

## 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 August 10, 1989

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

Minutes, Meeting of August 10, 1989

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 August 10, 1989. The meeting was called to order at 1:30 p.m.

1. Roll Call

<u>PRESENT:</u>	Pete Bontadelli, Director	Member
	Department of Fish and Game	
	Stan Stancell, Assistant Director	Member
	Department of Finance	
	Dr. Andrea Tuttle,	
	Vice Senator Barry Keene	Joint Interim Committee
	Jeff Arthur,	
	Vice Senator Robert Presley	Joint Interim Committee
<u>ABSENT:</u>	Robert A. Bryant, President	Chairman
	Fish and Game Commission	
	Senator David Roberti	Joint Interim Committee
	Assemblyman Jim Costa	" " "
	Assemblyman Phillip Isenberg	" " "
	Assemblyman Norman S. Waters	" " "
<u>STAFF PRESENT:</u>	W. John Schmidt	Executive Director
	Alvin G. Rutsch	Assist. Executive Director
	Clyde S. Edon	Field Agent
	Jim Sarro	Chief Land Agent
	Howard Dick	Land Agent
	Frank Giordano	Land Agent
	Georgia Lipphardt	Land Agent
	Marylyn Gzyms	Staff Services Analyst
	Sylvia Gude	Staff Services Analyst
	Sandy Daniel	Executive Secretary
	Janice Beeding	Office Technician
<u>OTHERS PRESENT:</u>	Bill Brisso	Citizen
	Jack Brisso	Citizen
	Steve Nicola	Department of Fish & Game
	Nan Martin	Citizen
	Banky Curtis	Department of Fish & Game
	Lanny Winberry	Citizen
	Bob Akers	Citizen
	Daniel Hall	Citizen
	Scott Ferguson	Trust for Public Land
	Gary Barron	Ranch Owner

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George Galamba	Citizen
Walter Cook	Citizen
Steve Hodge	Citizen
Pete Margiotta	Sportsmen for Equal Access
Kent Woodell	Sportsmen for Equal Access
Bob Dobel	Sportsmen for Equal Access
Chris Collet	Senator John Doolittle
Michael Mahler	Senator John Doolittle
Rick Staats	Senator John Doolittle
Fred Morawcznski	Yuba County
Bob Hackamack	Stanislaus Audubon Society
Mr. & Mrs. Robert P. Ready	Citizens
Jim Messersmith	Department of Fish & Game
Spike Naylor	Department of Fish & Game

2. Approval of Minutes

Approval of minutes of the May 11, 1989, meeting of the Wildlife Conservation Board was recommended.

IT WAS MOVED BY MR. STANCELL THAT THE MINUTES OF THE MAY 11, 1989, MEETING OF THE WILDLIFE CONSERVATION BOARD BE APPROVED AS WRITTEN.

MOTION CARRIED.

3. Funding Status as of August 10, 1989 (Information Only)

(a) 1989/90 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisitions .....	\$ 429,000.00
Governor's Budget - Minor Projects .....	\$ 480,000.00
Governor's Budget - Major Development .....	\$ 500,000.00

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

Governor's Budget - Land Acquisitions .....	\$1,730,000.00
Less previous Board allocations .....	-1,729,238.93
Unallocated Balance .....	\$ 761.07

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

Governor's Budget - Land Acquisitions - Eco Reserves..	\$1,000,000.00
Less previous Board allocations .....	-803,206.80
Unallocated Balance .....	\$ 196,793.20
Governor's Budget - Land Acquisitions .....	\$ 417,000.00
Less previous Board allocations.....	-417,000.00
Unallocated Balance.....	\$ -0-

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

Governor's Budget .....	\$3,292,000.00
Less previous Board allocations .....	-1,426,644.87
Unallocated Balance .....	\$1,865,355.13



(e) 1989/90 Fish & Wildlife Habitat Enhancement Fund Capital Outlay Budget

Governor's Budget ..... \$4,093,000.00

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

Governor's Budget ..... \$3,434,000.00  
Less previous Board allocations ..... -2,646,222.38  
Unallocated Balance ..... \$ 787,777.62

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

Governor's Budget ..... \$14,000,000.00  
Less previous Board allocations ..... -13,985,189.00  
Unallocated Balance ..... \$ 14,811.00

(h) 1989/90 Wildlife & Natural Areas Conservation Fund Capital Outlay Budget

Governor's Budget ..... \$15,350,000.00

(i) 1988/89 Wildlife & Natural Areas Conservation Fund Capital Outlay Budget

Governor's Budget ..... \$10,500,000.00  
Less previous Board allocations ..... -3,720,000.00  
Unallocated Balance ..... \$ 6,780,000.00

