

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

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State of California
The Resources Agency
Department of Fish and Game
Wildlife Conservation Board

Minutes, Meeting of November 15, 1988

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State of California
The Resources Agency
Department of Fish and Game
WILDLIFE CONSERVATION BOARD

Minutes, Meeting of November 15, 1988

Pursuant to the call of the Acting Chairman Pete Bontadelli, the Wildlife Conservation Board met in Room 3191 of the State Capitol, Sacramento, California, on November 15, 1988. The meeting was called to order at 10:40 a.m. It was announced that Chairman Al Taucher was delayed and will be arriving shortly.

1. Roll Call

PRESENT:

| | |
|-----------------------------------|-------------------------|
| Albert C. Taucher, President | Chairman |
| Fish and Game Commission | |
| Stan Stancell, Assistant Director | Member |
| Department of Finance | |
| Pete Bontadelli, Director | Member |
| Department of Fish and Game | |
| Dr. Jim Rote, | |
| Vice Senator Barry Keene | Joint Interim Committee |
| Jeff Arthur, | |
| Vice Senator Robert Presley | Join Interim Committee |
| Edna Maita, | |
| Vice Assemblyman Jim Costa | Joint Interim Committee |
| Rick Battson, | |
| Vice Assemblyman Phillip Isenberg | " " " |

ABSENT:

| | |
|---------------------------|-------------------------|
| Senator David Roberti | Joint Interim Committee |
| Assemblyman Norman Waters | " " " |

STAFF PRESENT:

| | |
|-----------------|---------------------------|
| W. John Schmidt | Executive Officer |
| Alvin G. Rutsch | Assist. Executive Officer |
| Clyde S. Edon | Field Agent |
| Jim Sarro | Chief Land Agent |
| Howard Dick | Land Agent |
| Frank Giordano | Land Agent |
| Sandy Daniel | Executive Secretary |
| Janice Beeding | Office Technician |

OTHERS PRESENT:

| | |
|-------------------|---------------------------|
| Rick Staats | Senator John Doolittle |
| Greg Wapinsky | Dept. Boating & Waterways |
| Joe Wingfield | City of Fresno |
| Sean Curtis | Farm Bureau |
| Lanny Winberry | Maza Land Corporation |
| Bob Akers | Maza Land Corporation |
| Mark Rynearson | Citizen |
| Carol L. Pinckney | Citizen |

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Ray Soltro
Terry Hanson
Richard Spotts
Jim Collin
Scott Fergerson
Dan Chapin
Sheila Massey
Fred Worthley
Bill Griffith
Banky Curtis
Jim Messersmith

Sacramento/Fresno Bee
City of Redding
Defenders of Wildlife
Senator Rose Ann Vuich
Trust for Public Land
Ca. Waterfowl Assoc.
Ca. Cattlemen's Assoc.
DFG, Long Beach
DFG, Sacramento
DFG, Redding
DFG, Sacramento

2. Approval of Minutes

Approval of minutes of the August 11, 1988, meeting of the Wildlife Conservation Board was recommended.

IT WAS MOVED BY MR. STANCELL THAT THE MINUTES OF THE AUGUST 11, 1988, MEETING OF THE WILDLIFE CONSERVATION BOARD BE APPROVED AS WRITTEN.

MOTION CARRIED.

3. Amendment to Minutes of May 6, 1986, Meeting

This item was to amend the minutes of the May 6, 1986, meeting wherein it was erroneously indicated that item #12 (Yorkville Peregrine Falcon E.R., Mendocino County) was to be funded with Environmental License Plate Funds. In fact, it was located in the agenda under the heading "1984 Fish & Wildlife Habitat Enhancement Fund", the intended funding source. Staff hereby recommended that the Board approve an amendment to the May 6, 1986, minutes to reflect the 1984 Fish & Wildlife Habitat Enhancement Fund as the proper funding source.

IT WAS MOVED BY MR. STANCELL THAT THE AMENDMENT TO THE MINUTES OF THE MAY 6, 1986, MEETING, REFLECTING THAT THE 1984 FISH & WILDLIFE HABITAT ENHANCEMENT FUND AS THE PROPER FUNDING SOURCE FOR THE YORKVILLE PEREGRINE FALCON ECOLOGICAL RESERVE, MENDOCINO COUNTY, BE APPROVED AS WRITTEN.

MOTION CARRIED.

4. Funding Status as of November 15, 1988 (Information Only)

(a) 1988/89 Wildlife Restoration Fund Capital Outlay Budget

| | |
|----------------------------------------------|--------------------|
| Governor's Budget - Land Acquisitions | \$1,730,000.00 |
| Less previous Board allocations | - 865,789.83 |
| Unallocated Balance | \$ 864,210.17 |
| Governor's Budget - Minor Projects | \$1,250,000.00 |
| Less previous Board allocations | - 354,150.00 |
| Unallocated Balance | \$895,850.00 |

(b) 1987/88 Wildlife Restoration Fund Capital Outlay Budget

| | |
|--------------------------------------------------------|----------------|
| Governor's Budget - Land Acquisitions - Eco Reserves.. | \$1,000,000.00 |
| Less previous Board allocations | -805,000.00 |
| Unallocated Balance | \$ 195,000.00 |
| Governor's Budget - Land Acquisitions | \$ 417,000.00 |
| Less previous Board allocations..... | -417,000.00 |
| Unallocated Balance..... | \$ -0- |

(c) 1986/87 Wildlife Restoration Fund Capital Outlay Budget

| | |
|---------------------------------------------|----------------|
| Governor's Budget - Land Acquisitions | \$1,000,000.00 |
| Less previous Board allocations | -1,000,000.00 |
| Unallocated Balance | \$ -0- |

(d) 1988/89 Environmental License Plate Fund Capital Outlay Budget

| | |
|---------------------------------------|----------------|
| Governor's Budget | \$3,292,000.00 |
| Less previous Board allocations | - 800,000.00 |
| Unallocated Balance | \$2,492,000.00 |

(e) 1986/87 Environmental License Plate Fund Capital Outlay Budget

| | |
|---------------------------------------|----------------|
| Governor's Budget/Chapter 1489 | \$1,000,000.00 |
| Less previous Board allocations | -926,737.92 |
| Unallocated Balance | \$ 73,262.08 |

(f) 1988/89 Fish & Wildlife Habitat Enhancement Fund Capital Outlay Budget

| | |
|---------------------------------------|----------------|
| Governor's Budget | \$3,434,000.00 |
| Less previous Board allocations | -1,015,673.81 |
| Unallocated Balance | \$2,418,326.19 |

(g) 1987/88 Fish and Wildlife Habitat Enhancement Fund Capital Outlay Budget

| | |
|---------------------------------------|-----------------|
| Governor's Budget | \$14,000,000.00 |
| Less previous Board allocations | -11,979,606.17 |
| Unallocated Balance | \$ 2,020,393.83 |

(h) 1986/87 Fish and Wildlife Habitat Enhancement Fund Capital Outlay Budget

| | |
|---------------------------------------|-----------------|
| Governor's Budget | \$12,165,000.00 |
| Less previous Board allocations | -12,136,308.50 |
| Unallocated Balance | \$ 28,691.50 |

(i) 1985/86 Parklands Fund Capital Outlay Budget

| | |
|---------------------------------------|-----------------|
| Governor's Budget | \$ 5,000,000.00 |
| Less previous Board allocations | -4,667,187.91 |
| Unallocated Balance | \$ 332,812.09 |

RECAP OF FUND BALANCES

Wildlife Restoration Fund

| | |
|------------------------------------------------|----------------|
| Acquisition | \$1,059,210.17 |
| Minor Development | \$ 895,850.00 |
| Environmental License Plate Fund | \$2,565,262.08 |
| 1984 Fish & Wildlife Habitat Enhancement | \$4,467,411.52 |
| Parklands Fund of 1984 | \$ 332,812.09 |

5. Recovery of Funds

The following 4 projects previously authorized by the Board have balances of funds that can be recovered and returned to the various funds. It was recommended that the total amount of \$2,414.45 be recovered to the Wildlife Restoration Fund; and \$11,504.07 be recovered to the Fish and Wildlife Habitat Enhancement Fund; and the projects be closed.

WILDLIFE RESTORATION FUND

Swiss Ranch Deer Winter Range Expansion #1, Calaveras County

| | |
|----------------------|--------------|
| Allocation | \$230,000.00 |
| Expended | -228,222.55 |
| Balance for Recovery | \$ 1,777.45 |

Upper Butte Sink, Butte County

| | |
|----------------------|-------------|
| Allocation | \$ 1,000.00 |
| Expended | - 363.00 |
| Balance for Recovery | \$ 637.00 |

Total Wildlife Restoration Fund Recoveries \$ 2,414.45

FISH AND WILDLIFE HABITAT ENHANCEMENT FUND

Grider Creek, Siskiyou County

| | |
|----------------------|--------------|
| Allocation | \$ 17,500.00 |
| Expended | -13,103.93 |
| Balance for Recovery | \$ 4,396.07 |

Moss Landing Wildlife Area Engineering Survey, Monterey County

| | |
|----------------------|--------------|
| Allocation | \$ 32,000.00 |
| Expended | - 24,892.00 |
| Balance for Recovery | \$ 7,108.00 |

Total Fish & Wildlife Hab. Enhancement Recoveries \$11,504.07

IT WAS MOVED BY MR. STANCELL THAT THE WILDLIFE CONSERVATION BOARD RECOVER FUNDS FROM THE PROJECTS LISTED ON PAGE 4 AND CLOSE THE PROJECT ACCOUNTS. RECOVERY TOTALS SHALL INCLUDE THE SUM OF \$2,414.45 BE RECOVERED TO THE WILDLIFE RESTORATION FUND; AND \$11,504.07 BE RECOVERED TO THE FISH & WILDLIFE HABITAT ENHANCEMENT FUND.

MOTION CARRIED.

6. Mad River Hatchery Fishing Access, Humboldt County \$54,000.00

Mr. Schmidt reported that the Department of Fish and Game has recommended that improvements be made at the Mad River Hatchery to provide public access facilities for physically handicapped anglers. Mr. Al Rutsch described the project location.

The hatchery, is a modern salmon-steelhead facility constructed in 1971 with WCB and matching federal funds, situated on the left bank of the Mad River near Blue Lakes, 16 miles northeast of Eureka. Access to the hatchery is by freeway from Eureka and a paved two-lane road from Blue Lakes.

The hatchery gets a lot of visitors, local residents as well as tourists, and is a regular destination point for school tour buses. A paved parking area for 85 cars, restroom, picnic tables and grass are provided for the public.

Facilities and interpretive displays have been provided to allow visitors to view the fish in the ponds and fish ladder, and to see the spawning operations. An estimated 57,800 people visited the hatchery last year.

The biggest attraction however, is the fishing in the river adjacent to the hatchery grounds, especially during the spawning months of January and February. During these times hundreds of anglers can be found along the bank or wading in the river fishing for steelhead trout or sometimes landing a trophy-sized king salmon. Fishing success is excellent for those who can clamber down the bank or wade into the river. It is not uncommon to see the parking area filled to capacity, with overflow parking extending up the hatchery entrance road.

The proposal is to construct a concrete path from the paved hatchery road to the river, and a gentle ramp down the bank to the water's edge. This will provide a way for the physically handicapped to get to the river easily and a place where they can fish safely. It is also proposed to remodel the restroom to meet handicapped access standards. Hatchery personnel will maintain the facility.

A cost estimate of these improvements has been prepared by Department engineers and reviewed by staff as follows:

| | |
|----------------------------------------|-----------------|
| Mobilization, site preparation | \$ 3,400 |
| Grading and base rock | 2,000 |
| Concrete path and curbs | 8,400 |
| Remove, replace and add riprap | 13,100 |
| Reconstruct and enlarge restroom | 22,200 |
| Subtotal | <u>\$49,100</u> |
| Contingency, 10% | 4,900 |
| Total | <u>\$54,000</u> |

This activity involves minor grading and remodeling of an existing small structure. No major displacement of earth or organic matter will take place. It has been determined that the proposal is exempt from CEQA under Section 15301 (Class 1), and Section 15304 (Class 4) and a Notice of Exemption has been filed pursuant to the act.

Mr. Schmidt reported that the Department of Fish and Game would handle future operation and management of the project and that staff recommended that the Board approve the Mad River Hatchery Fishing Access project as proposed, allocate \$54,000.00 therefor from the Wildlife Restoration Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Acting Chairman Pete Bontadelli reported that Chairman Al Taucher had arrived and turned the Chair over to Mr. Taucher.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE IMPROVEMENTS AT THE MAD RIVER HATCHERY, HUMBOLDT COUNTY, AS PROPOSED; ALLOCATE \$54,000.00 FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

7. Oroville WLA Ponds Fishing Access, Butte County \$93,000.00

Mr. Schmidt reported that the Department of Fish and Game has proposed a development at the Oroville Wildlife Area to provide fishing access for physically handicapped people. The project involves the construction of two fishing piers in riparian ponds adjacent to the Feather River in Oroville. A 10-car paved parking area and paved pathways from the parking area to each pier are also included in the project.

Mr. Al Rutsch described that the project site is on the left bank of the river, at the northeast end of the wildlife area on a 100 acre parcel of riparian habitat acquired by the Board in 1985. The site is actually within the Oroville City limits and is visible from Highway 70 to the east or Highway 162 and the Feather River Bridge which bisects the parcel to the north.

