upland and wetland dependent wildlife. As mentioned above, the uplands on Grizzly Island have the potential to support huge numbers of breeding waterfowl, from mallards to cinnamon teal and gadwalls. In addition, other species known to benefit from uplands in the Marsh include northern harriers, meadowlarks and savannah sparrows. Mammals in the upland areas of the Marsh range from the tiny Suisun ornate shrew, a federal and state species of special concern, which weighs less than a quarter of an ounce, to the tule elk, which can weigh as much as half a ton. Wintering waterbirds flock to the area, including northern pintails and western sandpipers. Perhaps equally importantly, the improvements outlined above on Grizzly Island and the West Family Unit will be designed to allow the DFG to better manage the area with their existing staff and budget, while providing a maximum of recreational benefit to the public.

The proposed funding breakdown for the project is as follows:

WCB	\$ 750,000.00
Department of Fish and Game	151,996.00
California Waterfowl Association	<u>254,446.00</u>
TOTAL	\$1,156,442.00

Project costs will be for earthwork; upland site preparation and weed control; upland seeding; water control structures; baseline surveys; post-construction surveys and monitoring; signs; and project design, construction supervision and administration.

The proposed funding sources for this project are the Habitat Conservation Fund (Prop. 117), Section 2786(d), Inland Wetland Conservation Program (Prop. 50); Section 2786(d), Inland Wetland Conservation Program (Prop. 50), Section 79572(c) (SF Bay); and 2786(d) Inland Wetland Conservation Program. All funding sources allow for the restoration of wetland and associated upland habitats. The DFG has reviewed this proposal and recommends it for funding by the Board. This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration to land. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$42,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d), Inland Wetland Conservation Program (Prop. 50), \$551,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) Inland Wetland Conservation Program (Prop. 50, Section 79572(c) SF Bay), and \$157,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Inland Wetland Conservation Program); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Perrine introduced Robert Eddings of the California Waterfowl Association, Patrick Graham and Larry Wyckoff of DFG's Bay Delta Region, and Dean Kwasny of DFG's Wildlife Branch, who were in the audience. He noted that Dave Feliz of DFG's Yolo Bypass Wildlife Area had contributed wildlife photos for this presentation, and was also in the audience. Mr. Perrine added that a recent survey by the California Waterfowl Association and the U.S. Fish and Wildlife Service has identified approximately 80 duck nests and 20 raptor nests.

It was moved by Ms. Finn that the Board approve this project as proposed; allocate \$42,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d), Inland Wetland Conservation Program (Prop. 50), \$551,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) Inland Wetland Conservation Program (Prop. 50, Section 79572(c) SF Bay), and \$157,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(d) (Inland Wetland Conservation Program); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

26. Wheeler Ridge Wildlife Area, Expansion 1 \$840,000.00  
Mono County

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to the Eastern Sierra Land Trust (Land Trust) to acquire fee title to 33± acres located west of State Highway 395, south of Crowley Lake, in southern Mono County. The purposes of this project are habitat preservation and protection of deer and mountain lion migratory corridors, and are consistent with the proposed funding source. Mr. Bill Gallup briefly described the project and its location.

The subject property is located on Crowley Lake Drive approximately two miles west of "Toms Place" and about three miles south of Crowley Lake. The City of Bishop is approximately 30 miles to the southeast via State Highway 395.

The subject property is located within one of the migration corridors for the Round Valley mule deer herd. This property provides access to the steep hillsides and the "high country" of the Sierras to the west where the herd finds brush for grazing, resting, and watering opportunities. The subject property is about six miles northerly of Round Valley/Swall Meadows where the herd winters over. There are two significant man-made barriers that impact the deer herd: State Highway 395 and Crowley Lake. A number of natural barriers also impact the deer herd, including Rock Creek Canyon and Wheeler Ridge, a sheer granite wall near Swall Meadows. Habitat fragmentation is also problematic to migration corridors, and potential development is a real threat. With the construction of a number of single-family residences in the vicinity, and given the growing trend towards the subdivision of larger properties into rural residential subdivisions, protection of this property is critical. Habitat loss and disturbance associated with rural subdivisions, recreation, and commercial developments are considered the top factors impacting the deer herd size and viability.

Protection is critical to the diverse habitats and the primary purpose of projects in this wildlife area is to preserve, maintain, and enhance critical Round Valley mule deer winter range, holding area, and migration corridor habitat. The secondary purpose is to maintain and enhance opportunities for deer hunting and wildlife viewing, and to preserve habitat for the numerous other species that utilize this region. Species that will benefit from the permanent protection that acquisition provides include mule deer, Sierra Nevada bighorn sheep, mountain lion, and neo-tropical migratory and riparian obligate birds, raptors, upland game species, upland mammals, reptiles, and amphibians.

The Land Trust will be responsible for managing and monitoring the property. Under the Grant Agreement, the Wildlife Conservation Board (WCB) or the Department of Fish and Game (DFG) staff will accompany the Land Trust not less than once every three years during monitoring visits and evaluate compliance with the terms and conditions as outlined in the grant.

The owner has agreed to sell the property to the Land Trust for \$830,000.00, the appraised fair market value of the property. The appraisal has been approved by

the State Department of General Services (DGS). It is estimated that an additional \$10,000.00 will be needed to cover project-related expenses, including the DGS' appraisal review charges, bringing the total proposed allocation for this project to \$840,000.00.

The terms conditions of the proposed Grant Agreement provide that staff of the WCB will review and approve all documents associated with the proposed purchase including title documents, appraisal, preliminary title reports, agreements for purchase and sale, escrow instructions, and instruments of conveyance, prior to disbursement of grant funds into an escrow established for the property.

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

Staff recommended that the Wildlife Conservation Board approve a grant to the Eastern Sierra Land Trust for this project as proposed; allocate \$840,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650, for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish the project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Gallup introduced Karen Ferrell-Ingram of the Eastern Sierra Land Trust, who was in the audience and available to answer questions.

Mr. Koch asked about the intent of management of the property. Mr. Gallup replied that there would be a survey of wildlife resources, and that the property would be managed as open space.

It was moved by Mr. Koch that the Board approve a grant to the Eastern Sierra Land Trust for this project as proposed; allocate \$840,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650, for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish the project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

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| 27. Millerton Preserve (Ecker Ranch)<br>Madera County | \$3,015,000.00 |
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Mr. Donnelly reported that this proposal was to consider the allocation for a grant to the California Rangeland Trust (CRT) to acquire a conservation easement over 1,080± acres located 25 miles northeast of the City of Madera, near the community

of Coarsegold, in Madera County. The purposes of this project are to prevent the conversion of rangeland, grazing land and grassland to nonagricultural uses, to protect the property from encroaching residential development, and to sustain the open space benefits that occur from continued livestock grazing use, all of which are consistent with the proposed funding sources. Ms. Catherine Caldwell briefly described the project and its location.