(j) 1988/89 California Wildlife, Coastal & Park Land Conservation Fund

Direct appropriation to the Wildlife  
Conservation Board ..... \$81,300,000.00  
Less previous Board allocations ..... -15,207,335.00  
Less State administrative costs ..... - 1,219,500.00  
Unallocated Balance ..... \$64,873,165.00

(k) 1989/90 Cigarette and Tobacco Products Surtax Fund

Governor's Budget ..... \$ 5,500,000.00

RECAP OF FUND BALANCES

Wildlife Restoration Fund

Acquisition ..... \$ 626,554.27  
Minor Development ..... \$ 480,000.00  
Major Development ..... \$ 500,000.00  
Environmental License Plate Fund ..... \$ 1,865,355.13  
1984 Fish & Wildlife Habitat Enhancement ..... \$ 4,186,588.62  
California Wildlife, Coastal and Park Land  
Conservation Fund of 1988 ..... \$64,873,165.00  
Wildlife and Natural Areas Conservation Fund ..... \$22,130,000.00  
Cigarette and Tobacco Products Surtax Fund ..... \$ 5,500,000.00

4. Recovery of Funds

The following 28 projects previously authorized by the Board have fund balances that can be recovered and returned to their respective funds. It was recommended that the following totals be recovered: \$14,111.00 to the Wildlife Restoration Fund, \$4,731.02 to the Parklands Fund of 1984, \$234,757.96 to the Fish and Wildlife Habitat Enhancement Fund, and \$40,656.45 to the California Wildlife, Coastal and Park Land Conservation Fund of 1988; and that the projects be closed.

WILDLIFE RESTORATION FUND

Hope Valley, Alpine County

Allocation	\$ 25,000.00
Expended	-10,889.00
Balance for Recovery	\$ 14,111.00

Total Wildlife Restoration Fund Recoveries ..... \$ 14,111.00

PARKLANDS FUND OF 1984

McNear's Beach Fishing Pier, Marin County

Allocation	\$357,000.00
Expended	-352,393.98
Balance for Recovery	\$ 4,606.02

Butte Valley Wildlife Area Public Access, Siskiyou County

Allocation	\$ 25,000.00
Expended	- 24,875.00
Balance for Recovery	\$ 125.00

Total Parklands Fund of 1984 Recoveries ..... \$ 4,731.02

FISH AND WILDLIFE HABITAT ENHANCEMENT FUND

Battle Creek Barriers, Shasta County

Allocation	\$ 50,000.00
Expended	-32,975.00
Balance for Recovery	\$ 17,025.00

Big Grizzly Creek, Plumas County

Allocation	\$ 18,000.00
Expended	-13,612.66
Balance for Recovery	\$ 4,387.34

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Cottonwood Creek Paiute Cutthroat Habitat, Mono County

Allocation	\$ 45,000.00
Expended	-45,000.00
Balance for Recovery	-0-

Elk Creek #2, Siskiyou County

Allocation	\$ 20,000.00
Expended	- 9,010.00
Balance for Recovery	\$ 10,990.00

Elk River Corners Wildlife Area, Humboldt County

Allocation	\$230,000.00
Expended	-226,159.80
Balance for Recovery	\$ 3,840.20

Humboldt Bay WLA, McDaniel Slough, Humboldt County

Allocation	\$1,288,000.00
Expended	-1,281,196.40
Balance for Recovery	\$ 6,803.60

EXPENDED FIGURE  
CORRECTED AS NOTED  
BY MR. STANCELL.

Indian Creek, Siskiyou County

Allocation	\$ 15,000.00
Expended	- 7,990.00
Balance for Recovery	\$ 7,010.00

Jacoby Creek, Humboldt County

Allocation	\$ 75,000.00
Expended	-74,552.00
Balance for Recovery	\$ 448.00

Last Chance Creek (Ferris Field), Plumas County

Allocation	\$ 25,000.00
Expended	-16,601.99
Balance for Recovery	\$ 8,398.01

Little Truckee River, Nevada County

Allocation	\$ 56,500.00
Expended	-46,813.24
Balance for Recovery	\$ 9,686.76

Mad River Weir, Humboldt County

Allocation	\$ 75,000.00
Expended	-45,645.05
Balance for Recovery	\$ 29,354.95

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Maple Creek, Humboldt County