Since the ponds are so close to an urban area, they get a lot of use from people who walk in and fish the ponds or along the river. The piers are proposed primarily to give handicapped anglers an opportunity to fish, although they will no doubt also get use from others since they will provide better access to the deeper waters. As proposed, each pier would extend 20 feet outward from the shore and have an 8' x 46' tee.

Currently, vehicular access is available into the general area but not to the immediate vicinity of the ponds. When the project is completed, the Department plans to allow handicapped users access to the new parking area to be located near the ponds. Others will be able to continue using the site by foot access as is now being done. Permits will be issued at no charge at the area headquarters just across the bridge from the project site.

The area floods at times, but for most of the year there are only minor fluctuations in the pond water levels, which are kept fairly constant by the controlled flows in the river. The ponds support good populations of bass and catfish. It is expected the ponds will be regularly stocked with catchable trout in the winter months to add variety to the catch.

A cost estimate prepared by Department of Fish and Game Engineers has been reviewed by staff and is summarized as follows:

| | |
|-----------------------------------|----------|
| Site preparation, earthwork | \$ 3,000 |
| AC Base & paving | 10,300 |
| 2 piers, 8' x 66" | 66,800 |
| Fencing, gates and signs | 4,800 |
| Subtotal | \$84,900 |
| Contingency, 10% | 8,100 |
| Total Project Cost | \$93,000 |

The Department of Water Resources has agreed to designate their share of this years federal Land & Water Conservation Funds to this project. If approved, this would mean a 50% reimbursement to the Board.

Staff and Department of Fish and Game personnel agree that this is a desirable project as it opens up an excellent fishing area to people who do not have many such opportunities. The Department of Fish and Game will maintain the area with personnel from the wildlife area office.

An environmental evaluation has been made and a determination has been reached indicating that no significant adverse environmental effects would occur as a result of the development and use of the proposed project. The project is also considered to be exempt from CEQA under the provisions of Section 15303 (Class 3), and Section 15304 (Class 4) of the State Guidelines, and a Notice of Exemption has been filed pursuant to the act.

Dr. Rote asked how does the public know that these handicapped facilities are available. Mr. Bontadelli stated there was a bill authored by Senator Mc Corquodale, approximately 3 years ago, which required the Department to develop a publication of all areas opened to the handicapped in California from a fishing standpoint. He further stated the brochure is updated on a regular basis and is disseminated to the License Agents. Mr. Schmidt noted that in addition WCB has a public access guide which is being updated presently and handicapped access facilities will be added to this guide.

Staff has examined the site and concurs in the Department's recommendation. It was recommended that the Board approve the Oroville WLA Ponds Fishing Access project as proposed; allocate \$93,000.00 from the Wildlife Restoration Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Taucher asked if there was anyone in the audience who wished to speak, and since there was no further discussion, the following action was taken.

IT WAS MOVED BY MR. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE IMPROVEMENTS AT THE OROVILLE WLA, BUTTE COUNTY, AS PROPOSED; ALLOCATE \$93,000.00 FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

ITEM #21 [ASH CREEK WLA (BIG VALLEY) EXP. #2, LASSEN COUNTY] WAS CONSIDERED AT THIS TIME BUT SHOWN IN CHRONOLOGICAL ORDER IN THESE MINUTES.

ITEMS 8, 9 AND 10 WERE CONSIDERED SEPARATELY AND ONE MOTION MADE TO COVER ALL THREE PROJECTS.

8. South Bonnyview Fishing Access, Shasta County \$200,000.00

Mr. Schmidt reported that the City of Redding has applied for WCB funds to help construct a public boating access facility on the right bank of the Sacramento River at Bonnyview Bridge, near Redding's southerly city limits. The City has also applied for an equal amount from the Department of Boating and Waterways (DBW). Joint funding is proposed for this project since it will benefit general recreational boaters, as well as boat fishermen.

Mr. Al Rutsch described the location. The project is on a 6 acre parcel acquired by the Board in 1986 for fishing access. This part of the river is not easily accessible to boaters from other boat ramps in the county because of shallows and riffles in certain reaches of the river at low flows. The nearest ramps are about 5 1/2 miles away, one upstream near the city center and one downstream at Reading Island near Anderson.

The area is sparsely populated but traffic on South Bonnyview Road is fairly high, as it has an interchange with I-5 just a half mile to the east. A left turn lane will be constructed on Bonnyview Road for vehicles coming from the east and adequate lanes for in and out traffic will be provided on highway right of way property adjacent to the parcel.

The City is preparing final plans and will administer construction contracts for the project development after the funding has been approved and the agreements drawn up. DBW performed some preliminary engineering and design work for the project.

As proposed, the project will consist of a short access road from South Bonnyview Road, a paved and striped parking area, 2-lane concrete boat ramp, restroom facility, utilities (water, sewer, electrical), drinking fountains, lights, trash cans and signs. Landscaping and other amenities will be added by others at a later date. The City, as lead agency for the purposes of compliance with CEQA, has filed a Negative Declaration with the State Clearinghouse in accordance with the Act.

The following cost estimate was prepared by the City and reviewed by WCB staff and the Department of Boating and Waterways. Construction costs will be shared equally between WCB and DBW. The City will bid out the project and administer the construction contract under a three party agreement between WCB, DBW and the City.

| | |
|---------------------------|-----------|
| Site work | \$ 30,000 |
| A.C. Paving and Striping | 145,600 |
| 2 Lane concrete ramp | 32,000 |
| Curbs and walkways | 27,200 |
| Restroom, 4 unit pre-fab. | 60,000 |

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| | |
|-------------------------------------|-----------|
| Utilities-water, sewer & electrical | 31,100 |
| Misc. - signs, trash recept. | 5,500 |
| Subtotal: | \$331,400 |
| Contingency 10% | 34,300 |
| Admin. & Engineering 10% | 34,300 |
| Total Est. Project Cost: | \$400,000 |
| WCB 50% | \$200,000 |

It is expected that this project will qualify for 75% reimbursement of costs to the respective fund sources under the federal Wallop-Breaux amendment to the Dingell-Johnson Act (the Sportsfishing Restoration Account) and an application will be filed for that purpose if approved as proposed.

The Department strongly recommends this proposal as it will provide access to a reach of the Sacramento River where fish production and catch is excellent. The site will be maintained by the City, and a council resolution has been adopted in support of this proposal and attesting to the City's willingness to assume the operation and maintenance responsibilities.

Staff recommended that the Board, with consideration of the Negative Declaration prepared and filed by the City of Redding, approve the South Bonnyview Fishing Access project as proposed; allocate \$200,000.00 therefor from the Wildlife Restoration Fund; and authorize staff and the Department of Fish and Game to proceed with the project in cooperation with the City of Redding and the Department of Boating and Waterways substantially as planned.

Mr. Schmidt noted that Mr. Terry Hanson from the City Planning Staff of Redding was present should there be any questions.

SEE MOTION UNDER ITEM #10.

9. Salmon, Steelhead and Trout Habitat Enhancement Projects \$78,700.00

Mr. Schmidt reported that this is a proposal for the Board to allocate funds for the enhancement and rehabilitation of salmon, steelhead and resident trout spawning and rearing habitat on five waterways in California. Projects in this proposal include those located on coastal, as well as interior, waterways.

The anadromous fishery resource in California has suffered a severe decline over the past thirty years. For example, records indicate that the king salmon population in the Klamath River has declined from a historic level of 500,000 to 180,000 by 1963, 72,000 by 1978, to 46,000 by 1983. One of the major causes for this decline is degradation of natural habitat due to stream and watershed disturbances from logging, road construction, mining and other activities associated with modern development.

In addition, the 1964 flood, which produced record high flows in many waterways in Northern California, caused serious damage or completely destroyed miles of productive salmon and steelhead habitat. In addition to thousands of cubic yards of debris and sediment being deposited in the lower

gradient sections of the streams, miles of flood riffles were also created by the high flood waters.

Flood riffles are broad, shallow stream sections commonly referred to as "bowling alleys" which are composed primarily of 6 to 8 inch cobbles or boulders. These areas lack pools and provide little if any spawning or rearing habitat for salmon and steelhead. Some streams have usable spawning and rearing habitat that is blocked by a rock or log barrier. Modification of these barriers can open miles of good habitat that currently can not be reached by anadromous fish. Flood waters also caused the loss of bank stability and associated streamside shade canopy which is needed to maintain cooler summer water temperatures required for survival of juvenile salmon and steelhead. Since anadromous fish spend the juvenile portion of their life cycle in their natal stream, the need for adequate rearing habitat is a significant factor relative to the overall status of a population.

Habitat enhancement and restoration is also needed on many interior streams that support populations of resident trout. Over the years grazing and timber harvest practices, coupled with damage from high storm flows, has caused serious impacts to many of California's smaller interior streams resulting in an overall degrading of habitat.

Many of the problems associated with the larger coastal streams are also common to the smaller interior waterways. Long stretches of some interior streams also lack the proper pool-riffle ratio and require log-rock weir structures and boulder clusters to re-create the proper habitat elements. Unstable stream banks are common and create conditions that reduce stream habitat values.

Stream banks lacking cover generate increased sedimentation which smothers spawning gravel and fill pools needed for rearing habitat. The lack of stream bank riparian growth also results in higher water temperatures, less hiding cover and a reduced food source. Some segments of streams that are heavily fished lack adequate hiding and holding cover which reduces angler success and lessens the fishing experience.

The following stream restoration projects have been reviewed and recommended as highly desirable projects by the Department of Fish and Game. They are exempt from CEQA under Section 15301, Class 1 (i), maintaining fish habitat and stream flows to protect fish. A Notice of Exemption for each project has been filed and posted with the Office of Planning and Research in accordance with CEQA. All of the projects listed in this item are intended to correct or enhance situations identified above.

Staff recommended that the Board consider these five salmon, steelhead trout and resident trout projects as one item, allocate \$78,700.00 from the 1984 Fish and Wildlife Habitat Enhancement Fund (Stream Restoration and Enhancement), and authorize the staff and the Department of Fish and Game to proceed substantially as planned.

Site specific information for each of the 5 habitat enhancement projects is briefly provided below:

a. Hull Creek, Tuolumne County

\$7,800.00

This is a cooperative project between Department of Fish and Game and the Stanislaus National Forest to improve habitat for rainbow and brown trout in a section of Hull Creek. This section is currently in a degraded condition as a result of past high peak flows, livestock grazing and vehicle use. The stream which receives moderate fishing pressure, is a tributary to the Clavey River, a state designated Wild Trout stream.

The proposed action is to improve fish habitat by stabilizing 200 feet of eroding stream bank with boulders and vegetation, controlling the gullying that is occurring in a meadow adjacent to the stream and fencing the area to exclude livestock and vehicles. It is anticipated that the project will result in increased fish production for both Hull Creek and the Clavey River. The project will be administered by the USFS.

b. Cottonwood Creek, Tuolumne County

\$3,700.00

This is a cooperative project between Department of Fish and Game and the Stanislaus National Forest to stabilize stream banks on Cottonwood Creek. Recent high peak flows in the creek, as it flows through Thompson Meadow, has created a situation where soft meadow sediments are washing into the stream at an accelerated rate. The Creek has also experienced a history of past abuse from railroad logging and grazing followed by wildfire and flooding. Several stream habitat improvement projects have recently been completed or are currently in progress along the stream, above Thompson Meadow to correct some of the problems. The proposed project would complement the others and complete the known bank stabilization needs. Cottonwood Creek has a surprisingly abundant fishery for a stream its size and is deserving of these improvements.

Specifically, the proposed action is to improve fish habitat by stabilizing 50 feet of eroding stream bank with boulders and vegetation, controlling the gullying that is beginning to form in a meadow adjacent to the stream and fencing the area to exclude livestock. It is anticipated that the project will result in increased fish production for both Cottonwood Creek and the Clavey River. The project will be administered by the USFS.

c. Cascade Creek, Tuolumne County

\$5,700.00

This is a cooperative project with the Stanislaus National Forest to improve habitat for rainbow trout in a section of Cascade Creek that is currently in a degraded condition as a result of past high peak flows. Log jams have created high stream stages which, in this location, have gone over the normal banks and downcut through an adjacent meadow. The stream contains an excellent population of native rainbow trout and receives light to moderate fishing pressure. The proposed action is to improve fish habitat by restoring 500 feet of stream to its original

channel, and removing log jams and their associated bed load aggradations. The project will be administered by the USFS and is expected to improve habitat and increase numbers of rainbow trout in Cascade Creek, as well as protect the meadow adjacent to the creek.

d. San Pedro Creek, San Mateo County \$30,000.00

The City of Pacifica is proposing to extend the existing fish ladder at Capistrano Avenue on San Pedro Creek. The downstream area below the existing ladder has suffered severe stream bed erosion which is impacting fish passage through the existing ladder. This proposal would improve the fish passage facilities by the installation of a denil fishway which would extend to a resting pool and improve steelhead passage to the spawning areas in the upper reaches of the stream. The Department of Fish and Game provided the design criteria for this project which will be constructed and maintained by the City of Pacifica.

e. Johnson Creek, Mendocino County \$31,500.00

This is a cooperative project between the Department of Fish and Game and the Mendocino County Resource Conservation District (MCRCD). Johnson Creek has been chosen by the DFG as a suitable stream for restoration because of its historic run of coho salmon and steelhead trout. The objective of this project is to reestablish these runs where recent years have revealed no spawning activity in the upper reaches of the creek.

During a March, 1988, inspection, 17 barriers were noted in the lower 1.5 miles of the stream. Although numerous young of the year coho were seen below the lowest two barriers, none were seen above barrier number two. Native trout were observed throughout and sculpin were observed above site number 14. The purpose of this project is to correct the obvious roadblocks to fish passage in an attempt to restore this stream to its historical levels of spawning activity.