The property is a privately-owned cattle ranch in the San Joaquin River watershed, in the foothills of the central Sierra Nevada Mountains. The property includes mostly gentle to rolling topography at 2,100-2,600 feet elevation, and is accessed by Highway 41 approximately halfway between Millerton Lake State Recreation Area and Yosemite National Park. The area is dominated by large, privately-held ranch parcels used for grazing, along with federally owned land northeast of the property. Newer residential subdivisions are also in the area, including three subdivisions immediately west of the property. Protection of the property will create a buffer for the large ranches to the north and east, which are adjacent to the Sierra National Forest.

The Rangeland, Grazing Land and Grassland Protection Act of 2002 (Act) identified the Wildlife Conservation Board (WCB) as the responsible entity to implement the program created to protect California's rangeland, grazing land, and grasslands through the use of conservation easements. Procedures were developed for accepting applications and evaluating proposals, which measure the project's contribution to the purposes of the program. The WCB has approved a number of projects under the program, protecting thousands of acres. This would be the third conservation easement acquisition within the area identified by the Department of Fish and Game (DFG) as the Millerton Conceptual Area Protection Plan, but the first potentially funded under this program.

The purposes of this project are to assure that the property is preserved in its natural open-space condition and used for livestock grazing; and to sustain the benefits that occur from continued livestock grazing, including wildlife habitat preservation and watershed and water quality preservation. The project will protect the rangeland resources by managing grazing, prohibiting subdivision, and preventing conflicting uses. Without protection, there is a real threat of development to the entire area, given the growing trend towards the subdivision of larger properties into small residential plots. Preservation of this property will also protect the large ranches to the north and east from the challenges of encroaching subdivision.

In addition, the project will protect annual grassland, valley foothill riparian, and mixed live and white oak woodland habitats that provide essential breeding, migrating, wintering, roosting or foraging opportunities for a diverse abundance of native fish and wildlife species. The property has uniquely abundant water resources, including a number of seasonal and perennial springs and streams, and three reservoirs, all of which provide rich aquatic habitat for fish and waterfowl, such as nesting whooping cranes. Additional wildlife and plants on the property include deer, bears, mountain lions, quail, and golden eagles, as well as unique alpine wildflowers. The project's water quality benefits extend to Millerton Lake and the San Joaquin River watershed. The property is also rich with cultural resources, including a historic cemetery, a historic ranch home, and Native American artifacts.

The proposed project has a tremendous amount of support, evidenced in nearly 100 individual letters from neighbors; community members and leaders; local and regional religious, business, and non-profit organizations; as well as elected and appointed officials. The success of this project has the potential to generate interest in additional rangeland conservation projects among other large ranch owners in the vicinity.

The CRT will be responsible for managing and monitoring the conservation easement, which provides for the landowner to continue to make the property available for limited recreational use by local nonprofit and youth educational organizations, and for limited hunting and fishing, all in addition to managing grazing and agricultural resources. Under the terms of the grant agreement, the WCB will accompany the CRT at least every three years to evaluate compliance with the terms and conditions of the grant agreement and conservation easement.

The fair market value of the proposed conservation easement is \$3,005,000.00 as determined by an appraisal approved by the State Department of General Services (DGS). The property owner has agreed to sell the easement for the approved appraised value. An additional estimated \$10,000.00 will be needed for project-related costs such as the DGS' appraisal review costs, bringing the total proposed allocation for this project to \$3,015,000.00.

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

Staff recommended that the Wildlife Conservation Board approve a grant to the California Rangeland Trust for this project as proposed; allocate \$1,856,508.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650(f)(Rangeland), and \$1,158,492.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Prop. 84), Section 75055(d)(1) for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish the project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Caldwell introduced Nita Vail and Michele Clark of the California Rangeland Trust and Mr. J.B. Overstreet, the owner of Ecker Ranch, who addressed the Board.

Mr. Overstreet introduced his wife Camille, daughter Linda, and attorney Rob Scholnick, and expressed his appreciation to the Board. He explained that when the Ecker family established the ranch in 1870, the location was very remote, and the family seldom left the property. The original ranch house still stands on the property, and the Eckers are buried there. He noted the importance of preserving property such as the Ecker Ranch.

Mr. Overstreet cited his family's preservation efforts, the advice and assistance on game management that has been provided by the DFG, and the increase in the number of deer and other species on the property. He also described his relationship with Quail Unlimited and the 'Covey Kids' who camp on the property, learn about wildlife habitat and preservation, and assist in providing quail cover and dove nests.

Mr. Koch commented on the impressive list of supporters for this project, and commended Mr. Overstreet's efforts to help younger generations experience the great outdoors and learn the importance of protecting diverse habitats.

Ms. Finn asked Mr. Overstreet to explain the limited hunting opportunities on this property. He described a private hunting and fishing club, limited to about 20 carefully chosen members, where the amount of game that is killed is controlled by rules and regulations. He added that there are many areas on the ranch that are difficult to access by humans, and that provide cover for wildlife.

Mr. Donnelly expressed his appreciation to Mr. Overstreet, and stated that nearly 100 letters of support for this project have been received. Letters were received from Frank Bigelow of the Madera County Board of Supervisors; John Anderson, Madera County Sheriff-Coroner; Sally Bompreszi, Mayor Pro Tempore of the City of Madera; Gary Svanda of the Madera City Council; Anthony Ward of the Madera County Planning Commission; Robert E. Coyle, U.S. District Judge; Julia Berry, Executive Director of the Madera County Farm Bureau; Janet Cobb, President of the California Oaks Foundation; and Kay Good, President of the Coarsegold Historical Society, along with a number of other organizations, private individuals, neighbors, and friends of the Overstreet family.

It was moved by Ms. Finn that the Board approve a grant to the California Rangeland Trust for this project as proposed; allocate \$1,856,508.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650(f)(Rangeland), and \$1,158,492.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Prop. 84), Section 75055(d)(1), for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish the project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

28. Black Mountain Preserve, Expansion 3 \$1,150,000.00  
Fresno County

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to the Sierra Foothill Conservancy (SFC) to acquire fee title to 358± acres located off of Tollhouse Road, in Fresno County. The purpose of this project is the protection of blue oak-foothill pine, oak woodlands and grasslands habitat in the Sierra Nevada foothills, and is consistent with the proposed funding source. Mr. Bill Gallup briefly described the project and its location.

The Black Mountain Preserve is part of a larger overall planning preservation project known as the Millerton Watershed Planning Area (San Joaquin River area). The subject property is located on the westerly facing side of Black Mountain and is in close proximity to 1,275± acres of protected land previously acquired by the SFC since 1998. The SFC has an ambitious plan to acquire an additional 2,700± acres for habitat protection and preservation.