Allocation	\$ 35,000.00
Expended	-34,556.50
Balance for Recovery	\$ 443.50

Oldhouse Creek Trout Habitat, Plumas County

Allocation	\$ 5,000.00
Expended	- 1,350.00
Balance for Recovery	\$ 3,650.00

Pass Creek, Nevada County

Allocation	\$ 25,000.00
Expended	-18,522.62
Balance for Recovery	\$ 6,477.38

Rusch Creek Steelhead Habitat Enhancement, Trinity County

Allocation	\$ 15,000.00
Expended	-13,000.00
Balance for Recovery	\$ 2,000.00

Rush Creek, Trinity County

Allocation	\$ 25,500.00
Expended	-12,263.36
Balance for Recovery	\$ 13,236.64

Shovel Creek, Siskiyou County

Allocation	\$ 15,000.00
Expended	-14,933.23
Balance for Recovery	\$ 66.77

South Fork Kern River (Templeton Barrier Addition), Tulare County

Allocation	\$ 38,700.00
Expended	-33,778.18
Balance for Recovery	\$ 4,921.82

Trinity River (Grass Valley Creek), Trinity County

Allocation	\$100,000.00
Expended	-100,000.00
Balance for Recovery	-0-

Willow Creek, Humboldt County

Allocation	\$110,000.00
Expended	- 91,522.46
Balance for Recovery	\$ 18,477.54

Willow Creek Wildlife Area, Lassen County

Allocation	\$2,050,000.00
Expended	-1,962,459.55
Balance for Recovery	\$ 87,540.45

Total Fish & Wildlife Habitat Enhance. Fund Recoveries ... \$234,757.96

CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988

Ash Creek Wildlife Area (Big Valley) Expansion #2, Lassen County

Allocation	\$820,000.00
Expended	-808,957.00
Balance for Recovery	\$ 11,043.00

Mattole River Ecological Reserve, Mendocino County

Allocation	\$500,000.00
Expended	-492,347.75
Balance for Recovery	\$ 7,652.25

San Joaquin River Riparian Habitat, Fresno County

Allocation	\$875,000.00
Expended	-865,177.40
Balance for Recovery	\$ 9,822.60

Upper Butte Sink Wildlife Area Expansion #1, Butte County

Allocation	\$1,910,000.00
Expended	-1,897,861.40
Balance for Recovery	\$ 12,138.60

Total California Wildlife, Coastal and Park Land  
Conservation Fund of 1988 Recoveries ..... \$ 40,656.45

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD RECOVER FUNDS FROM THE PROJECTS LISTED ON PAGES 4-7 AND CLOSE THE PROJECT ACCOUNTS. RECOVERY TOTALS SHALL INCLUDE THE SUM OF \$14,111.00 BE RECOVERED TO THE WILDLIFE RESTORATION FUND; \$4,731.02 BE RECOVERED TO THE PARKLANDS FUND OF 1984; \$234,757.96 BE RECOVERED TO THE FISH & WILDLIFE HABITAT ENHANCEMENT FUND; AND \$40,656.45 BE RECOVERED TO THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988.

MOTION CARRIED.



5. Willow Creek Wildlife Area Expansion #1, Lassen County \$138,000.00

Mr. Schmidt reported that there is a slight change in this item from that shown in your agenda. The agenda was prepared prior to the initiation of a survey which preliminarily indicates that the acreage is actually between 2 and 3 acres instead of 5 acres. Final valuation will be based on the actual acreage times the appraised value per acre.

Mr. Giordano explained the project proposal was for the acquisition of approximately 2-3 acres of land and improvements located thereon, together with an option to acquire up to an additional 40 acres. The purpose of this proposal is to provide an operational center for the Department of Fish and Game's Willow Creek Wildlife Area. The Wildlife Area is located off Highway 139, approximately 15 miles north of Susanville.

The subject property lies adjacent to the existing 2713+ acre Wildlife Area which was approved for purchase by the Board on August 11, 1988. Improvements located thereon include a house, garage, shop and equipment shed together with enough acreage to operate and store equipment as deemed necessary to develop and operate this new wildlife area.

The Department of Fish and Game has indicated it is essential to have on-site facilities in order to operate the area properly and to ensure security of equipment, land and water systems. They have also indicated a possible future need for additional facilities and the owners have agreed to grant the State, as a consideration of this proposed sale, an option to purchase three additional buildings and an additional 40+ acres.

The owners have agreed to sell the subject 2-3+ acre parcel, with improvements, at the approved fair market value of not to exceed \$132,000.00, subject to a slight adjustment due to the exact acreage. An additional \$6,000.00 is estimated to be required for related acquisition costs, title insurance, processing and survey costs.