Modification of the seventeen barriers and placement of scour logs in the appropriate areas would both allow fish access for spawning and enhance the nursery habitat. Where possible, existing pools and riffles will be maintained or improved through proper placement of logs or boulders.

The project will be administered by the MCRCD who will implement the prescribed work by using the services of the Center for Education and Manpower Resources.

SEE ITEM #10 FOR MOTION.

10. Paynes Creek Wetlands, Tehama County

\$160,100.00

This item was introduced with no discussion.

The Department of Fish and Game, in cooperation with the Bureau of Land Management, is proposing to enhance and expand waterfowl habitat on BLM land at the Paynes Creek Wetland Management Area in Tehama County, 6 miles northeast of Red Bluff. The project area consists of 600 acres within the 3,780 acres of public land covered by the Sacramento River Area Management Plan and the Paynes Creek Habitat Management Plan. The area also includes the Jellys Ferry Wildlife Area, a 50 acre parcel owned by the DFG and operated under a cooperative management agreement to BLM.

The objective of the project is to increase the carrying capacity of the wetlands area by 10,000 waterfowl use days during the winter months of November through April and to maintain two brood wetlands throughout the summer months. Water to the project will be provided by BIM's existing water rights with the Bend Irrigation District for 36 1/2 minors inches of water, as well as with seasonal runoff. The project area is located within the major flyway between the Northern California State and Federal wildlife management areas and the central valley refuge complex. It receives waterfowl use from the fall migration through spring migration and a limited amount of production during early summer. It also serves as a primary feeding area during the winter months for waterfowl using the 80 to 90 acres vernal wetland on Table Mountain. This isolated wetland is used by ducks, geese, swans and sandhill cranes during the winter with fairly large concentrations during wet years. Currently the project area has about 35 acres of existing wetlands with approximately 7,500 waterfowl use days each year. Some nesting occurs by cinnamon teal, mallard, and wood ducks. An increase of 10,000 waterfowl use days is expected, as a minimum due to the increased water surface, with additional benefits for wintering bald eagles, sandhill cranes and many species of shore birds.

The project consists of construction of two new wetlands and the enlargement of an existing wetland which will add approximately 45 acres of new water surface. In addition, the project will include 4 new water control structures, construction of a one-half mile irrigation ditch with outlets to 5 wetlands (2 existing), installation of one irrigation weir from the Bend Water Districts' irrigation ditch and construction of 1/2 mile of 4 strand barbed wire fence. Cost breakdown is as follows:

WCB Funding:

| | |
|-----------------------------------------------------|---------------|
| Earthwork for ponds, 7,500 cubic yards..... | \$112,000 |
| 1/2 mile of irrigation ditch | 15,300 |
| Water control structures, pipes, gates & valves ... | 18,300 |
| Contingencies | <u>14,500</u> |

Total request for WCB funding..... \$160,100

In addition to administering the project contract, BLM will be financially involved as noted below:

BLM Funding:

| | |
|----------------------------------------------------|---------------|
| Engineering and design (completed) | \$ 15,000 |
| Contract preparation and administration | 22,500 |
| Fence materials and construction | 1,500 |
| Maintenance (\$500 x 30 years project life) | 15,000 |
| Annual irrigation water cost, \$500 per year | <u>15,000</u> |

Total BLM Contribution \$ 69,000

BLM will also operate and maintain the completed project facilities, purchase water and complete a detailed management plan in cooperation with the Department of Fish and Game at or before project completion.

This project is supported by the DFG and an Environmental Assessment has been prepared by the BLM. The project is considered exempt under Section 15304 (d), minor alteration of land to improve habitat for wildlife, and a Notice of Exemption has been filed in accordance with CEQA.

Staff recommended that the Board approve the Paynes Creek Wetland enhancement project as proposed; allocate \$160,100.00 from the 1984 Fish and Wildlife Habitat Enhancement Fund, as designated for interior wetlands; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE ITEM #8, THE IMPROVEMENTS AT THE SOUTH BONNYVIEW FISHING ACCESS SITE, SHASTA COUNTY, IN COOPERATION WITH THE CITY OF REDDING AND THE DEPARTMENT OF BOATING AND WATERWAYS AS PROPOSED; ALLOCATE \$200,000.00 FROM THE WILDLIFE RESTORATION FUND.

MR. BONTADELLI ALSO MOVED THAT THE WILDLIFE CONSERVATION BOARD APPROVE ITEM #9 AUTHORIZING 5 RESIDENT SALMON, STEELHEAD AND TROUT HABITAT ENHANCEMENT PROJECTS AS PROPOSED; ALLOCATE A TOTAL OF \$78,700.00 FROM THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND.

IT WAS ALSO MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE ITEM #10, THE HABITAT ENHANCEMENT WORK AT THE PAYNES CREEK WETLANDS, TEHAMA COUNTY, IN COOPERATION WITH THE BUREAU OF LAND MANAGEMENT, AS PROPOSED; ALLOCATE \$160,100.00 FROM THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND, AS DESIGNATED FOR INTERIOR WETLANDS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED ON ALL THREE ITEMS.

MOTION CARRIED.

ITEMS #11 AND 12 WERE DISCUSSED AND PASSED AS ONE ITEM. MR. JIM SARRO
POINTED OUT BOTH LOCATIONS ON A MAP.

11. Humboldt Bay WLA, McDaniel Slough, Humboldt County \$1,288,000.00

Mr. Schmidt reported that this proposal is for the acquisition of 440+ acres of private land, having about 1 1/2 miles of frontage on the north shore of Humboldt Bay near the City of Arcata. The property is diked former tidelands, bounded on the south by Humboldt Bay, on the north by county roads and State Highway 255, (which leads from Arcata to Samoa), on the west by private property and on the east by about three-fourths of a mile of McDaniel Slough.

Currently, the property is considered "agricultural wetland", but its agricultural conversion has not been extensive, leaving the ranch with exceptionally high wetland values. Only about one percent of the total area, including levees, has been filled.

Humboldt Bay is an important segment of the coastal route of the Pacific Flyway with many species of migrating birds passing through this Bay region. The many sloughs on the ranch and the numerous acres of seasonally flooded grazing land provide habitat for many species of waterfowl, numerous species of shore birds, six species of egret and heron and four species of grebe. Other water-associated birds include the cormorant, Virginia rail, sora, American coot, Wilson's phalarope, northern phalarope, gulls, terns, and belted kingfisher. The most noticeable of the "upland" birds are the raptors, including turkey vulture, black-shouldered kite, marsh hawk, rough-legged hawk, red-tailed hawk, merlin, kestrel, barn owl and short-eared owl. An abundance of mammals such as gray fox, coyote, mink, weasel, ermine, striped skunk, spotted skunk, otter and a variety of shrews, moles, gophers and mice also occur, as well as a variety of reptiles and amphibians. Coastal Cutthroat trout are found in McDaniel Slough.

The endangered brown pelican and peregrine falcon and several other species of special concern are commonly observed in the vicinity of the proposed acquisition. Although the California clapper rail has been extirpated from Humboldt Bay, the chances of reintroduction may be improved through acquisition of greater areas of the bay for wildlife protection.

Now used exclusively for agricultural pursuits and not available to the public, the subject property has high potential for many types of fish and wildlife-associated recreation and educational activities. With management of the area for the primary purpose of enhancing fish and wildlife values, the quantity and diversity of fish, plants and wildlife could be substantially increased. Of course, this will also enhance its wildlife oriented educational and recreational values.

The nearby Arcata Marsh and Wildlife Sanctuary, with its annual estimated 100,000 visitor days of use, has a wide array of wildlife which can easily be observed by the public. The subject property has even greater potentials because of its size and the possibility for more varied recreational uses, such as waterfowl hunting. Increased access will also provide students at Humboldt State University, less than 1 1/2 miles away, with an area to do educational research on wetlands and wetland associated-wildlife.

The property would be managed by the Department of Fish and Game, with the major objective being to restore, enhance, and protect the remaining wetlands on the ranch for the maintenance of their natural fish and wildlife resource values. Acquisition of this property will fill part of the Department's objective of protecting the wetland environment around Humboldt Bay. The proposed acquisition is within Class 13 of Categorical Exemptions from CEQA as an acquisition of land for wildlife conservation purposes.

The property has an approved appraised fair market value of \$1,276,000.00. Costs of appraisal, escrow, title insurance and State General Services Department administrative expenses are estimated to be about \$12,000, bringing the total required allocation to \$1,288,000.00. The owners have agreed to sell the property for its appraised value and have further agreed that if escrow closes prior to the end of 1988, they will donate an additional 70+ acre wetland parcel, located near the mouth of the Mad River Slough, for inclusion in the Department's holdings.

Staff recommended that the Board approve the Humboldt Bay WLA acquisition as proposed, including the acceptance of a donation of the 70+ acre Mad River Slough Parcel. Staff further recommended that the Board allocate \$1,288,000.00 from the 1984 Fish & Wildlife Habitat Enhancement Fund, as designated for coastal wetland acquisitions, to cover the purchase price and related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

SEE MOTION UNDER ITEM #12.

12. Mid-City Ranch Expansion #1 (Fay Slough WLA), Humboldt County \$446,800.00

Mr. Schmidt reported this proposal is for the acquisition of 155+ acres of diked former wetlands located along U.S. Highway 101 on the east shore of Humboldt Bay, at the northerly city limits of Eureka. The property has been recommended for acquisition by the Department of Fish and Game to expand and round out its holdings at the 350 acre Mid-City Ranch (now called Fay Slough WLA), which was acquired pursuant to May 20, 1987, Board action.

The wildlife values of Humboldt Bay are well documented and are outlined in the previous discussion of the McDaniel Slough property. The particular property under discussion in this proposal was diked around the turn of the century and is former tideland that is now managed for cattle grazing. Because of high winter rainfall in coastal Humboldt County, the impermeable clay soils and the dikes which retard runoff, this area continues to function as a seasonal, freshwater wetland. Less than one-half of one percent of the area proposed for acquisition has been filled. Sloughs on, and adjacent to, the property, as well as drainage ditches, may contain water throughout all or most of the year. Over 80 years of agricultural use has allowed for the conversion of vegetation from naturally occurring species to more agriculturally beneficial species over most of the site, but the wetland conditions still remain. An area of riparian vegetation dominates along the foot of a low ridge at the eastern edge of the property. Its location, forming the northerly boundary of the Department's existing wildlife area, adds to the importance of this state acquisition in that

public ownership of this block of land will eliminate the possibility of strip development of these historic seasonal wetlands along U.S. Highway 101. In addition, state acquisition would provide a much more manageable wildlife unit at this location.

The landowners have offered the property to the State, provided they could retain a life-estate over the existing residence located on the property and a surrounding 5+ acre parcel of land. The Department supports an acquisition on this basis and would manage the property as part of the Fay Slough WLA.

The fair market value of the 155 acres, after deducting the value of the owners' reserved life-estate, is \$438,800.00, and the owners have agreed to sell at this price. The estimated escrow, closing and Department of General Services review costs would be \$8,000.

The acquisition is exempt from CEQA as an acquisition of land for wildlife conservation purposes. Funding for the purchase is available in the 1984 Fish and Wildlife Habitat Enhancement Fund.

Staff recommended that the Board approve the acquisition of the Mid-City Ranch Expansion #1 (Fay Slough WLA) property, allocate \$446,800.00 from the 1984 Fish and Wildlife Habitat Enhancement Fund, as designated for coastal wetland acquisitions, for the purchase price and related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Taucher asked if there were any questions or concerns, and since there was no further discussion, the following action was taken.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE ITEM #11, THE ACQUISITION OF THE HUMBOLDT BAY WLA, MC DANIEL SLOUGH PROPERTY, HUMBOLDT COUNTY, INCLUDING THE ACCEPTANCE OF A DONATION OF THE 70+ ACRE PARCEL AT THE MOUTH OF THE MAD RIVER, AS PROPOSED; ALLOCATE \$1,288,000.00 FROM THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND, AS DESIGNATED FOR COASTAL WETLAND ACQUISITIONS; AND ALSO APPROVE ITEM #12, THE ACQUISITION OF THE MID-CITY RANCH EXPANSION #1 (FAY SLOUGH WLA), HUMBOLDT COUNTY, AS PROPOSED; ALLOCATE \$446,800.00 FROM THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND, AS DESIGNATED FOR COASTAL WETLAND ACQUISITIONS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED ON BOTH ACQUISITIONS.

MOTION CARRIED.

13. San Jacinto WLA Water Distribution System, Riverside County \$843,000.00

Mr. Schmidt reported that the Department of Fish and Game is proposing the construction of a water distribution system to distribute and manage water on the San Jacinto WLA for the purpose of developing and maintaining wildlife habitat. The 4,669 acre wildlife area located near Lakeview, Riverside County, was acquired to mitigate, in part, for losses of wildlife and wildlife habitat that occurred with construction of State Water Project facilities in southern California. Mr. Clyde Edon described the project location.

The wildlife area will be managed to provide for optimum public use and enjoyment of wildlife, consistent with the primary goal of conserving and enhancing a wide diversity of wildlife and plant populations native to the San Jacinto Valley. The location of the wildlife area, within 3 hours driving time for more than 10 million people, assures a high demand for both consumptive and non-consumptive public uses.