Access to the property is via Black Mountain Road, a dirt track from Tollhouse Road, a paved county road. The subject property is five± miles east of the community of Prather, and the community of Tollhouse is a similar distance to the east.

Historic use of the subject property has been open space and limited grazing, and that use is expected to continue should the property be acquired. Topography of the property is sloped with elevations ranging from 2,000 feet on the west to 3,000 feet on the east. Water availability is limited to a few seasonal streams that flow from east to west and are part of the San Joaquin River watershed.

The property has three distinct vegetation types, blue oak woodland, blue oak – foothill pine, and mixed chaparral. There are 218 native plant species documented on Black Mountain, including a large population of the narrow endemic *Carpenteria californica*, which grows only in Fresno, Madera, and Mariposa Counties. There are eight species of lupine including the orange lupine, nine species of monkey flower, and seven species of clarkia. There are a number of mammals, including two species of deer mice, kangaroo rats, fox, bobcats, mountain lions, deer, and the occasional bear. There is a large population of California newts, slender salamander, and ring-neck snakes on Black Mountain. During migration periods, up to nine species of warblers have been seen, six species of hummingbirds, and a large number of other occasional visitors.

The SFC has proposed that the area be managed primarily to preserve oak woodlands, open space, and to conserve biodiversity. Additional management objectives may include allowing public access for recreational pursuits such as hiking and wildlife viewing. Upland game hunting opportunities may be available with adequate space for safe separation of public users and distance from residential properties. Management will be the responsibility of the SFC. The State will have no responsibility for management of this property.

The appraised fair market value as approved by the State Department of General Services (DGS) is \$1,130,000.00 and the property owner has agreed to sell the property for that amount. It is estimated that \$20,000.00 will be needed for administrative expenses by the Wildlife Conservation Board (WCB), which includes the DGS appraisal review costs, bringing the total recommended allocation for this proposal to \$1,150,000.00.

The terms and conditions of the proposed grant agreement provide that staff of the WCB will review and approve all proposed title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions, and the



instruments of conveyance prior to disbursement of funds directly into the escrow established for this property.

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

Staff recommended that the Wildlife Conservation Board approve a grant to the Sierra Foothill Conservancy for this project as proposed; allocate \$1,150,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(a) for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Gallup introduced Chuck Peck, Executive Director of the Sierra Foothill Conservancy, who was in the audience and available to answer questions.

It was moved by Mr. Koch that the Board approve a grant to the Sierra Foothill Conservancy for this project as proposed; allocate \$1,150,000.00 from the Habitat Conservation Fund (Prop. 117), Section 2786(a) for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

29. Hedgerows for Habitat and Restoration \$117,000.00  
Fresno, Madera, and Santa Cruz Counties

Mr. Donnelly stated that this is the first project to be funded under the Wildlife Conservation Board's (WCB) new Ecosystem Restoration on Agricultural Lands (ERAL) program, a program that assists farmers in integrating agricultural activities with ecosystem restoration and wildlife protection. Proposition 84 provided the WCB an allocation of five million dollars to implement this program. He reported that this proposal was to consider the allocation for a grant to the Community Alliance with Family Farmers for three separate projects to establish 5,500± feet of hedgerow habitat on agricultural lands. The location of the three project sites are approximately 18 miles southwest of Firebaugh in Fresno County; about five miles north of Firebaugh in Madera County; and about four miles northeast of Watsonville in Santa Cruz County. Mr. Chad Fien briefly described the project and its location.

Under Proposition 84, the WCB received new funding to work with farmers to enhance wildlife habitat on their working farms in a manner consistent with their ongoing agricultural practices. The intent of the funding is to assist these landowners in developing wildlife friendly practices that can be sustained and co-exist with their agricultural operations. Within California, large numbers of wildlife

species rely on private agricultural properties for habitat. The WCB sees this funding as a great opportunity to develop new and innovative approaches to integrate agricultural activities with ecosystem conservation, and equally important as a way to collaborate and develop new partnerships with the agricultural community. The three project sites represent the first projects funded from this funding source.

### Windfall Farms

This project site is located in Joaquin Valley, west of State Route 5, within ½ mile of the coastal foothills, on what was historically grassland and saltbush habitat. This is an agriculture-based region, with the major crops being cotton, vegetables, and almonds. Windfall Farms employs several conservation-oriented measures on their property, including managing several annual hedgerows and intermittent alfalfa strips for purposes of biologically Integrated Pest Management (IPM) practices. They also grow organic cotton and Biological Agricultural Systems in Cotton (BASIC) cotton through the help of the Sustainable Cotton Project, which is a non-profit organization that encourages the demand from apparel companies for U.S. organic and BASIC cotton.

This hedgerow project site will provide habitat for several species of birds, reptiles, and small mammals; provide habitat for beneficial insects and pollinators; create vegetative buffer strips from roads and adjacent agricultural operations; and increase local capacity to sequester greenhouse gases. Specifically, some of the wildlife species that will benefit include Swainson's hawk, Nelson's antelope squirrel, giant kangaroo rat, Tulare grasshopper mouse, San Joaquin kit fox, and blunt-nosed leopard lizard.

This project site is also planned to be the beginning of an effort by the Community Alliance with Family Farmers (CAFF) and the Wild Farm Alliance (WFA) to develop a concentrated cluster of farms with hedgerow habitat in the region. It will also be a demonstration site for local field days to educate the local farming community about the benefits of this type of management practice for wildlife, agriculture, and the watershed.

### Lone Willow Farm

Located in the San Joaquin Valley between the San Joaquin River and Lone Willow Slough, this project site will create a habitat corridor between these two waterways. Lone Willow Farm currently grows organic diversified vegetables, fruit trees, alfalfa, and has a small herd of goats for goat cheese production.

This hedgerow project site will provide habitat for several species of birds, reptiles, and small mammals; provide habitat for beneficial insects and pollinators; create vegetative buffer strips from roads and adjacent agricultural operations; and increase local capacity to sequester greenhouse gases. Specifically, some of the wildlife species that will benefit include Swainson's hawk, Cooper's hawk, long-eared owl, valley quail, several species of bats, San Joaquin kit fox, and blunt-nosed leopard lizard.

This project site has a high water table because of its juxtaposition between the two riparian waterways and the habitat planned for this planting will reflect an extension of riparian habitats found in the region. This project site is also planned to be a demonstration site for local field days to educate the local farming community about the benefits of this type of management practice for wildlife, agriculture, and the watershed.