The proposed acquisition is within Class 1 and Class 13 of Categorical Exemptions from CEQA requirements. Class 13 consists of the acquisition of lands for fish and wildlife conservation purposes, including preservation of fish and wildlife habitat, establishing ecological reserves and preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition. Additionally, Class 1 of Categorical Exemptions consists of operation of existing public or private structures for maintenance of wildlife habitat areas.

It was the recommendation of staff that the Board approve the purchase of the Willow Creek Wildlife Area Expansion #1 as proposed; allocate \$138,000.00 from the Wildlife Restoration Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt noted that a letter of support had been received from the Defenders of Wildlife and the Shasta-Cascade Wonderland Association. He also noted that Mr. Banky Curtis, Acting Regional Manager from Region 1 Department of Fish and Game, was present should there be any questions.

IT WAS MOVED BY MR. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION, CONDITIONED ON THE ACREAGE CHANGE, OF PROPERTY FOR THE WILLOW CREEK WILDLIFE AREA EXPANSION #1, LASSEN COUNTY, AS PROPOSED; ALLOCATE \$138,000.00 FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

6. Knoxville Wildlife Area, Napa County \$2,000.00

Mr. Schmidt reported this proposal was to accept a donation of three separate parcels totaling 92.51+ acres of oak grass and chaparral lands for game and non-game habitat preservation. Ms. Georgia Lipphardt described the properties which are located approximately 6 miles south of the City of Knoxville in a hilly area northwest of Lake Berryessa. The properties are contiguous to lands owned by the Bureau of Land Management (BLM), which are currently open to the public for hunting and fishing.

A spring is located on the subject properties and Adams Creek crosses the larger of the three parcels. The presence of oak grass and chaparral provides cover, breeding habitat and feeding areas for black-tail deer, bear, quail and raptors, as well as numerous non-game species. Access to the parcels is by foot from a BLM road on the two easterly parcels and directly from the road on the third parcel. The Department of Fish and Game plans to enter into a Memorandum of Understanding (MOU) with BLM relative to a cooperative management plan for the area. Intended uses of the donated property include both consumptive and non-consumptive uses such as hunting, fishing, hiking, camping, bird watching and photography.

Escrow fees, closing costs and Department of General Services review charges are expected to be \$2,000. Funding for these expenditures is available from the Wildlife Restoration Fund. Management of this property would be by the Department in conjunction with a proposed MOU with the BLM. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve the acceptance of the donation of this 92.51+ acre parcel as proposed; allocate \$2,000.00 from the Wildlife Restoration Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned. Mr. Schmidt noted that the estimated value is \$95,000.00.

Mr. Bontadelli 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. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACCEPTANCE OF THE DONATION OF THE KNOXVILLE WILDLIFE AREA, NAPA COUNTY, AS PROPOSED; ALLOCATE \$2,000.00 FROM THE WILDLIFE RESTORATION FUND TO COVER PROCESSING COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

7. Little Red Mountain Ecological Reserve Exp. #1, Mendocino Co.     \$106,000.00

Mr. Schmidt reported that at its meeting of August 11, 1988, the Board approved the acquisition of 2400+ acres of land in Mendocino County for preservation of a truly unique assemblage of rare plants. As well, the property contains an active peregrine falcon eyrie. The property was acquired from The Trust for Public Land (TPL) at below market value by way of an option TPL held on the most critical portions of an overall 5300+ acre private ownership.

Mr. Jim Sarro described that the present proposal was to acquire an additional 643+ acres lying adjacent to, and southerly of, the previously-acquired parcels. The property is about three miles east of the town of Leggett, twelve air miles inland from the coast and about 200 miles north of San Francisco. The acquisition would expand this outstanding preserve and bring the State's boundary to within three-fourths of a mile of U.S. Highway 101, which lies to the south.

The subject property is generally chaparral and mixed conifer forest, with northern oak woodland and grassland plant communities also represented. The more critically important floral features of the project simply do not fit into typically defined plant communities, as they are directly linked to the property's unique soils chemistry. Although red soils occur in several places within the United States, the red soils on Little Red Mountain and nearby Red Mountain are different from almost all the other red soils because they have a very high content of iron, cobalt, and nickel and a very low content of other commonly found minerals. These unique soils have resulted in a flora which is diverse and probably unparalleled within the United States. The project area has been recognized for over a century for its unusual flora. Although seven distinct plant communities have been identified, much of the vegetation defies classification since it is simply unique.