In October, 1987, the Wildlife Conservation Board and the Department of Fish and Game completed an agreement with the Eastern Municipal Water District (EMWD), whereby the District would provide low-cost secondary treated water to the wildlife area. The District agreed to provide 1500 acre-feet of reclaimed water the first year following completion of a 10-mile long pipeline to transport the water from the Hemet-San Jacinto Wastewater Reclamation Facility to the wildlife area. The quantity of water provided will increase by 300 acre-feet each year until it reaches a level of 4500 acre-feet a year from the tenth year onward.

As part of this agreement, the Department of Fish and Game is obligated to purchase the above quantities of water at a cost of \$10 to \$15 per acre-foot for the 25 year term of the agreement and to develop and maintain appropriate and adequate facilities capable of receiving, distributing and utilizing the water.

In August, 1987, the Wildlife Conservation Board approved funding for \$1,150,000 (38%) of the total \$3,029,800 estimated cost of constructing the 36 inch diameter, 10 mile pipeline to bring the water to the wildlife area. This pipeline is now under construction and is expected to be completed by February 1989. Delivery of the wildlife area's first-year quota of 1500 acre-feet is scheduled to begin September 1, 1989.

The proposed project consists of constructing six underground PVC pipelines with above ground turnouts and valves at approximately 500-foot intervals. These pipelines will distribute reclaimed water from the EMWD pipeline throughout most of the flatter portions of the wildlife area. It is proposed that the first three segments, totaling approximately 18,244 feet, be included as part of the construction being administered by EMWD under the terms of the existing agreement. The remaining three segments, totaling approximately 21,920 feet, will be constructed with DFG equipment and personnel, with the assistance of California Department of Forestry inmate crews as available. This proposal is therefore intended to provide funding for material and installation of the first 3 segments and material only for

the final 3 segments. All segments of the distribution pipeline system, which are to be done in order of priority needs, will provide substantial benefits, either in the first year or within the next several years, for waterfowl, upland game and non-game wildlife. A brief explanation of each segment is provided in the following narrative.

The first segment will take water from the terminus of the EMWD pipeline and convey it through a pump to the upper end of the storage reservoir (Section 20) located at the north end of the wildlife area. This water can be used to irrigate about 100 acres of former dry land-grain fields, thereby providing green feed for geese and other waterfowl. This portion of the pipeline, in addition to providing water to irrigate riparian habitat and supply waterfowl ponds, will be very critical in times of exceptionally heavy rainfall to distribute water in a large area above the floodplain. It should be pointed out that the Department is obligated to accept water on a continuing basis from September through May. When floodplain soils are saturated, the ability to accept and distribute water in the area above the floodplain portions of this area is essential.

Segment 2 will take water directly from the main EMWD pipeline (in Section 28), as well as from the storage pond (via Segment 3a), through the floodplain (Sections 28, 29 & 32) to a point west of Davis Road, where it will connect to segment 4. Water carried in segments 2 & 4 will be used to create and irrigate upland game and non-game wildlife habitat throughout the floodplain grasslands (about 1,000 acres total) along these pipeline segments; to irrigate waterfowl nesting habitat and green feed for geese; and to re-establish and irrigate a band of riparian habitat along the former channel of the San Jacinto River. The pipeline will also be used to take chlorinated water to existing waterfowl ponds (Section 29) and to two existing reservoirs (Sections 31 and 6). Through the use of a trailer-mounted pump and portable sprinkler irrigation pipe, this water can also be used to enhance seed production for the benefit of Stephen's Kangaroo Rats and a wide variety of upland game and non-game wildlife during abnormally dry years on the alluvial slopes above the floodplain.

As noted above, segment 3a will be used to transport water from the storage reservoir to segment 2. It should be noted that this segment will also be transporting chlorinated water, which has been briefly stored in de-chlorination ponds, to ponds intended for public use.

Segment 3b, which ties directly into the EMWD main pipeline (in Section 34) and also feeds segment 5 will be used to maintain waterfowl nesting habitat in the eastern portions of the WLA (Section 33), as well as upland game habitat. The final segment, number 5, will serve the more southeasterly portion of the area (Section 5). This water will be used to irrigate riparian habitat parallel to, but just outside, the present San Jacinto River channel; to irrigate green feed for geese; and to create and irrigate habitat for upland game and non-game wildlife. The area served by this pipeline segment would also be appropriate for additional development of wetlands for waterfowl.

Altogether, this project will make possible the development of at least 1000 acres of new wetland habitat. Such development is consistent with SCR-28 (1979), which calls for the implementation of a plan to increase wetlands in California by 50% by the year 2000. Mr. Schmidt reported this project will provide water for irrigating the upland habitat, as well as enhancing the Stephen's Kangaroo rat habitat.

A brief recap of this proposal, by segment is as follows:

| <u>Segment No.</u> | <u>Pipe Size</u> | <u>Length +</u> | <u>Estimated Cost</u> |
|--------------------|------------------|-----------------|-----------------------|
| 1 | 10" | 3,594' | \$ 86,000 |
| 2 | 16" | 10,200' | 355,000 |
| 3a | 16" | 4,450' | 142,000 |
| *3b | 12" | 7,020' | 100,000 |
| *4 | 8", 10" & 12" | 8,300' | 94,000 |
| *5 | 8" & 10" | 6,600' | 66,000 |
| | | <u>40,164'</u> | <u>\$843,000</u> |

* Material Only

This project is covered under CEQA by the EMWD's Lakeview Reclaimed Water Transmission Line Environmental Impact Report (1987), which included San Jacinto Wildlife Area as part of the intended use area for reclaimed water, and by DFG's 1982 Negative Declaration for development of San Jacinto Wildlife Area.

Since the EMWD is already a partner with the State on the reclaimed water project for the WLA, they are willing to amend the existing agreement, to include administration of the contract to complete the work described in this proposal. This action by EMWD, which will permit the construction of the distribution system to be completed at an earlier date and as part of a larger overall construction package, should result in a substantial savings to the Department of Fish and Game.

As this project will provide new wetlands and meet needs of waterfowl and upland game, it was recommended that funding be provided from the 1984 Fish & Wildlife Habitat Enhancement Fund (provides for wildfowl and other wildlife benefited by a marsh environment) and the California Wildlife, Coastal & Park Land Conservation Fund (provides for acquisition, restoration and development of wetlands).

Mr. Schmidt noted that in the cost allocations, the cost estimates for segment 2 and 3a were reversed in the agenda. (These minutes reflect this change.)

Staff therefore recommended that the Board approve the San Jacinto WLA Water Distribution System project as proposed; allocate a total of \$843,000.00; \$250,000.00 from the 1984 Fish and Wildlife Habitat Enhancement Fund as designated for interior wetlands, and \$593,000.00 from the California Wildlife, Coastal & Park Land Conservation Fund of 1988 [Section 5907 (c)(1)(B)]; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Bontadelli stated after extensive review with Department staff, segment number 4, which is scheduled for materials only and not for completion and construction at this time, has been moved up to the top priority.

Mr. Schmidt clarified Mr. Bontadelli's statement that segment #4 will be put above segment 3b only in terms of priority.

Mr. Schmidt noted that a letter of support had been received from the Defenders of Wildlife and thanked them for their letter.

WITH THE INTERNAL CHANGE IN THE AGENDA NOTED FOR CLARIFICATION PURPOSES, IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE CONSTRUCTION OF A WATER DISTRIBUTION PIPELINE SYSTEM WITHIN THE SAN JACINTO WLA, RIVERSIDE COUNTY, AS PROPOSED; ALLOCATE A TOTAL OF \$843,000.00; \$250,000.00 FROM THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND AS DESIGNATED FOR INTERIOR WETLANDS; AND \$593,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 5907 (c)(1)(B)]; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

14. Upper Butte Sink WLA Expansion #1, Butte County \$1,910,000.00

Mr. Schmidt reported this proposal, the second phase of a two phased acquisition project, is to exercise the state's option to purchase 1481+ acres of land lying adjacent to the 2255+ acres purchased pursuant to August 11, 1988, Board approval. At that meeting, the Board also approved an option to purchase the additional acreage now being considered. As with Phase 1, this proposal is for the purchase of land for preservation of interior wetlands for waterfowl habitat and other game and non-game wildlife species. Mr. Frank Giordano described the proposed project.

The property is located 13+ miles west of the town of Gridley, California, and 3+ miles north of the Department of Fish and Game's Gray Lodge Wildlife Area. It adjoins State property that has direct access on the north from Princeton Road and on the south from Gridley Road, both paved county roads. The property contains no improvements but does have electrical service available.

The subject property, combined with phase I, has several biological attributes which make it desirable for fish and waterfowl and threatened and endangered species management. The property is an excellent waterfowl wintering ground and supports some waterfowl breeding. A variety of game and non-game species are supported by the property while it also provides exceptional pheasant habitat. Fox, deer, coyote, beaver, river otter, and raccoon have all been observed on the property.

The property provides a wintering area for several hundred of the threatened sandhill crane. The endangered bald eagle, peregrine falcon and Aleutian Canada goose have been observed on the property and use it in winter months.

Consumptive use of this addition will be primarily high quality hunting. Non-consumptive uses could include nature study, wildlife observation, photography and outdoor education. Should this acquisition be completed, public access would pose no problem and parking areas could be provided on both phase I and II areas.

Approval by the Board of phase I was conditioned upon sufficient water being available to meet DFG management needs. Adequate water supplies for both phases have been assured through annexation into Richvale Irrigation District in accordance with the discussion presented at the August meeting. While much of this water will be drain water, DFG personnel indicate that earlier test results show it is high quality and will be quite adequate for their use. In fact, the majority of the water currently used at the Gray Lodge WLA is of equal quality drain water.

The property has been appraised at \$1,575 per acre. If the State elects to exercise its option, the purchase price of the optioned property (phase II) will be discounted to \$1,279 per acre because of an appraisal credit due to the State because of the combined phase I - phase II purchase. The owners, The Trust for Public Land, have agreed to this condition, as well as the appraised value. The purchase price for the acreage will be \$1,895,075 with an additional \$14,975 needed for escrow, title and closing costs.

This acquisition is exempt from CEQA as an acquisition for wildlife habitat preservation. The property would be managed by the Department of Fish and Game as part of the Upper Butte Sink WLA.

Staff recommended that the Board approve the purchase of the Upper Butte Sink WLA Expansion #1 as proposed; allocate \$1,910,000.00 from the California Wildlife, Coastal & Park Land Fund of 1988 [Section 5907 (c)(1)(B)], as designated for wetland habitat; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt noted that there was a large list of supporters including California Waterfowl Association, California Wildlife Federation, Ducks Unlimited, Wilderness Society, Defenders of Wildlife, Sierra Club, Friends of the River and Shasta Cascade Wonderland Association. Mr. Schmidt also noted that Mr. Messersmith from the Regional Office was present should there be any questions.

Mr. Taucher asked if there was anyone in the audience in opposition to the proposal, and since there was no further discussion the following action was taken.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE UPPER BUTTE SINK WLA EXPANSION #1, BUTTE COUNTY, AS PROPOSED; ALLOCATE \$1,910,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 5907 (c)(1)(B)], AS DESIGNATED FOR WETLAND HABITAT; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

15. San Joaquin River Riparian Habitat, Fresno County \$875,000.00

Mr. Schmidt reported this proposal is for the acquisition of 286+ acres in northerly Fresno County, along the San Joaquin River, for preservation and restoration of riparian habitat and for potential inclusion in the proposed San Joaquin Parkway. This acquisition would be the first of several along the San Joaquin which are contemplated under the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (Proposition 70). Mr. Schmidt stated that this parkway is similar in concept to the American River Parkway located in Sacramento.

Mr. Jim Sarro described that the subject property is located in the San Joaquin Riverbottom and consists of riparian, wetlands, and upland habitat. The property is generally flat and has a high water table with a potential for flooding. The opportunity exists to increase existing fish, animal, waterfowl, and bird populations through a properly planned and executed management plan.

The area has been primarily utilized for the refinement of near surface layers of sand and gravel. Due to the level and concentration of such work, along with nearby housing development and the presence of Sierra Skypark, wildlife numbers are much reduced from historical accounts.

As gravel operations declined, borrow pits filled with seepage from the San Joaquin River, providing a permanent source of water, and riparian vegetation subsequently became reestablished on the banks. Canadian geese, long time residents of the surrounding vicinity, found this area appealing and have been sighted consistently in and around the area during the winter migration period. In years past, populations of geese in this area were thought to number in the thousands. At a time when grain and corn fields were farmed such large populations were easily supported. Such is not the case now with dry land farming operations dwindling, coupled with housing developments and the associated disturbances, making protection of remaining habitat even more important.

Native beaver have been noted along the river as evidenced by their occasional damming operations. Raccoon, opossum, coyote, and badger are also common users. Snowy egret populations are sizable, most notably in the ponded areas, while Great blue herons, although not numerous, are likewise present. Various species of songbirds inhabit the area and could be expected to diversify and expand with a proper management program. Also noted is a large population of western fence lizards. Elderberries are present on the property and have the potential for providing habitat for the federally threatened great horned elderberry beetle.

There is minimum public or private consumptive or non-consumptive use of fish and wildlife on this property at the present time. Hunting opportunities are not possible as the area is within the County "No Shooting" zone. The proposed management of this area from a fisheries viewpoint is to protect and expand the existing riparian habitat and to provide access and recreational angling opportunities to the general public. This can occur within both the existing gravel ponds and the San Joaquin River. A winter urban trout program could be developed, while a year around

sport fishery could be maintained for bass, catfish, green sunfish, bluegill, and redear sunfish. This may not only draw people to the area but take pressure off other heavily used waters in the vicinity. The opportunity also exists for a variety of educational experiences including conservation and ecology.