### Deep Roots Ranch

The project site is within the Pajaro River watershed. A coastal watershed with a wide range of historical and diverse habitats that includes riparian valleys, redwood and hardwood forests, coastal sage scrub, maritime chaparral, and grasslands. As western expansion settled along the Pacific seaboard, agricultural production converted much of these habitat types into crops and grazing. The project site had been conventional berry farming until as recently as 2003, when management of the property changed to perennial pasture. The farm raises cattle, poultry, pigs, and sheep for production of meat, milk, eggs, and cheese.

This hedgerow/riparian project site will provide habitat along an agricultural drainage ditch that is a source of perennial water and once established it will provide refuge for several species of birds, small mammals, reptiles and amphibians; provide habitat for beneficial insects and pollinators; stabilize the ditch banks and reduce runoff; create a windbreak for livestock; create a network of perennial pasture and riparian forest; and increase local capacity to sequester greenhouse gases. Specifically, some of the wildlife species that will benefit include: sage sparrow, rufous-crowned sparrow, California thrasher, Costas's hummingbird, valley quail, Santa Cruz kangaroo rat, Pacific kangaroo rat, gray fox, and habitat for the western pond turtle, foothill yellow-legged frog, and red-legged frog.

This project will extend both ends of a hedgerow/riparian project established earlier this year along the same drainage ditch, complement 10 other previous plantings located within two miles of the project site in the same watershed, and further augment ten additional projects planned for this year within the Pajaro Valley watershed. This will increase the ability of wildlife to live and move throughout these habitat corridors within the larger agricultural landscape. This project site is also planned to be a demonstration site for local field days to educate the local farming community about the benefits of this type of management practice for wildlife, agriculture, and the watershed.

For all three project sites, the landowners have agreed to manage and maintain the properties for 25 years, pursuant to the terms and conditions of the habitat management plan. If at any time during the life of the project, the landowners are unable to manage and maintain the project improvements, they will refund to the State of California an amortized amount based on the number of years left on the project life.

Community Alliance with Family Farmers has had a long history of supporting California's farming community in efforts to improve the ecological outcomes of farming. The Wild Farm Alliance fully supports this project and it fits well with their

mission to increase biological diversity in the agricultural landscape. This project will also directly assist the Department of Fish and Game (DFG) in accomplishing the conservation actions identified in its State Wildlife Action Plan (2007). These conservation actions include working with private landowners and non-profit organizations to implement agricultural practices compatible with wildlife and habitat conservation.

The proposed funding breakdown for the project is as follows:

WCB	\$117,000.00
Landowner (In-kind)	49,900.00
Volunteers (In-kind)	<u>1,200.00</u>
TOTAL	\$168,100.00

Project costs will be for nursery stock hedgerow and riparian vegetation; site preparation and planting; drip irrigation installation; project signs; project design, construction supervision, and administration.

The proposed funding source for this project is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund, (Prop. 84), Section 75055(d)(4). This funding allows for assisting farmers in integrating agricultural activities with ecosystem restoration and wildlife protection. The DFG has reviewed this proposal and recommends it for funding by the WCB. This project is exempt from the California Environmental Quality Act (CEQA) under Class 4 of Categorical Exemptions, California Code of Regulations, Title 14, Section 15304, as a minor alteration to land. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$117,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Section 75055(d)(4)); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Fien introduced Karrie Thomas, Project Manager for the Community Alliance with Family Farmers, who was in the audience and available to answer questions.

Ms. Finn asked how long it would take for the hedgerows to become successful and for the habitats to be restored as envisioned. Mr. Fien replied that insects would start populating the hedgerows right away, followed by reptiles and small mammals. The hope is for a larger matrix of hedgerows which would then attract larger mammals.

Ms. Finn then asked whether the DFG would monitor the projects. Mr. Fien explained that the Community Alliance with Family Farmers will do some of the monitoring, with long-term monitoring to be done by the land owners. In addition, the WCB will require annual reports.

Mr. Koch asked whether the ERAL program is limited to this part of the state or operates on a statewide basis. Mr. Fien replied that the program is statewide, and inquiries have come from as far as Tule Lake in the north, to Temecula in the south. He also pointed out that, in addition to hedgerows projects, there will be many more ideas to present for the ERAL program.

It was moved by Mr. Koch that the Board approve this project as proposed; allocate \$117,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Section 75055(d)(4)); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

30. Kings River Fishing Access \$124,000.00  
Fresno County

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to the Kings River Conservancy for a cooperative project with the Department of Boating and Waterways and the County of Fresno to construct a public fishing access facility. The project site is located at the northwest corner of the intersection of the Kings River and State Highway 180 in Fresno County. Mr. Tony Chappelle briefly described the project and its location.

This project is anticipated to be the first in a series of public access, recreation, and educational facilities along the Kings River, and has been identified by the Kings River Conservancy in its planning document entitled "The Kings Ribbon of Gems, A Vision for the Lower Kings River". In 2005, this document identified 27 planned and existing facilities along the river in need of improvement, with a total estimated cost of \$47 million. Driving the need for these new and improved facilities is the rapidly growing population in Fresno County, which has created an increased demand for outdoor recreation opportunities, including public fishing access.

In an innovative partnership, the Kings River Access Park will be built, operated and maintained by the Kings River Conservancy on 7± acres of unimproved land owned by the County of Fresno. Currently the site has a narrow dirt access road and supports scattered oaks, sycamores, cottonwoods, willows and non-native grassland. Proposed project improvements include a car-top boat launch facility, vault restroom, gravel access road, a parking area with 35 stalls, a trail from the parking area to the river bank, six picnic tables, perimeter fence, and an information kiosk. Entrance to the facility will be will be from Rio Vista Avenue just north of State Highway 180.

This new facility will provide year-round access to the Kings River for anglers seeking the rainbow trout stocked regularly by the Department of Fish and Game (DFG). In addition to angling access, it is expected that the project will provide a put-in and take-out point for car-top boaters. Currently there is no formal public access to the Kings River with a restroom, parking and ancillary facilities within miles of the proposed project site. Users of this stretch of river often park illegally and

cross State Highway 180 hand carrying boats and other equipment. The convenient location of the proposed project is ideal for recreational use. Its close proximity to Highway 180 offers easy access from Highway 99 and the Fresno/Clovis metropolitan areas.

The County has agreed to operate and maintain the facility for 25 years, pursuant to the terms and conditions of the Grant Agreement, and intends to enter into an agreement with the Conservancy to have the Conservancy operate and maintain the site. If at any time during the life of the project, the County or the Conservancy is unable to operate and maintain the project improvements, the County will refund to the State of California an amortized amount based on the number of years left on the project life.