Non-consumptive uses could include sightseeing, birding, photography, hiking, and picnicking opportunities. Nature trails, if incorporated into a parkway plan and properly routed, could allow for greater wildlife diversity and enhanced recreational experiences.

Interim management would be by the Department of Fish and Game. However, it is anticipated that an agreement will be entered into with the City of Fresno for operation and maintenance, most probably as part of an overall riparian habitat and San Joaquin River Parkway complex. The City has expressed its intention to retain the natural wetlands, upland and riparian habitat of the area. Improvements would be made to the extent necessary to provide public access to the property and to permit passive uses compatible with the conservation and enhancement of existing wildlife and natural habitats. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

The property has an approved appraised fair market value of \$1,432,300.00. The owners have offered the property to the State at a full 40% discount off market value, or, \$860,000.00. Any potential State Lands claims have been considered in this proposed settlement. The agreement calls for a close of escrow in 1988 and allows the owners a two-year period to remove a stockpile of sand located on the property. Expenses of sale, including escrow charges, title insurance, appraisals and Department of General Services review costs, are expected to be about \$15,000.00. Mr. Schmidt reported that this donation will more than cover any possible State Lands claims on this property.

Staff recommended that the Board approve the acquisition of the San Joaquin River Riparian Habitat property in Fresno County as proposed; allocate \$875,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 [Section 5907 (c)(5)]; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt noted that a support letter had been received from Defenders of Wildlife, and the City of Fresno had indicated a desire to enter into an agreement to operate and maintain this area. Mr. Schmidt reported that Mr. Joe Wingfield from the City of Fresno was present should there be any questions.

Edna Maita stated that on behalf of Assemblyman Costa, both to the Department of Fish and Game and to the Wildlife Conservation Board, thanks. She continued this is the first, and we hope not the last, in acquiring property along the river to complete the San Joaquin River Parkway Plan. Ms. Maita reported that Mr. Costa and Congressman Lehman have both been very supportive and hope the Board will work diligently, and just as frugally, when the next projects are brought before the Board.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF SAN JOAQUIN RIVER RIPARIAN HABITAT, FRESNO COUNTY, AS PROPOSED; ALLOCATE \$875,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 5907 (c)(5)]; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

WITH CONSIDERATION OF THE ABOVE MOTION, MR. BONTADELLI ALSO THANKED THE CITY OF FRESNO FOR THEIR OFFER TO MANAGE THE AREA AND THAT REGION 4 DFG PERSONNEL WILL IMMEDIATELY BE WORKING WITH THE CITY OF FRESNO TO GO FORWARD.

MR. BONTADELLI ALSO REQUESTED THAT DUE TO THE SIZE OF THE DONATION THAT A LETTER OF THANKS BE SENT TO THE LANDOWNER.

MOTION CARRIED.

16. Oroville WIA Expansion #1, (Feather River) Butte County \$400,000.00

Mr. Schmidt reported that this proposal is to acquire gravel rights over a 110+ acre parcel of land located within the Oroville Wildlife Area and then exchange these rights for a 280+ acre parcel of riparian habitat along the Feather River in Oroville.

Mr. Howard Dick described that the 280+ acre parcel is located on the easterly side of the Feather River adjacent to the north boundary of the wildlife area. It has over a mile of river frontage and riparian habitat and is located in an area of varied land uses including industrial lands. The majority of the property is a depleted rock, sand and gravel site which has become rejuvenated with excellent riparian growth. It also contains dredger created ponds which provide good warmwater fishing opportunities.

The 110+ acre gravel site is located within the Oroville Wildlife Area and is actually comprised of 2 parcels separated by an internal public access road from Highway 70. The parcels are entirely comprised of dredger tailings containing very little wildlife values in their current condition. While the Department of Fish and Game has control over this area, the Department of Water Resources claims ownership to the mineral rights. Therefore, in order to exchange the gravel rights for the riparian habitat area, DWR must first be compensated for the gravel.

It is therefore proposed to buy the tailings covering these 2 parcels from DWR and enter into a 50 year gravel lease with the owners of the 280 acre riparian parcel in exchange for an immediate fee title transfer to the State of their property. At the end of the 50 year lease, the gravel area will provide for much improved wildlife habitat due to removal of the dredger tailings, leaving wetlands and riparian habitat in their place. The proposed lessee has agreed to allow DFG to begin using portions of the 110 acres during this 50 year period as his use is completed.

This exchange is similar in concept to one which the Board approved at its November 26, 1985, meeting. The obvious advantages to the State is that, in addition to acquiring and preserving the subject 280 acres of riparian habitat, 110 acres of new habitat will be developed on the wildlife area at no cost to the State. The new habitat area will also provide public recreational benefits including fishing, hunting, wildlife observation and photography.

The approved appraised value of the rights to be exchanged are \$1,500/acre for the 280 acre parcel (\$420,000) and \$3,500/acre for the 110 acres of gravel rights (\$385,000). The landowner has agreed to make a donation of property valued at \$35,000 to make the exchange equal \$420,000. Therefore, the cost of the acquisition, will be \$385,000 plus processing costs, which are estimated to be an additional \$15,000, to cover related acquisition charges, such as title insurance, appraisals, and review costs.

The proposed acquisition is within Class 13 of Categorical Exemptions from CEQA requirements. Class 13 consists of the acquisition of lands for fish and wildlife conservation purposes and preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition. Funding for this purchase is available from Proposition 70 funds specifically designated for Feather River riparian habitat acquisitions.

Mr. Schmidt noted that this is similar to the transaction by which we acquired the parcel being developed under Item #7 of this agenda. Staff recommended that the Board approve the Oroville WLA Expansion #1 (Feather River) acquisition and lease, allocate \$400,000.00 for the purchase and related costs from the California Wildlife, Coastal & Park Land Fund of 1988 [Section 5907 (c)(9)]; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt again noted that Mr. Messersmith was present should there be any questions. Mr. Taucher asked if there was any opposition from the audience, and since there was no further discussion, the following action was taken.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE GRAVEL RIGHTS AND LEASE AT THE OROVILLE WLA EXPANSION #1 PROPERTY, BUTTE COUNTY, AS PROPOSED; ALLOCATE \$400,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 5907 (c)(9)], AS DESIGNATED FOR THE FEATHER RIVER; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

17. Laguna de Santa Rosa Wetlands, Sonoma County \$200,000.00

Mr. Schmidt reported this proposal is for the acquisition of the fee interest to 123+ acres lying within the Laguna de Santa Rosa wetlands in south-central Sonoma County, at Sebastopol. Mr. Frank Giordano briefly described the project location and purpose.

On March 1, 1988, the Board approved the acquisition of a conservation easement over this 123 acre property plus an additional 60+ acres in fee. \$307,200 was allocated for the original 183 acre proposal (including expenses). At this time, it is requested that the Board approve the allocation of funds to purchase the underlying fee title to the 123+ acre portion.

The Laguna is an extremely important wetland on a local, regional and statewide basis. Locally, the City of Sebastopol has formed a citizens' committee to recommend steps for preservation of the unique and varied habitats within the Laguna. Historically, stands of valley oaks, riparian habitat, vernal pools and wet meadows of this waterway covered its distance from just south of Forestville to Rohnert Park, located about 12 miles to the southeast. With intensified land uses, including both agricultural activity and, to a much greater degree, the rapid expansion of urbanization in the North Bay Area, the Laguna's natural systems have been degraded or, in some cases, wiped out. It appears that the only feasible method to preserve this resource is public acquisition of sufficient interests to minimize these external pressures.

The property proposed for acquisition contains vernal pools in which numerous threatened & endangered plant species have been identified. The Department originally recommended that the entire property be purchased in fee in order to protect and manage this acreage properly. However, in March of 1988, funds for the full purchase were not available and it was recommended that at least a conservation easement should be purchased to provide some protection. The original proposal has not yet closed escrow.

The Department still recommends that the property be acquired in fee title as it is the only way to assure that the area can be protected and managed in a way that will assure compliance with its management plan. With the June, 1988, passage of Proposition 70, funds were made available for acquisitions of wetlands specifically located within Sonoma County, including the Laguna de Santa Rosa wetlands.

Access to the entire site would be granted through the landowner's remainder property, but would be limited to such purposes as school research projects, scientific studies and for the Department's management and administrative activities.

The appraised fair market value of the underlying fee title in this 123 acre property is \$200,000. The owners have agreed to sell for this amount. Appraisal, escrow, closing and administrative costs were covered in the first allocation.

This project is exempt from CEQA as an acquisition of land for habitat preservation purposes. The Department of Fish and Game would manage the property in conjunction with its management of the Laguna de Santa Rosa Ecological Reserve, which is located about one mile from this property.

Staff recommended that the Wildlife Conservation Board approve the acquisition of this fee interest, as proposed; allocate \$200,000.00 from the California Wildlife, Coastal & Park Land Fund of 1988 [Section 5907 (c)(10)]; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Taucher asked if there were any comments from the audience, and since there was no further discussion the following action was taken.

MR. BONTADELLI STATED THAT THIS IS AN EXCELLENT PROPOSAL AND CLEARLY MEETS THE INTENT OF PROPOSITION 70 FOR THE SPECIFIED AREA OF LAGUNA DE SANTA ROSA, AND IN ADDITION THIS AREA NOW HAS SIGNIFICANT INTEREST ON THE PART OF THE FEDERAL GOVERNMENT WITH DFG HAVING FEE TITLE WILL HELP INSURE THAT THE APPROPRIATE MANAGEMENT PLANS, WITH DFG INPUT, ARE DRAFTED AND IMPLEMENTED IN THE AREA.

WITH THE ABOVE CONSIDERATION, IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF FEE INTEREST AT THE LAGUNA DE SANTA ROSA WETLANDS EXPANSION #1, SONOMA COUNTY, AS PROPOSED; ALLOCATE \$200,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 5907 (c)(10)], AS DESIGNATED FOR SONOMA COUNTY AND THE LAGUNA DE SANTA ROSA; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

18. Napa Marsh-Steamboat Slough Expansion #2, Sonoma County \$202,000.00

Mr. Schmidt reported this proposal is for the acquisition of 110+ acres of agricultural lands within the Napa Marsh complex as part of the ongoing efforts of the Board and the Department of Fish and Game to acquire and restore former wetland habitat in the northern San Francisco Bay Area. The Board, in fact, allocated funds for additional acquisitions in the marsh at its March and May, 1988 meetings. The property being proposed for purchase in this case lies about 4 miles south of Sonoma and 6 miles southwest of Napa. It forms the easterly boundary of one of the parcels acquired by the Board earlier this year.

Mr. Jim Sarro explained the location and proposal. Less than 100 years ago the Napa Marsh was one of the largest wetland systems in the San Francisco Bay Area, providing habitat for millions of migratory waterfowl and shore birds. Today the remaining approximately 41,000 acres of the Napa Marsh is composed of 18,000 acres of reclaimed marsh lands used for agriculture; 10,000 acres of diked historic wetlands used for solar salt production and about 13,000 acres are open water and marsh lands. The sloughs and salt ponds provide the primary habitats for fish and water birds as well as the endangered California clapper rail and the salt marsh harvest mouse. The diked agricultural lands provide seasonal wetland habitats during heavy rain periods.

There is a noticeable lack of quality fresh/brackish water marshes and seasonal wetlands. Historically, these wetland habitats were available at the upper reaches of the marsh and in low depressions in the surrounding uplands. Unfortunately, these freshwater and seasonal wetlands have essentially been eliminated. Presently, the crops such as oat-hay, planted in diked lands are harvested in early fall, allowing winter rains to pond in the depressions creating "wetlands" during the winter months when large numbers of waterfowl and shore birds are present in the area. However, the Napa Marsh and the San Francisco Bay is also a very important area during the early migration as waterfowl, primarily pintail, start arriving in late August to early September when the "diked land wetland habitats" are least available. Additional managed wetlands in the Napa Marsh would provide more habitat for these early migrants, as well as increased habitat on a year around basis.

Department owned or controlled lands consist of approximately 2,400 acres, about one-third in tidal marshes and two-thirds in recently acquired lands that will be managed as a seasonal, fresh-to-brackish water wetland complex. The remaining DFG proposed acquisitions cover more than 8,500 acres.

The property being proposed for acquisition is a portion of an overall 255 acre parcel which includes about 218 acres of hay and grazing land, a 27 acre vineyard, and a 10 acre trap shooting club. The owners have agreed to sell a portion of the lower lying land, between 106 and 110 acres, for fair market value, while retaining the vineyard, trap club and remaining grazing land. The approved fair market value of the land to be acquired is \$1,750 per acre, and engineering work is currently underway to provide legal descriptions and an accurate acreage. However, it is estimated that the total land to be acquired will be no more than 110 acres, and staff recommends an allocation based on this acreage, not to exceed \$192,500 for the maximum of 110 acres. Appraisals, engineering, escrows, Department of General Services charges and related closing costs are estimated to be \$9,500.00. Any funds remaining at the completion of this acquisition would be recovered at a future meeting. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions, acquisition of land for wildlife habitat conservation purposes.

Mr. Sarro reported that the survey had been completed, and the total acreage was 107 acres.

Staff recommended that the Board approve the acquisition of the Napa Marsh-Steamboat Slough property, up to 110 acres, as proposed; allocate \$202,000.00 from the California Wildlife, Coastal and Park Land Fund of 1988 [Section 5907 (c)(11)], to cover the purchase price and estimated costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Taucher asked if there were any objections from the audience, and since there was no further discussion, the following action was taken.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE NAPA MARSH-STEAMBOAT SLOUGH PROPERTY, SONOMA COUNTY, AS PROPOSED; ALLOCATE \$202,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 5907 (c)(11)], AS SPECIFIED FOR NAPA MARSH WETLAND ACQUISITIONS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

19. Hope Valley, Alpine County \$4,025,000.00

Mr. Schmidt reported this is a proposal for the acquisition of four parcels of land totaling approximately 3,128 acres within or adjacent to the Toiyabe National Forest. Specifically, the subject parcels are located in Hope Valley, which lies on the east side of the Sierra Nevada Mountains in Alpine County, approximately 15 miles south of South Lake Tahoe. Mr. Howard Dick described the project proposal.

These parcels are ideally situated for eventual conversion to urban development due to their proximity to the Tahoe Basin where current building restrictions make development very difficult. Also, the excellent access to Hope Valley from Lake Tahoe and the San Joaquin Valley, via Highways 88 & 89, could mean almost certain destruction of this prime habitat from future development. Sites with similar characteristics are currently being developed in the Carson Valley, Nevada, in the vicinity of Kingsbury Grade.

Topography consists of a grassland meadow complex on the level valley floor and Jeffery pine forest on the surrounding slopes that includes small scattered meadows, riparian fingers along drainages and aspen thickets, all at elevations varying between 7,000 and 8,300 feet. Highways 88 and 89 wind through or are immediately adjacent to the parcels proposed for acquisition. Hope Valley is considered to be one of the most scenic valley in the Sierra Nevadas, an area which certainly deserves protection.

Major species represented on these properties include summer range for mule deer, small rodents, trout, raptors, grouse, mountain quail, and small birds associated with high mountain meadows.

The area also provides excellent deer summer range and fawning habitat during the late spring through fall months for mule deer in the Carson River deer herd. Nesting, foraging, shelter and denning sites are available for raptors and their various rodent prey species. Upland game species, such as blue grouse and mountain quail, use the riparian zones and Jeffery pine forest areas that meet their habitat requirements. A wide variety of songbirds associated with high mountain meadows and adjacent forests, are present. Rainbow trout are found in the streams.

If acquired, it is anticipated that consumptive uses such as deer hunting and upland game bird hunting would be continued. Several streams, including the West Fork of the Carson River, are popular for trout fishing, an activity which will certainly be further encouraged and developed.

Non-consumptive uses with low impacts such as hiking, sightseeing, and cross country skiing are currently enjoyed in the area and would also be encouraged as long as such activities do not conflict with maintaining vegetative communities and scenic values.

According to the Department of Fish and Game, there is a great opportunity for improving the fishery resource and developing a blue ribbon fishery. The wet meadow and upland areas are severely overgrazed with little riparian habitat remaining. Under proper management these habitat types can be restored or enhanced which will not only increase wildlife use of this area but will also increase wildlife oriented recreational opportunities.

The primary adjacent landowner to these properties is the Toiyabe National Forest which will facilitate coordination of management goals and will also help round out the public property holdings. It is anticipated that a coordinated management agreement will be developed between Department of Fish and Game and the Toiyabe National Forest and that beneficial grazing will be allowed.

The parcels involved in this proposal have been optioned by The Trust for Public Land and it is anticipated that they will be purchased directly from The Trust after it has either made the appropriate exchanges or acquired the lands through direct purchase. The Trust has agreed to sell these parcels to the State at their approved appraised values totaling approximately \$4,500,000 for the 3128.16+ acres. In addition, it is anticipated \$25,000 will be needed to cover processing costs, including review and escrow fees. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

Mr. Schmidt noted that management of the property would be proposed under a Memorandum of Understanding between the Department and the Forest Service.

Planned funding for this acquisition is anticipated to come from the California Wildlife, Coastal & Park Land Fund of 1988, specifically authorized for Hope Valley acquisitions and from the Wildlife Restoration Fund. An additional \$500,000.00 necessary to complete this settlement will be paid directly into escrow from an unrelated mitigation settlement arranged by the Department of Fish and Game.

Staff recommended that the Board approve the Hope Valley acquisition as proposed; allocate \$25,000.00 from the Wildlife Restoration Fund and \$4,000,000.00 from the California Wildlife, Coastal and Park Land Fund of 1988 [Section 5907 (c)(13)]; and authorize staff and the Department of Fish and Game to proceed substantially as planned, including using DFG's \$500,000.00 mitigation fund to subsidize the acquisition funding.

Mr. Schmidt reported that Mr. Jim Messersmith was present should there be any questions on the project or the mitigation fund.

Mr. Taucher asked if there were any comments from the audience, and since there was no further discussion, the following action was taken.

Mr. Bontadelli noted that we're seeing a fairly rapid progress under specific acquisition proposals of Proposition 70 and believes they are all in keeping with the voter's intent in passing this measure.

IT WAS THEN MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE HOPE VALLEY PROPERTY, ALPINE COUNTY, INCLUDING USING DFG'S \$500,000.00 MITIGATION FUND TO SUBSIDIZE THE ACQUISITION FUNDING, AS PROPOSED; ALLOCATE A TOTAL OF \$4,025,000.00; \$25,000.00 FROM THE WILDLIFE RESTORATION FUND AND \$4,000,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 5907 (c)(13)]; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Schmidt thanked The Trust for Public Land for all their efforts regarding this acquisition.

20. Mattole River Ecological Reserve, Mendocino County \$500,000.00

Mr. Schmidt reported that this proposal is for the acquisition of a 160 acre parcel; the first in a series of proposed acquisitions of land in the Mattole River watershed in northern Mendocino County for preservation of old-growth redwoods, mixed forests and related wildlife habitat. The acquisition program is among those designated for WCB action under Proposition 70, approved by the voters in June, 1988. As generally identified, the area proposed for inclusion in the preserve is along a 3+ mile reach of the Mattole River at the Humboldt-Mendocino County line, from about 2 to 5 miles inland from the Pacific Ocean.

Mr. Jim Sarro described the project location and proposal. He stated this is the first of several proposals to meet the Prop. 70 mandates in the area.

The lands generally described for acquisition contain large stands of old-growth redwood and Douglas fir, as well as various hardwoods, providing ideal habitat for numerous old-growth dependent animal and plant species. These forests, located at the headwaters of the Mattole River, contain the best King salmon spawning gravels in the entire watershed and provide nesting habitat for the unique marbled murrelet, the spotted owl, osprey, goshawk and many other bird species. The numerous cool, clean creeks flowing from the forest support many aquatic species, including the Olympic Salamander and tailed frog. In past years, logging practices all around the subject area have made this forest the last genetic reservoir of threatened and endangered species in the upper Mattole River watershed. An important use of the area would be the reintroduction of species needing such an old-growth habitat for their survival.

Habitat for more common mammal species such as deer, fox, raccoon, bear, skunk, porcupine, squirrel, and mountain lion is abundant throughout the preserve area. The undisturbed ecosystem in the forest would be an excellent educational laboratory, not only for trained scientists, but for young students as well. It would show clearly the interdependence of rare plant and animal species and old-growth forests.

Historically, local residents have been working since 1978 to preserve these significant, last old-growth forest stands at the Mattole headwaters. Through the passage of Proposition 70, the financial means to do this have been made available and WCB has been identified as the agency to carry out the acquisition program.

In advance of passage of Proposition 70, local residents formed Sanctuary Forest, Inc., a non-profit corporation, with the goal of preserving these forests and managing them for the benefit of the dependent wildlife species. The corporation obtained donations and borrowed money in order to create an operating fund to purchase this key 160 acre parcel, which is now being offered to the State for inclusion in the reserve. The parcel is, in fact, among the first priorities identified by the Department of Fish and Game for acquisition in the Mattole area.

The primary economic value of this parcel is for timber production and, according to an appraisal and timber cruise conducted in September, 1988, concurred in by the State Lands Commission Timber Appraisal staff and by the Department of General Services, the fair market value of this parcel is \$624,500.00. However, Sanctuary Forest, Inc., has agreed to sell this property to the State for a total of \$490,000, which represents the sum needed to pay off the debts against the property, reimburse the corporation the costs it incurred in its acquisition and replenish its working capital fund. As a condition of the sale, Sanctuary Forest will agree to "recycle" the reimbursed costs into its ongoing acquisition, preservation and management efforts in the project. Final settlement would therefore be \$134,500.00 below the appraised value.

Interim management of the property will be by the Department of Fish and Game, with the probability that long-term management could be a cooperative effort between the DFG and local groups, most probably through the Sanctuary Forest, Inc. This acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

Staff estimates that, in addition to the purchase price, the amount of \$10,000 would be required for closing costs, escrows and Department of General Services review costs. As indicated, Proposition 70, the California Wildlife, Coastal and Park Land Fund of 1988, makes funding available for this purchase.

Staff recommended that the Board approve the purchase of the 160-acre Mattole River Ecological Reserve, Mendocino County, as proposed; allocate \$500,000.00 from the California Wildlife, Coastal and Park Land Fund of 1988 [Section 5907 (c)(14)], for the purchase price and costs thereof; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Taucher asked if there were comments from the audience, and since there was no further discussion, the following action was taken.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE MATTOLE RIVER ECOLOGICAL RESERVE, MENDOCINO COUNTY, AS PROPOSED; ALLOCATE \$500,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 5907 (c)(14)], AS DESIGNATED FOR THE MATTOLE RIVER WATERSHED AREA; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

21. Ash Creek WLA (Big Valley) Expansion #2, Lassen County \$1,220,000.00

(CONSIDERED AT THE CONCLUSION OF ITEM #7 AS MR. STANCELL HAD TO LEAVE EARLY AND IT WAS FELT A FULL BOARD SHOULD BE PRESENT FOR THIS ITEM.)

Mr. Schmidt introduced the proposal and Mr. Frank Giordano explained the existing WLA, as well as the proposed area. In 1985, the Board authorized purchase of 11,525 acres from two ranches in Lassen and Modoc Counties for establishment of what is now known as the Ash Creek Wildlife Area. Both ranches had been offered to the State in their entireties at the time, but funding constraints limited the Board's ability to acquire all of the properties involved. Then, in 1986, as funds became available, the Board acquired an additional 1630+ acres, taking in the entire balance of the historic wetlands, known as "Big Swamp". With the passage of Proposition 70 in June, 1988, additional funds became available to the Board for waterfowl and wetlands habitats and the Department of Fish and Game promptly recommended the acquisition of another 1060+ acres of the westerly-most ranch, specifically, the portions of the ranch lying on the north side of State Highway 299. The addition of this property would afford an excellent opportunity to inexpensively restore and manage wetland habitat while, at the same time, providing a much-needed buffer to the historic Big Swamp wetland.

This historic wetland is, of course, the key to the Ash Creek/Big Valley area's excellent quality wildlife habitat. Bald eagles, golden eagles, Swainson's hawks, kestrels, peregrine falcons, prairie falcons, waterfowl, black backed kite, California quail, a few pheasants, antelope, Rocky Mountain mule deer, muskrat, mink, badger, coyotes, several species of rodents, several species of owls, black-tailed jackrabbits, a variety of shore birds, buteos and accipiters, are among species using the property. And beyond this, studies by the DFG have indicated that in 1981 and 1982, nearly 20% of all known nesting sites of greater sandhill cranes in northeastern California were situated within the Big Valley complex. The cranes, which are State listed as threatened, nest in northeastern California, and then winter in the Central Valley.

The land proposed for purchase is in two separate parcels, one of which has 2 1/2 miles of frontage on Highway 299. This highway-front parcel includes nearly 800 acres, leveled in preparation for production of wild rice. The remaining 260+ acres are of less significance, agriculturally, but reports are that it could be used for hunting clubs. This could pose problems for the Department, particularly since it abuts the "No Shoot" area of the Ash Creek WLA.

The property contains an excellent water system, wells and irrigation facilities. It is improved with an old residence, accessory sheds and barns, a new shop, a new scale house, office facility, a truck scale and a new residence.

The owner has offered the 1060+ acres and all improvements to the State for a total price of \$1,200,000.00. Although at the time of preparation of this agenda, an appraisal has not been completed, staff believes it will be available and reviewed by the time of the Board meeting. Although it is unusual to include an acquisition on the agenda prior to completion of an appraisal, staff considers this an unusual case warranting this action. The landowner requires a closing in 1988 and in the event the appraisal exceeds \$1,200,000.00, will donate the excess sums to the State. In any event, the most the Board can pay is fair market value, based on the approved appraisal, and if this turns out to be less than \$1,200,000.00, the lesser amount will be offered to the landowner. In addition to the purchase price, costs of closing, escrow, title insurance and appraisals are estimated to be about \$20,000.00. The acquisition would be exempt from CEQA as an acquisition of land for wildlife conservation purposes.

About 80% of the property is waterfowl/wetlands oriented and the remainder will be devoted to buffering nesting sites and adding habitat for the greater sandhill cranes. Because of varied land uses being considered, staff suggests that approximately two-thirds of the costs be funded from the California Wildlife, Coastal and Park Land Fund of 1988 and the remaining one-third be split between the Environmental License Plate Fund and the Wildlife Restoration Fund.