The proposed funding breakdown for the project is as follows:

WCB	\$124,000.00
Department of Boating and Waterways	50,000.00
Kings River Conservancy	<u>25,000.00</u>
TOTAL	\$199,000.00

Project costs will be for mobilization; roadway preparation; site grading; riprap; perimeter fence; restroom; installation of a sign; project design and administration.

The proposed funding sources for this project are the Wildlife Restoration Fund (Minor Capital Outlay) and the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650. Both sources allow funding for the construction of public access facilities. The DFG has reviewed this proposal and recommends it for funding by the WCB. The County, as lead agency, prepared a Mitigated Negative Declaration for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Mitigated Negative Declaration and has prepared proposed, written findings documenting WCB's compliance with CEQA. Subject to approval by the WCB, the appropriate Notice of Determination will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board adopt the written findings and approve the project as proposed; allocate \$112,176.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650 and \$11,824.00 from the Wildlife Restoration Fund (Minor Capital Outlay); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Chappelle introduced Jim Van Haun, Executive Director of the Kings River Conservancy, Margaret Thorburn, President of the Kings River Conservancy Board, and Dr. John Gray, Vice President of the Kings River Conservancy Board, who were in the audience and available to answer questions.

Ms. Finn asked whether the Department of Boating and Waterways had already committed funding to this project, and whether they need their board's approval. Mr. Chappelle responded that funding had been committed to the project, and that the Department of Boating and Waterways Commission has given its approval.

It was moved by Ms. Finn that the Board adopt the written findings and approve the project as proposed; allocate \$112,176.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650 and \$11,824.00 from the Wildlife Restoration Fund (Minor Capital Outlay); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

31. San Joaquin River Riparian Habitat, Expansion 15 \$570,000.00  
Fresno County

Mr. Donnelly reported that this proposal was to consider a cooperative project with the Department of Fish and Game (DFG) and the San Joaquin River Conservancy (Conservancy) to acquire fee title to two± acres located on North Friant Road at Flemming Avenue, in the community of Friant, in Fresno County. The property will be acquired for a possible future trailhead for the San Joaquin River Parkway (Parkway), and visitor facilities for the DFG's San Joaquin River Fish Hatchery (Hatchery), purposes which are consistent with the proposed funding source. Ms. Carol Klein briefly described the project and its location.

This nearly level, unimproved, commercially zoned site is adjacent to the Parkway and the Hatchery and is situated upstream from the City of Fresno and south of Friant Dam. Nearby land uses consist of single family residences, a post office, and small commercial and retail establishments. The domestic water source is an individual well. The subject property has paved public road access from both Friant Road and Flemming Avenue.

The Hatchery, serving thousands of visitors each year, is one of the most visited locations along the Parkway. However, the site is not universally accessible, provides little interpretive information and no picnicking or gathering area, has limited visitor parking, and vehicle access only through a residential neighborhood, and lacks public access to the river.

This acquisition will provide in the future direct bus and automobile access from Friant Road to the Hatchery. In addition, planning and design options include hiking trails, an outdoor classroom, bus and automobile parking, Americans with Disabilities Act (ADA) compliant public restrooms, and picnicking facilities. The project will include a segment of the multiple-purpose Parkway trail connecting Lost Lake Park to Friant Road. Phase One Preconstruction Planning and Design, authorized at the February 20, 2008 Wildlife Conservation Board (WCB) meeting, will analyze options for enhancing visitor access to the Hatchery and the San Joaquin River. Possible future project elements may include hiking trails, public river access, an outdoor classroom for visiting students, access improvements, picnicking

facilities, and a wetland demonstration area. The subject property, situated adjacent to the Hatchery, would be available to implement possible future projects which may develop from the current planning, design, and study phase.

The DFG proposes to manage the proposed acquisition property as part of the existing Hatchery facility. Actual jurisdiction may be transferred to the Conservancy in the future subject to approval by the Conservancy Board and concurrence by the DFG.

The landowner has agreed to sell the property to the State for the appraised fair market value of \$550,000.00, as approved by the State Department of General Services (DGS). It is estimated that an additional \$20,000.00 will be needed to cover project-related expenses which include the DGS' review costs, title and escrow fees, and survey costs, for a total recommended allocation for this proposal of \$570,000.00.

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines, Section 15325, Section 25, as an acquisition of land to preserve open space or for park purposes. Subject to approval by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve this project as proposed; allocate \$570,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Prop. 40), Section 5096.650(b)(5) for the acquisition and project-related expenses; authorize possible future transfer of jurisdiction from the Department of Fish and Game to the San Joaquin River Conservancy; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Klein introduced Melinda Marks, Executive Officer of the San Joaquin River Conservancy, who was in the audience and available to answer questions.

Ms. Finn asked about the future transfer of jurisdiction to the Conservancy. Mr. Donnelly explained that the San Joaquin River Conservancy Board (Conservancy Board) consists of representatives of the cities and counties of Fresno and Madera, the State of California, and others. The Conservancy Board has jurisdiction from Highway 99 east to Friant Dam, and has approved and adopted a master plan for the Parkway. There are a number of different ownerships within the Conservancy floodplain, including the County of Fresno, the Conservancy, the DFG, and the State Lands Commission. There are targeted goals within the Conservancy's enabling legislation allowing for the acquisition of a certain amount of property. Once all the property is acquired, the Conservancy Board will determine which entity should own/manage the properties that fall within the master plan for the Parkway to protect habitat and integrate public participation and use, and at that time ownerships and/or jurisdiction may be transferred between state agencies. Mr. Donnelly noted that the proposed funding source for this project identifies the Conservancy as the recipient of the funds, with the WCB having jurisdiction and approval authority over that



funding through the enacting legislation. Possible transfer of jurisdiction to the Conservancy in the future would benefit the DFG as well as the other ownerships in the Parkway master plan area. He added that transfer of jurisdiction is a common practice when the WCB acquires property for the Conservancy, and that the WCB has the authority to consider/grant the Conservancy's request to be the owner/manager of a property as part of the preliminary process of considering a project for funding.

Ms. Finn asked about the time frame for resolving the jurisdictional matters and whether the WCB would be briefed on future transfers. Mr. Donnelly affirmed that it would be possible to provide the Board with updated information. Ms. Marks explained that, according to her discussions with the DFG's Central Region Manager, upon completion of a CEQA study of visitor improvements, the decision will be made on whether to continue the DFG's jurisdiction, or to transfer jurisdiction to the Conservancy. She estimated the time frame to be within about six months of the acquisition.