Staff recommended that the Board approve the acquisition of the 1,060+ acres for the Ash Creek WLA (Big Valley) Expansion #2 project as proposed; allocate sums not to exceed \$200,000.00 from the Wildlife Restoration Fund, \$200,000.00 from the Environmental License Plate Fund, and \$820,000.00 from the California Wildlife, Coastal and Park Land Fund of 1988 [Section 5907 (c)(1)(B)], to cover the maximum purchase price; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt noted that before the members of the Board are letters of support from the Adin Chamber of Commerce, Defenders of Wildlife, and local residents, John and Toni Weldon. Each member also has letters of opposition from the Modoc County Cattlemen's Association, Lassen and Modoc County Boards of Supervisors, Big Valley Water Users Association, Modoc County Community Program Department and Hot Springs Valley Irrigation District. Mr. Schmidt added that after reading a couple of the letters, they are not necessarily opposing the acquisition, but are opposing the management plan to be completed by the Department of Fish and Game. Mr. Schmidt stated several people from the audience had indicated a desire to speak.

Mr. Schmidt reported a letter had also been received from Senator John Doolittle and then called upon Rick Staats, representing Senator John Doolittle, as the first speaker. Mr. Staats read a letter to the Board, copy of which is attached to these minutes.

The next speaker was Mr. Dan Chapin, representing the California Waterfowl Association (CWA). Mr. Chapin stated that the CWA is normally a strong supporter of proposals that come before the Board and is also strongly committed to always expanding, improving and restoring waterfowl habitat in California. He stated there are some aspects of this particular acquisition that are typical of many acquisition proposals and they have some problems with the way the system is working generally. He stated that one of the things they would like to see included in the descriptions of these projects when they come before the Board, is not just the acquisition cost, but the cost that is going to be involved in turning them into productive useful wetland areas, and also the cost involved in managing the area after they are in wetland status. He gave an example of the Butte Valley Wildlife Area. It was a bargain purchase (about \$300/acre); total \$3,000,900. The implementation plan for developing it into wetlands amounted to \$7,000,000 total, indicating that at the end the bargain purchase was not such a bargain. Mr. Chapin asked that the Board look into the availability of water at the Ash Creek WLA and if there is water available for the potential 800 acres of wetland development. A second question was whether or not in view of the Department's overall wetlands programs, up and down the state, does the Ash Creek WLA really deserve to be a top priority project. He encouraged the Board to take a very close look as to whether or not this project really is the kind of project of which is the top priority. Mr. Chapin also questioned the appropriateness of the value being offered - is it too high? He encouraged the Board to look closely at this and all future wetland purchases in light of the Central Valley Habitat Joint Venture Component of the North American Waterfowl Plan.

Mr. Taucher thanked Mr. Chapin and the next speaker called was Mr. Sean Curtis.

Mr. Sean Curtis, President of the Modoc County Farm Bureau, stated he was representing Modoc County Farm Bureau, Counties of Modoc and Lassen, Big Valley Water Users Association, South Fork Irrigation District, Hot Springs Valley Irrigation District, Modoc County Private Industry Council, and local (unidentified) landowners. Mr. Curtis concurred significantly with the last speaker who raised some very important concerns that need to be addressed. Mr. Curtis stated it was his intention to ask for a postponement of acquiring the Ash Creek property at this time. Mr. Curtis stated the property will become part of the Ash Creek WLA, so the problems existing on the present 13,000 acres are very pertinent to this purchase. He gave a brief history of the process of the proposed plan that exists on the 13,000 acres. He expressed concern that there was a DFG community meeting in April, 1988, to review the draft plan that was dated April, 1988. There was no notice in the local papers, no notice to the Boards' of Supervisors of the two counties involved, even after the Department had earlier assured the Boards' that their input was wanted and there were about 4 or 5 people in attendance. A second draft of the plan came out August, 1988. There were again no notices, the only notification at all was an ad in the classified section of the Modoc County Record. However, 70 people were in attendance at the second meeting. The Department arrived at the meeting with no methods of taking down the concerns expressed at the meeting. There was total agreement at the meeting that the plan was unacceptable. Department promised to extend the comment period on the plan from October 15 to

November 15th and schedule another meeting with proper notification and proper mechanisms there to record the comments. Briefly, his concerns of the plan include lack of rodent, predator and noxious weed control; improper cultural and grazing practices; and most importantly it contained language that court action will probably be undertaken to get more water. Mr. Curtis stated if the court action is attempted to obtain the water necessary to operate the area as the plan states, the water will have to come from agricultural and there is no surplus water in that drainage that is available. He also contended that the Department's categorical exemption under CEQA does not exist outside their fence line and the plan, as constituted, will have a major impact on the Big Valley area and the existing Pit River Drainage because of the water rights and the problems with the cultural and grazing practices and the lack of weed, predator and rodent control. He felt that these major problems that exist with the proposed plan as it exists now, no additional purchases should be made. Any purchases should be postponed until the problems that exist in the plan for the current area are satisfied. In the letters the County has submitted and Senator Doolittle's letter have made the case for the problems that exist with the purchases as they relate to eroding the tax base and the loss of jobs and the other things that come by taking this land out of production. The in-lieu taxes don't make a dent in the loss to the counties, the loss of taxes between what the in-lieu was paid and that which would be paid if that land was in private ownership total (just the difference) more than the undesignated reserve that the budget for the County of Modoc has at this time. Mr. Curtis reported that a major inconsistency exists between what is represented to this Board on the use of the 1,000 acres and what the Department says it is going to do with the land when it is acquired in their management plan and asked for a correct statement. He then read misleading statements from the agenda - questioned the historic wetland value, nesting sites of greater sandhill cranes, statement being corrected from endangered to threatened greater sandhill crane, land leveled in preparation for production of wild rice, price is well above the current land values in the areas. He noted that there is a proposal for Modoc/Lassen County Transfer Garbage Station bordering this property and it also borders the Bieber airport. Mr. Curtis again asked the Board to postpone the acquisition of this property until all the questions that have been raised have been investigated and corrections made so the project can be evaluated with the correct information.

Mr. Taucher thanked Mr. Curtis and asked if anyone had any questions. The next speaker was Ms. Sheila Massey representing the California Cattlemen's Association. Ms. Massey read a letter to the Board, copy of which is attached to these minutes. Mr. Taucher thanked Ms. Massey and asked if anyone had any questions. Mr. Bontadelli stated he appreciated Ms. Massey's comments regarding "a more thorough procedure, including a complete statement of intended use and assure a greater degree of public input, especially from area landowners who will be directly affected", be adopted for future acquisitions, and from the Department's standpoint recognizes the need to do some modification of practices in terms of how acquisitions are proposed and DFG will be glad to sit down with the Association to discuss that issue.

Mr. Schmidt stated that prior to asking the Department's representative Mr. Banky Curtis to address any questions the Board might have, he would like to give the property owners representative Mr. Lanny Winberry an opportunity to speak.

Mr. Lanny Winberry stated he represents the owner of this property and has represented him for the last several years during which time the area has been thoroughly studied by the Corps of Engineers and its experts. There are a certain number of questions that have been raised, quite legitimately by the other speakers that have been studied regarding this property. First, he indicated that they have been provided maps by the Corps of Engineers pertaining to the nesting sites of Sandhill Cranes in this particular area, and of course we do have to farm around those sites as a matter of federal law, and in addition, I think it is pretty clear as a matter of federal law that any pollutant of any type, whether it be agricultural or chemical which interferes with that particular habitat species would be subject to regulation and perhaps sanction. He also stated that it seems most of the concerns have to do with the use of the natural resources that must be shared with all the inhabitants of that particular water system. According to Mr. Winberry acquisition of this property at this time, represents a part of the solution rather than an exacerbation of the problem. If this acquisition is made, the Department will be gaining the full time use of two brand new wells and pumps which will be powered on a very effective electrical system maintained by the Surprise Valley Electric Company. That water supply will be available to the Department year round without interfering with the water surface rights that have been allocated to the other water uses. In addition, during the portion of the year when those types of water supplies are most critical to the habitat, there will be an additional two wells available, on the same basis to the Department, and with that total pumping capacity of 10,000 gallons per minute it should be, again, as I say part of the solution, rather than part of the problem, to the water shortage. He indicated that they have studied the water rights a great deal and of course the property that has already been acquired, at least about 2800 acres which is commonly known as "Big Swamp", the surface water rights are such that the State now has the right to all waters that reach that area after upstream allocations have been fulfilled. Therefore, there is a lot of water, but unfortunately it doesn't come at the right time of the year every year and by acquiring this property and the wells that Mr. Akers has installed on the property and the ditching systems, it seems that the Department would be able to very quickly address some of the concerns. Whereas, if this acquisition is not made, those water concerns will remain a problem and will have to be dealt with by the State at a future time. Same thing is true with regards to the improvements, by acquiring this property the State can acquire a presence on the highway so the public can better obtain access to the 13,000 acre preserve that already exists. It seems that many of the concerns are not with the acquisition itself but with the way the property will be managed, if and when it is acquired. He also stated it is an excellent opportunity to acquire this property and the assets that go with it. If this acquisition is made, my client will be the landowner immediately to the south of the acquired property along the full extent of the property along Highway 299. So we're a neighbor and will be concerned with this, we are knowledgeable of the water needs and water supplies in the area and the way they have been

allocated in both the Ash Creek and Pit River Decrees. We're also knowledgeable of the delivery systems within the system and we can help in that process. Because Mr. Akers, and Maza Land Company, will be the main neighbor on this property, you are not creating a new neighbor you are creating a buffer that ends at the highway. So with regard to predator control you have a natural barrier that already exists that can be enhanced and it can be monitored by people living on the site and it can be happening before the end of the year. This is a decision that needs to be made now and in a way that allows the State to have the assets immediately that it can use to solve the problems that have been expressed.

Mr. Taucher thanked Mr. Winberry and asked if there were any questions.

Ms. Edna Maita commented to the members of the California Cattlemen's Association and the Modoc and Lassen Counties that they may not be aware of a particular piece of legislation that Assemblyman Costa carried at the request of the Department of Fish and Game last year, AB 3873, which was a measure that would allow a new program to be developed on existing wildlife management areas and one of the areas designated for this program is Ash Creek. That program would allow for an interpretative center to be built and some of the natural areas beauty to be enjoyed by all of Californians which in turn brings in tourist dollars to those areas. She further stated there are some benefits the Department has in legislation that has been signed and will be put forth soon providing new revenue dollars to those counties.

Mr. Taucher thanked Ms. Maita and asked if there were any other comments. Mr. Schmidt stated that Mr. Banky Curtis from the Department was present should anyone have any questions.

Mr. Bontadelli quickly clarified one item from a Department standpoint. Following the public hearing that was held in August which was referenced and subsequent communication from Senator Doolittle at his specific request, Mr. Bontadelli looked into the issue of the court action question on the water rights and reported that section has been or is in the process of being removed from the final management plan. The issues that were involved in the proper reference should have been to the issue of obtaining a water rights permit for storage of seasonal water that comes onto the property rather than an attempt to re-adjudicate or change any of the existing water rights. Mr. Bontadelli thanked Senator Doolittle for bringing that to his attention.

Mr. Taucher stated that it has been alleged by a couple of the parties that the true value of the property is about \$500/per acre and we're paying about \$300/per acre more and it was asked of Banky Curtis what his assessment was. Banky Curtis stated that obviously, the best value of the land is dealt with by an appraiser but from a wildlife manager's standpoint I can explain to you what the value is to the Department and to me as I try to manage Ash Creek WLA and maybe that would be a benefit at this time. Mr. Curtis then explained the water management plan currently on the property and what would be proposed if this additional parcel were acquired. Mr. Curtis stated in reference to sandhill cranes, in 1982 there were 3 nest sites certified in the study that was done. What's happened subsequently, is that this land

has been leveled, some of those nests have become unused by the sandhill cranes now. The objective would be to restore these nesting sites for the sandhill cranes.

Mr. Bontadelli stated that the appraisal question should be directed to Mr. Frank Giordano. Mr. Giordano stated the appraisal was made by Duncan, Duncan, and Associates, and was completed at the end of October. The appraisal was reviewed by Department of General Services, by what we term as a very critical reviewer, and was approved without question. Mr. Giordano stated he feels there is no doubt whatsoever that the appraisers conclusions were right. He valued the land overall at \$1,000/per acre. The land, as the appraiser stated, has been leveled, and the availability of water is very very good.

Mr. Taucher directed a question to John Schmidt regarding if any meetings were ever held with the property owners other than the one that was less than satisfactory with the Department. Mr. Schmidt stated that the meetings with the property owners were handled by Jim Sarro and Frank Giordano of which they were all very satisfactory. WCB did not meet with any local groups. Mr. Bontadelli stated that a large part of the concerns are about the management plan, upon which a preliminary hearing was held in April, which has been resolved. DFG did have a subsequent hearing and that was a public meeting pursuant to the Costa bill. Following that, the review period was left open for 30 days, and from a written standpoint, that is now over and comments are being evaluated. At that point, a determination will be made as to whether it is appropriate to have another hearing. At this time there appears to be a point of disagreement as to whether or not a commitment has been made to have another public meeting. It is clear that the plan, at least on the item of the water rights, which was already mentioned and a few other points, does need to be cleaned up in light of the hearing that was held. In addition, Mr. Bontadelli stated that he was aware of a series of meetings but will let Banky Curtis describe those that were held with individuals in the area.