It was moved by Mr. Koch that the Board approve this project as proposed; allocate \$570,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Prop. 40), Section 5096.650(b)(5) for the acquisition and project-related expenses; authorize possible future transfer of jurisdiction from the Department of Fish and Game to the San Joaquin River Conservancy; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

32. Morro Bay Wildlife Area \$810,000.00  
San Luis Obispo County

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to the Morro Coast Audubon Society (Audubon) for a cooperative project with the State Coastal Conservancy and the Trust for Public Land to acquire fee title to eight± acres of unimproved Morro Bay shoreline property in San Luis Obispo County as an addition to Audubon's contiguous Sweet Springs Preserve (Preserve). This proposal is also to consider the acceptance of a Recovery Land Acquisition Grant from the U.S. Fish and Wildlife Service (USFWS), the authorization to enter into an Agreement to Subgrant a portion of these federal funds to Audubon to be applied toward the current proposed acquisition, and authorization to credit the balance to the Recovery Land Acquisition Grant as an adjustment for a prior acquisition non-federal match. Ms. Carol Klein briefly described the project and its location.

The Preserve is located in the community of Los Osos, on the southeast side of Morro Bay, in western San Luis Obispo County. The Preserve has been owned and operated by the Morro Coast Audubon Society since 1989. The subject property abuts the Preserve to the east and is one of a group of undeveloped parcels which would connect the DFG's Morro Bay Wildlife Area, Audubon's Sweet Springs Preserve, and other wetlands owned by the State Lands Commission. The wetlands that fringe the south part of Morro Bay in the vicinity of Los Osos support several

endemic plant communities which provide habitat for a number of local species, several of which are state or federally-listed.

Acquisition of the subject property and other shoreline parcels would provide significant recovery benefits to several federally-listed species as well as several state-listed and special status species that are associated with the Morro Bay wetlands and uplands. The subject property is identified as one of the parcels which provide habitat for such listed plant species as the endangered salt marsh bird's beak and California sea-blite as well as the Morro shoulderband snail. The subject parcel and other identified parcels are zoned for residential development, but are currently under a building moratorium pending construction of sewer facilities in Los Osos. Protection of the shoreline from further construction, and maintenance of extant vegetation would preserve a buffer between existing development and adjacent foraging habitat for western snowy plover, California brown pelican, California black rail, and American white pelican.

Audubon proposes to incorporate the property into its adjacent Sweet Springs Preserve. Audubon's more immediate priorities may include the removal of certain non-native vegetation and the restoration of native vegetation. While protecting the habitat and sensitive flora and fauna, Audubon would allow public trail access on the property.

Audubon proposes to purchase the property from the owner at the State Department of General Services (DGS) approved, appraised fair market value of \$2,000,000.00. The proposed funding breakdown for this project is as follows:

WCB Grant	\$ 800,000.00
USFWS Grant	236,600.00
SCC	<u>963,400.00</u>
TOTAL	\$2,000,000.00

It is estimated that an additional \$10,000.00 will be needed to cover administrative expenses by the WCB, which include the DGS' review costs, for a total recommended allocation for this project of \$810,000.00. The proposed funding sources allow for grants to protect threatened and endangered species where the funding is leveraged with other funds, and is consistent with the purposes of this project.

The terms and conditions of the proposed grants to Audubon provide that the WCB staff will review and approve the proposed acquisition property. The grants further provide that staff will review all proposed acquisition-related documents prior to recommending disbursement of the USFWS funds and the WCB funds directly into escrow for the property.

The Department of Fish and Game has reviewed this project and recommends approval of the acquisition. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and is proposed as exempt under CEQA Guidelines, Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Section 25, as the transfer of an

ownership interest in land to preserve open space. Subject to approval by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve a grant to the Morro Coast Audubon Society as proposed; accept the Recovery Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$500,000.00 and authorize an Agreement to Subgrant \$236,600.00 of these federal funds to the Morro Coast Audubon Society; authorize a \$263,400.00 non-federal adjustment credit to the Recovery Land Acquisition Grant; allocate \$810,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650, for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Klein introduced Karen Frankel, Project Manager for the Trust for Public Land, and Jan Surbey, President of the Morro Coast Audubon Society, who were in the audience and available to answer questions. She indicated that Ms. Surbey would address the Board.

Ms. Surbey thanked the Board for their consideration of the grants to the Morro Coast Audubon Society. She explained that letters of support for this project had been received from Bruce Gibson of the San Luis Obispo County Board of Supervisors; Dr. David Chipping of the San Luis Obispo Chapter of the California Native Plant Society; Janice Peters, Mayor of the City of Morro Bay; and Robert Hill of The Land Conservancy of San Luis Obispo County. She also presented two additional letters, one from ECOSLO (The Environmental Center of San Luis Obispo), and the other from Surfrider Foundation in San Luis Obispo County. Ms. Surbey stated that Audubon looks forward to managing this property in conjunction with the adjacent Sweet Springs Preserve, and will maintain it in its preserve-type setting.

Mr. Koch commended Audubon for its plans to remove exotic non-native vegetation from the property, and asked Ms. Surbey whether there is public access to the site. Ms. Surbey responded that the Sweet Springs Preserve does allow public access, and that once a management plan is adopted to ensure the protection of endangered species, public access will be allowed.

Ms. Finn asked whether the Audubon Society would monitor the property to ensure compatible public access. Ms. Surbey reiterated that they would manage the property just as they manage the Sweet Springs Preserve. Mr. Donnelly added there would be ongoing monitoring by WCB staff, annual reporting, and a site inspection at least once every three years to ensure that the property is managed as intended.

Ms. Finn asked whether the State Coastal Conservancy had already approved a grant for this project, and Ms. Klein replied that all the grants have been approved.

It was moved by Mr. Koch that the Board approve a grant to the Morro Coast Audubon Society as proposed; accept the Recovery Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$500,000.00 and authorize an

Agreement to Subgrant \$236,600.00 of these federal funds to the Morro Coast Audubon Society; authorize a \$263,400.00 non-federal adjustment credit to the Recovery Land Acquisition Grant; allocate \$810,000.00 from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Prop. 40), Section 5096.650, for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

33. California Fisheries Restoration Projects - 2008  
Mendocino, Santa Barbara, and Ventura Counties

This item was withdrawn from consideration.

34. Trabuco Creek Metrolink Fish Passage, Phase I \$771,194.00  
Orange County

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to Trout Unlimited (TU), South Coast Chapter # 928, to prepare the final design for a fish passage device (fish ladder) and associated stream channel improvements on Trabuco Creek. The project site is located two miles upstream of the San Juan and Trabuco Creeks confluence, at the grade control structure beneath the Metrolink railroad crossing, in the City of San Juan Capistrano, in Orange County. Mr. Scott Clemons briefly described the project and its location.

Trabuco Creek is major tributary of the San Juan Creek watershed. The watershed has a drainage area of about 176 square miles and has been identified by the Department of Fish and Game (DFG) and the National Marine Fisheries Service (NMFS) as a critical habitat area for the Southern California steelhead. Pressures on the watershed from human uses are great, and include channelization, impaired water quality, loss of habitat, decline in water flows, loss of biodiversity, and invasive species. Historically, San Juan Creek and its tributaries, including Trabuco Creek, consisted of pristine habitat for the federally endangered Southern California steelhead trout (*Oncorhynchus mykiss iredes*). The adverse impacts from human uses listed above have severely limited, if not extirpated, steelhead populations in most of the areas within the watershed.

The Metrolink crossing is downstream and west of Interstate 5 and approximately one mile upstream from the confluence with San Juan Creek. This portion of the creek was once perceived to be passable by migrating fish. The flood control structure (culvert) at the Interstate 5/Camino Capistrano bridges, located approximately one-half mile upstream was thought to be the only large structural fish passage barrier in the lower reaches of Trabuco Creek. In 2005, the Wildlife Conservation Board (WCB) approved funding for a fish passage project to be constructed at the Interstate 5 structure. While the Interstate 5 fish passage project was in the design phase, heavy rains caused excessive scour in the plunge-pool below the Metrolink structure. The resulting increase in the drop height (approximately six-foot drop in combination with a 30-foot toe to crest rise) made the Metrolink grade control structure impassable for fish.

When this situation was discovered and made known to the WCB staff, it was determined that the Metrolink barrier should be addressed before completing the Interstate 5 structure. With consultation from DFG, TU was instructed to cease work on the Interstate 5 structure as soon as they had completed an acceptable final design of that project. TU requested and received funding from the DFG to develop a 15% conceptual design for the proposed fish passage structure at Metrolink. The 15% conceptual design has been completed. This proposal would provide funding for the completion of the final design of the Metrolink fish passage structure. TU estimates that the final design will require approximately one year to develop. This will include a review and agreement by all of the interested stakeholders, including DFG, NMFS, County of Orange, Metrolink Railroad, the City of San Juan Capistrano, and other landowners in the upstream and downstream reaches of Trabuco Creek.

The Metrolink fishway project will create an alternate route for fish passage through this barrier. Hydrologic sediment transport, and geotechnical investigations and analyses will be completed to evaluate the lower extent of the Trabuco Creek system, including several hundred feet upstream of the existing structure, and downstream to the confluence with Oso Creek (a tributary of Trabuco Creek). The results of these analyses will determine the ultimate design of the fish-way passage improvements and identify any other concerns, such as stream bank erosion, that may need to be corrected as part of the ultimate design of the project.

The overall funding breakdown for this proposal is as follows:

Wildlife Conservation Board	\$771,194.00
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Project costs will be for site reconnaissance, data collection and assessment, design alternatives analysis, stakeholder outreach and meetings, preparation of the final design package, project management, administration and contingency. The proposed funding source for this project is the Habitat Conservation Fund (Prop. 117), Section 2786(e/f), (Prop. 50, Section 79572(c) SoCal). This funding allows for the restoration of fisheries habitat in southern California coastal watersheds. The DFG has reviewed this proposal and recommends it for funding by the WCB. The project is exempt from the California Environmental Quality Act (CEQA) under Article 18 (Statutory Exemptions), Section 15262, as a feasibility and planning study. Subject to approval by the WCB, the appropriate Notice of Exemption will be filed with the State Clearinghouse.

Staff recommended that the Wildlife Conservation Board approve the project as proposed, allocate \$771,194.00 from the Habitat Conservation Fund (Section 2786e/f (Prop. 50, Section 79572(c) SoCal); authorize staff to enter into appropriate agreements as necessary; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Clemons introduced Drew Irby and George Sutherland of Trout Unlimited, who were in the audience and available to answer questions.

Mr. Koch asked how many miles of steelhead habitat would be made passable once this barrier (and one other barrier) are removed. Mr. Sutherland answered that 17 miles of the river would become passable.

It was moved by Mr. Koch that the Board approve this project as proposed, allocate \$771,194.00 from the Habitat Conservation Fund (Section 2786e/f (Prop. 50, Section 79572(c) SoCal); authorize staff to enter into appropriate agreements as necessary; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

35. El Sobrante \$2,504,700.00  
Riverside County

Mr. Donnelly reported that this proposal was to consider the allocation for a grant to the Western Riverside County Regional Conservation Authority (Authority); the acceptance of a Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service (USFWS); and the authorization to enter into an Agreement to Subgrant the federal funds to the Authority to acquire fee title to 71± acres located northeast of the City of Wildomar, south of Lake Elsinore, in western Riverside County. The purposes of this project, the protection of wildlife corridors and habitat for threatened and endangered species, and its location within an approved Natural Community Conservation Plan, are consistent with the proposed funding source. Mr. Pat Dyas briefly described the project and its location.

The subject property, currently under private ownership, is located northeast of the newly incorporated City of Wildomar and borders Bundy Canyon Road on the northwest. The topography is rolling to hilly with an intermittent riparian corridor a short distance from the road. The vegetation consists of mixed grasslands and Riversidean sage scrub. The land is undeveloped, except for several dirt access roads. There are no improvements, including developed water, on the property.

Western Riverside County is one of the most ecologically important areas in the United States and arguably contains the most listed species of any region in California. The area is currently occupied by many types of animals and plants from swallows to golden eagles, jackrabbits to bobcats, and the threatened coastal California gnatcatcher, endangered Stephen's kangaroo rat, endangered least Bell's vireo, endangered Munz's onion, and other sensitive species. All are habitat specialists, relying on grasslands, sage scrub, and riparian plant communities, all of which are rapidly disappearing in southern California. Acquisition of properties in this area is important in a broader ecological context, providing north-south corridors for wildlife, and contributing to the genetic viability of a number of native species.

Under the Authority's management, limited public access to the site may be possible without disturbance of the habitat values. Fencing may have to be erected in the future to prevent erosion and other negative aspects of unfettered inappropriate use. Western Riverside County has been experiencing unprecedented growth and rapid development. The amount of open space and natural lands is rapidly declining as these areas are converted to housing and commercial uses. These factors create an urgent need to conserve remaining available lands to support populations of

native species and habitats, and to ensure the recovery of listed species. Finding property owners willing to sell at fair market prices has been difficult. Failure to acquire such property when it is available will result in a lost opportunity that may not come again as open lands become scarcer and more expensive.

This property will be owned and managed by the Authority (a Joint Powers Authority made up of the County and 14 cities) as a part of its mission of creating a habitat reserve system of 153,000 acres to protect the 146 species covered by the Western Riverside MSHCP. Educational and low impact recreational activities are encouraged at appropriate locations so long as they do not interfere with the basic preservation goals.