Banky Curtis stated DFG purchased this property in January 1986. The first meeting was held in March, 1986, to get all the local landowners on board from the beginning and have held at least 1 or 2 meetings a year since then. There was some concern expressed that people did not know about the October 4th meeting; DFG sent out 50 copies of the management plan so it could be reviewed by various people. At that meeting, there was concern expressed that the public did not have enough time for adequate input. At that time, the comment period was extended until November 15th, and as of this date DFG was still receiving comments and will evaluate all those comments. There was some concern expressed also that the Negative Declaration that was proposed with the plan was not adequate. DFG will also be evaluating that issue. Mr. Curtis explained several things that will be done regarding the comments received on the management plan. They will develop a summary of all the comments that have been expressed to DFG and will distribute that to everybody that attended the meeting or who has in the past expressed interest in the Ash Creek area so we can clarify some of these issues. Mr. Curtis stated he believes that most of the problems are problems of communication and misunderstandings rather than disagreements. For example, the use of treated vs. untreated seed for grain was discussed. DFG is also

Minutes of Meeting, Wildlife Conservation Board
November 15, 1988

forming a Citizen's Advisory Committee. DFG will be shortly sending out letters proposing to have these groups select a representative to come to us and on that list is the Farm Bureau, Cattlemen's Association, the Chamber of Commerce, the Resource Conservation District, Big Valley Water Users, Lassen County, Modoc County, Pit River Sportsmens, Lassen County Sportsmens, Modoc County Sportsmens, Ducks Unlimited, California Waterfowl Association, Audubon Society and Defenders of Wildlife. He indicated all of these people have expressed interest in the plan and we would provide them the opportunity to provide us regular input on an advisory basis so that we can be sure that the local needs of the community are met. Another public meeting will be held in the month of January. Our goal is to work well with the community. One opportunity that this land does provide is one of the potential sites for the visitor center under the expanded use opportunity program.

Mr. Taucher asked if there were any questions.

Mr. Stancell stated originally he had some questions, but all of his concerns had been answered and was fully satisfied that this is a good project to move forward on.

IT WAS THEN MOVED BY MR. STANCELL, AND SECONDED BY MR. BONTADELLI, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE ASH CREEK WLA (BIG VALLEY) EXPANSION #2 PROJECT, AS PROPOSED; ALLOCATE SUMS NOT TO EXCEED \$200,000.00 FROM THE WILDLIFE RESTORATION FUND, \$200,000.00 FROM THE ENVIRONMENTAL LICENSE PLATE FUND, AND \$820,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 5907 (c)(1)(B)]; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Bontadelli then confirmed, for the record, that a full public hearing will be held in January on the management plan to include this area if it is actually purchased today. One item that has been of particular concern has been the water rights and the wells available here to help the overall management of the area.

Mr. Taucher asked if there were any more comments and Mr. Sean Curtis wished to speak again. Mr. Curtis stated the main question still comes back to water and thought that it was excellent that the portion of the plan that deals with the court action had been removed. But that still basically comes back to the point that there is not enough water available to the 13,000 acres to do the plan that DFG proposes. 80% of the water rights for that piece of ground, are third priority rights and they don't exist most of the year. The water is the primary concern and the inadequate notices of the meetings was expressed again.

Mr. Taucher stated that from what he had heard, the real concern was not the actual acquisition but wanting to resolve the issues in the management plan prior to DFG acquiring the property. Mr. Bontadelli stated there is also the primary concern expressed by both Modoc and Lassen Counties regarding the tax question. It would require a change of statute to change the tax

situation. If this were acquired by any other state agency, that I am aware of, there would be no property tax paid or even in-lieu fees paid. Mr. Bontadelli stated that it was carefully made sure that this was proposed as a wildlife area expansion and not as an ecological reserve which would have totally exempted it from in-lieu fees even though it has significant values or threatened or endangered species which might otherwise have qualified as a ecological reserve acquisition. Mr. Bontadelli stated that there is also a general concern that has been expressed by the Cattlemen's Assoc., both here and other places, relative to the issue of taking land out of production and the impacts of that on the overall economy of the area.

Mr. Taucher stated that from what he has heard, he believes the Department will work with the local groups very hard to get a good legitimate management plan.

22. Other Business

- a. Notification of Proposed Acquisition/Development Projects to Adjacent Property Owners.

At the August 11, 1988, WCB meeting, the Board asked staff to come up with recommendations and tentative cost estimates on notifying adjacent landowners. A report was given to each Board Member and Legislative Advisory Member at the meeting. It was recommended that the report be reviewed and delay any action on coming up with a policy until the next Board meeting.

Staff recommended that no action was required at this time.

- b.

There being no further business to consider, the meeting was adjourned at 12:24 p.m. by Mr. Bontadelli.

Respectfully submitted,



W. John Schmidt
Executive Officer

PROGRAM STATEMENT

At the close of the meeting on November 15, 1988, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$204,283,462.01. 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 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 Bond Act, the 1984 Fish and Wildlife Habitat Enhancement Bond Act, the California Wildlife Coastal and Park Land Conservation Act of 1988 and the Wildlife Restoration Fund.

| | |
|-----------------------------------------------------------------|------------------|
| a. Fish Hatchery and Stocking Projects | \$16,066,599.15 |
| b. Fish Habitat Development | 9,713,771.81 |
| 1. Reservoir Construction or Improvement . | \$3,065,821.39 |
| 2. Stream Clearance and Improvement | 3,967,289.03 |
| 3. Stream Flow Maintenance Dams | 498,492.86 |
| 4. Marine Habitat | 646,619.07 |
| 5. Fish Screens, Ladders and Weir Projects | 1,535,549.46 |
| c. Fishing Access Projects | 32,097,802.58 |
| 1. Coastal and Bay | \$2,956,336.25 |
| 2. River and Aqueduct Access | 6,781,818.95 |
| 3. Lake and Reservoir Access | 6,170,560.43 |
| 4. Piers | 16,189,086.95 |
| d. Game Farm Projects | 146,894.49 |
| e. Wildlife Habitat Acq., Development & Improvement Projects .. | 139,168,362.49 |
| 1. Wildlife Areas (General) | \$109,170,736.45 |
| 2. Miscellaneous Wildlife Habitat Dev. ... | 3,329,454.27 |
| 3. Wildlife Areas/EcoReserves, (Rare & Endangered) | 26,668,171.77 |
| f. Hunting Access | 537,407.57 |
| g. Miscellaneous Projects | 5,758,012.87 |
| h. Special Project Allocations | 311,995.42 |
| i. Miscellaneous Public Access Projects | 482,615.63 |
| Total Allocated to Projects | \$204,283,462.01 |

REPLY TO:

ROOM 5087
STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814
(916) 445-5788
720 SUNRISE AVENUE
SUITE 110-D
ROSEVILLE, CALIFORNIA
95661
(916) 783-8232



Senate

California Legislature

JOHN T. DOOLITTLE

First District

Chairman, Senate Republican Caucus

COMMITTEES:

BUSINESS AND PROFESSIONS
VICE CHAIRMAN
AGRICULTURE AND WATER
RESOURCES
INSURANCE, CLAIMS AND
CORPORATIONS
JUDICIARY
SELECT COMMITTEE ON THE
SIERRA/CASCADE/
KLAMATH WATERSHED
CHAIRMAN
SELECT COMMITTEE ON
SMALL BUSINESS
ENTERPRISES

November 15, 1988

Mr. Albert C. Taucher, Chairman
Wildlife Conservation Board
1416 9th Street
Sacramento, CA 95815

Dear Mr. Taucher:

As the State Senator representing both Lassen and Modoc Counties, I am concerned about the proposed purchase of an additional 1,060 acres of farmland to be added to the Ash Creek Wildlife Area.

For the following reasons, I am joining with the Lassen and Modoc County Boards of Supervisors in opposing this expansion of the Ash Creek Wildlife Area with the purchase of the 1,060 acres of farmland in Lassen County.

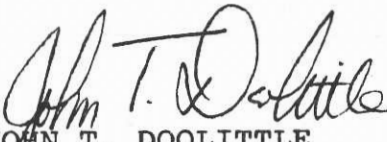
- The land would be taken off the taxrolls as well as out of productivity. The compensation Lassen County would receive in lieu of the local property tax under the Fish and Game Code Section 1504 would not compensate the county for its revenue losses.
- The Proposed Management Plan by the Department of Fish and Game for the Ash Creek Wildlife Area has come under a great deal of criticism from many quarters and has not, at this time, been finalized. The Department has stated that it does not foresee adequate funding to manage the area properly in the future. It would be inappropriate for the Department of Fish and Game to go into this expansion when it has not found a solution to management of the present wildlife area.
- The land would be taken out of productivity and would become a burden to adjoining landowners and the county.

Mr. A. Taucher
Page 2

It would be in the interest of all parties for the Department of Fish and Game to work out a solution to the problems they have encountered in trying to develop a plan for the management of the Ash Creek Wildlife Area before any further land acquisitions to the area are made.

Thank you for your consideration in this matter.

Sincerely,


JOHN T. DOOLITTLE
JTD/rs/hbr

CALIFORNIA CATTLEMEN'S ASSOCIATION

JIM TIMMONS
PRESIDENT
ARCATA

MYRON OPENSHAW
1ST VICE PRESIDENT
OROVILLE

JOHN W. ROSS
EXECUTIVE VICE PRESIDENT

GEORGE SCOVEL
TREASURER
GILROY



TELEPHONE 444-0845 (AREA CODE 916)

1221 H STREET

SACRAMENTO, CALIFORNIA

ZIP CODE 95814

VICE PRESIDENTS

JACK SPARROW
CLEMENTS

WARREN WAYLAND
SALINAS

WM. B. "WILLY" CHAMBERLIN
LOS OLIVOS



NATIONAL CATTLEMEN'S
ASSOCIATION

November 15, 1988

Testimony before the Wildlife Conservation Board

Presented by Sheila Massey,
Director, Regulatory Affairs

on behalf of the California Cattlemen's Association

relative to the proposed expansion of the
Ash Creek Wildlife Area
Lassen and Modoc Counties, California

Let me thank you for this opportunity to comment on the proposed expansion of the Ash Creek Wildlife Area. I am here at the request of the Fall River - Big Valley Cattlemen's Association and the Modoc County Cattlemen's Association, which are both directly affected by the actions of the Board and the Department of Fish & Game in the Big Valley area. We concur with the comments of Mr. Sean Curtis, who is a resident of the area and also speaks for the area agricultural groups.

While the subject of this agenda item is the proposed acquisition of an additional 1,061 acres of land adjacent to the existing Ash Creek Wildlife area, we are compelled to raise questions about the acquisition in the context of the management of the entire Ash Creek WLA. Our comments are not directed at the seller -- we recognize the right of the owner to sell the property to the highest bidder. Instead, we are concerned that the Wildlife Conservation Board, as the buyer, has not addressed the concerns of the community and surrounding landowners before proceeding with this acquisition proposal.

The California Cattlemen's Association is the trade association representing California's commercial beef cattle industry. The CCA membership owns nearly 60 percent of the beef cattle in California and operates on over 30 million acres of rangeland in California.

page 2 ---

We have commented, on prior proposed acquisitions, that we find the public notice and opportunity for public involvement in evaluating land acquisitions by the Wildlife Conservation Board to be less than adequate. In this instance, we are concerned that the Department of Fish & Game proposes to expand the Ash Creek WLA prior to completing the management plan for the existing WLA property. There are concerns remaining on management of the existing property that should have been resolved before expanding the property.

These concerns include: (1) The potential impact of "enhancing water rights" on rights of both upstream and downstream water users. This includes possible restrictions upon production practices, such as use of certain pesticides or herbicides, of upstream users in order to protect the threatened sandhill crane, as proposed by the Department.

(2) The impact on the counties of a temporary or partial loss of tax base, as well as loss of good agricultural land must be considered. We are told that small grain production may continue to provide feed for waterfowl, but are concerned that production methods follow area practices so certain plant diseases can be controlled.

(3) Ongoing opportunity for input from community residents should be provided. We understand that a "Citizen's Advisory Committee" will be formed for the Ash Creek WLA; we commend this action and urge that the Advisory Committee be named forthwith, and request that members of the Fall River - Big Valley, Modoc County and Lassen County Cattle-men's Associations be included.

(4) A comprehensive predator control program will be necessary. We understand that the Department has indicated to the federal Animal Damage Control area officer that a coyote control program is needed.

page 3 ---

We urge that the coyote control program be conducted on a continuing, not just a seasonal, basis. There are problems with coyote in the area, and we expect that the Department's waterfowl program on the WLA will be less than successful unless a comprehensive predator control program is conducted.

(5) A portion of the Ash Creek WLA was previously grazed; we urge that a full grazing program be considered, consistent with the Department's objectives for waterfowl propagation. In fact, we urge consideration of an arrangement with the area Resource Conservation District to manage a grazing program, similar to the successful program now in place in Butte Valley, Siskiyou County.

(6) All too often, once a wildlife preserve is established, the next step is to impose buffer zones on the private landowners adjacent to the preserve area. Landowners in this area justifiably want some assurances that buffer zones will be internal to the WLA, not out onto the surrounding private lands.

(7) Finally, there appear to be questions over the suitability of part of the property involved in this purchase for wetlands restoration. We question how much of the land really qualifies now or in the past as a wetland. Further, how does this acquisition enhance the existing (and substantial) acreage within the Ash Creek WLA?

There may be answers to these concerns. The Department and/or the seller may have compelling reasons for an immediate transaction; however, the point remains that acquisitions of this nature should be considered only after fully involving the people of the affected community and addressing their concerns.

On behalf of the CCA membership, specifically the local associations that are directly affected, we must register our opposition to this acquisition and to the procedure followed in bringing it up for consideration. While the Wildlife Conservation Board may choose to proceed with this acquisition, we respectfully request that a more thorough procedure be adopted for future acquisitions. We recommend that the procedure for future acquisitions (a) include a complete statement of intended use and (b) assure a greater degree of public input, especially from area landowners who will be directly affected.

We request that we be included in any effort to clarify and broaden the scope of the procedure for land acquisitions.

We thank you for this opportunity to comment.