The fair market value of the property as determined by an appraisal approved by the State Department of General Services is \$2,730,000.00. The sellers have agreed to sell to the Authority at a bargain sale of \$2,499,700.00. The proposed funding breakdown for the project is as follows:

WCB Grant	\$1,249,850.00
USFWS Grant	<u>1,249,850.00</u>
TOTAL	\$2,499,700.00

It is estimated that an additional \$5,000.00 will be needed to cover project-related costs by the WCB, including appraisal review fees by the DGS, bringing the total funding contribution by the WCB for this project to \$1,254,850.00. The WCB also proposes to provide the USFWS grant funding in the amount of \$1,249,850.00, with subsequent reimbursement from the USFWS to the WCB for deposit into the Wildlife Restoration Fund, pursuant to Fish and Game Code Section 1352(b), bringing the total proposed allocation for this project to \$2,504,700.00.

The terms and conditions of the proposed Agreement to Subgrant provide that staff of the WCB will review and approve all proposed title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions, and the instruments of conveyance prior to disbursement of funds directly into an escrow established for this property.

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

Staff recommended that the Wildlife Conservation Board approve this project as proposed; accept the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$1,249,850.00 and approve an Agreement to Subgrant with the Western Riverside County Regional Conservation Authority; allocate \$2,504,700.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Prop. 84), Section 75055(c), for the grant and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and

authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Finn asked whether the U.S. Fish and Wildlife Service grant had been approved. Mr. Dyas replied that it had.

Ms. Finn then asked how much of the 153,000 acre goal of the Authority has been accomplished to date. Mr. Dyas explained that he did not know at this time, that this project is part of a larger Section 6 Grant, and that another project may be presented to the Board at its next meeting. Mr. Donnelly stated that staff will provide that information to Ms. Finn.

It was moved by Ms. Finn that the Board approve a grant to the Western Riverside County Regional Conservation Authority for this project as proposed; accept the Habitat Conservation Planning Land Acquisition Grant from the U.S. Fish and Wildlife Service in the amount of \$1,249,850.00 and approve an Agreement to Subgrant with the Western Riverside County Regional Conservation Authority; allocate \$2,504,700.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Prop. 84), Section 75055(c), for the grants and internal project-related expenses; authorize staff to enter into appropriate agreements as necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

**Motion carried.**

At 11:50 A.M. the public was dismissed from the meeting and invited to wait outside the meeting room until adjournment following the Closed Session.

36. Executive Session (Not Open to the Public)

Pursuant to the authority of Government Code Section 11126, the Board met in Closed Session at 11:50 A.M. to discuss pending litigation to which the Wildlife Conservation Board is a party, California Farm Bureau Federation, et al., vs. California Wildlife Conservation Board, et al., Colusa County, Superior Court Case Number CV22294 (California Environmental Quality Act).

The Closed Session was adjourned at 12:25 P.M.

37. Reconvene Open Session

Mr. Donnelly reported that the Board conferred with legal counsel on the issues being litigated. No formal action was taken.

With no further business to discuss, the meeting adjourned at 12:26 P.M.

Respectfully submitted,

John P. Donnelly  
Executive Director



## PROGRAM STATEMENT

At the close of the meeting on May 22, 2008, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$2,048,373,154.50. This total includes funds reimbursed by the Federal Government under the Accelerated Public Works Program completed in 1966, the Land and Water Conservation Fund Program, the Anadromous Fish Act Program, the Sport Fish Restoration Act Program, the Pittman-Robertson Program, and the Estuarine Sanctuary Program.

The statement includes projects completed under the 1964 State Beach, Park, Recreational and Historical Facilities Bond Act, the 1970 Recreation and Fish and Wildlife Enhancement Bond Fund, the Bagley Conservation Fund, the State Beach, Park, Recreational and Historical Facilities Bond Act of 1974, the General Fund, the Energy Resources Fund, the Environmental License Plate Fund, the State, Urban and Coastal Park Bond Act of 1976, the 1984 Parklands Fund, the 1984 Fish and Wildlife Habitat Enhancement Bond Act, the California Wildlife, Coastal and Park Land Conservation Act of 1988, Cigarette and Tobacco Products Surtax Fund of 1988, California Wildlife Protection Act of 1990, the Safe, Clean, Reliable Water Supply Act of 1996, the Natural Resources Infrastructure Fund, the Harbors and Watercraft Revolving Fund, Forest Resources Improvement Fund, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond, Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Fund, California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund, Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002, Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, and the Wildlife Restoration Fund. In addition to projects completed with the above funding sources, this statement includes tax credits awarded under the Natural Heritage Preservation Tax Credit Act of 2000. The tax credits are not reflected in the total amount allocated to projects.

A. Fish Hatchery and Stocking Projects .....	\$16,006,219.06
B. Fish Habitat Preservation, Development & Improvement.....	41,014,416.41
Reservoir Construction or Improvement .....	\$ 5,605,699.00
Stream Clearance and Improvement .....	29,995,078.19
Stream Flow Maintenance Dams.....	542,719.86
Marine Habitat .....	646,619.07
Fish Screens, Ladders and Weir Projects.....	4,224,300.29
C. Fishing Access Projects .....	52,130,649.26
Coastal and Bay .....	\$ 4,612,013.11
River and Aqueduct Access.....	16,862,441.93
Lake and Reservoir Access .....	9,703,429.18
Piers .....	20,952,765.04
D. Game Farm Projects .....	146,894.49

E. Wildlife Habitat Acquisition, Development and Improvement .....	1,878,779,889.59
Wildlife Areas (General).....	\$393,599,119.53
Miscellaneous Wildlife Habitat Development .....	16,007,817.32
Wildlife Areas/Ecological Reserves, (Threatened, Endangered or Unique Habitat) .....	673,106,998.57
Land Conservation Area .....	10,051,715.18
Inland Wetlands Conser. Grants & Easements ....	22,888,497.94
Riparian Habitat Conser. Grants & Easements ....	62,550,886.49
Other Wildlife Habitat Grants .....	700,574,854.56
F. Hunting Access Projects .....	484,898.57
G. Miscellaneous Projects (including leases).....	19,262,099.12
H. Special Project Allocations.....	1,662,294.13
I. Miscellaneous Public Access Projects .....	38,352,650.80
State Owned .....	\$1,813,406.19
Grants .....	36,539,244.61
J. Sales and/or exchanges.....	533,143.07
K. Natural Heritage Preservation Tax Credit Act (tax credits awarded) ...	(48,241,234.00)
Statutory plans .....	(0.00)
Corridors, wetlands, wildlife habitat, streams and riparian habitat .....	(6,234,658.00)
Agricultural lands .....	(13,775,640.07)
Water and water rights .....	(0.00)
State and local parks, open space and archaeological resources .....	(28,230,935.93)
Total Allocated to Projects.....	\$2,048,373,154.50