The unique soils of the project area support the entire known global distribution of at least three plant species. Eriogonum Kelloggii (Kellogg's buckwheat), Sedum laxum ssp. eastwoodiae (Red Mountain stone-crop), and Silene campanulata ssp. campanulata (Red Mountain catchfly) are considered "Candidate Species" and, as such, are currently under review by the Secretary of the Interior as threatened and endangered. Also found on this property is the endangered McDonald's rock-cress, known only to exist on Red Mountain, thriving only in its iron-rich serpentine soils, are unique to this area.

Being somewhat remote with little human activity at present, the area provides habitat for mountain lion and bear, while river otter utilize the aquatic habitat of Cedar Creek, part of the earlier purchase. Golden eagles use the area on a more regular basis while periodic use by bald eagles has also been noted, primarily during winter months. An old-growth forest straddles a portion of the creek, providing habitat for the spotted owl, as well as several other raptor species.

The entire site provides an outstanding natural and scientific study area. Its unique floral communities and species would provide excellent opportu-

nities for wildlife observation, hiking, bird watching and photography. It is anticipated that the Department of Fish and Game will enter into an agreement whereby the U.S. Bureau of Land Management will manage the expanded ownership along with BLM's surrounding holdings of 8500+ acres.

TPL currently holds an option to purchase this 643+ acre parcel. Its appraised fair market value is \$112,500.00, while TPL proposes to transfer it to the State for \$101,250.00 (90% of value). This purchase price will enable TPL to recover its acquisition expenses incurred to date and anticipated in the project and will still allow the State a savings of \$11,250 off the market value of the property. The State's closing expenses and transaction review and processing through the Department of General Services are estimated to cost an additional \$4,750. Funding is available for this purchase from the Wildlife Restoration Fund, as budgeted for Ecological Reserves. The purchase is exempt from CEQA as an acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve the acquisition of Little Red Mountain Ecological Reserve Expansion #1, Mendocino County, as proposed; allocate \$106,000.00 from the Wildlife Restoration Fund, as designated for Ecological Reserves, to cover the purchase price and related expenses; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt noted that a letter of support had been received from the Defenders of Wildlife.

Mr. Bontadelli 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. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF PROPERTY FOR THE LITTLE RED MOUNTAIN ECOLOGICAL RESERVE EXPANSION #1, MENDOCINO COUNTY, AS PROPOSED; ALLOCATE \$106,000.00 FROM THE WILDLIFE RESTORATION FUND, AS DESIGNATED FOR ECOLOGICAL RESERVES, TO COVER THE PURCHASE PRICE AND RELATED EXPENSES; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.



8. Salmon, Steelhead & Resident Fish Habitat Enhancement Projects \$842,850.00

Mr. Schmidt reported that this was a proposal for the Board to allocate funds for the enhancement and rehabilitation of salmon, steelhead and resident fish spawning and rearing habitat on nineteen 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, 114,000 by 1978, to 54,000 by 1984. 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. There has been a dramatic increase in the numbers of artificially produced fish returning to the Klamath system since 1985. Returns of naturally produced salmon are still very low, however, due to the widespread loss of habitat.

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 trout. 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 fish species. 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. Stream habitat modifications are also necessary to protect, enhance and restore populations of threatened or endangered species of fish.

The following stream restoration projects have been recommended by the Department of Fish and Game. They are exempt from CEQA under Section 15301, Class 1 (1), maintaining fish habitat and stream flows to protect fish. A Notice of Exemption for each project has been filed and posted with the Governor's 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. The Department of Fish and Game will, in all cases, either administer projects themselves, or monitor the work of other public agencies.

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

- a. Cottonwood Creek Paiute Cutthroat Habitat #2, Mono County \$ 47,000.00

This is a continuation of a cooperative project between the Inyo National Forest and the Department of Fish and Game as part of the recovery program for the Paiute Cutthroat Trout, a federally listed threatened species. The proposed work consists of stabilizing sections of stream banks using logs and rocks, planting willows along stabilized sections and armoring headcuts to reduce sediment of spawning gravel. The USFS agrees to complete the prescribed work and maintain the habitat features for 10 years. Cottonwood Creek is located in the White Mountains and is a tributary to the Fish Lake Valley.

- b. Jackass Gulch Barrier, Siskiyou County \$ 3,600.00

This is a cooperative project with the Klamath National Forest to increase steelhead trout and coho salmon spawning and rearing habitat. The proposed work consists of modifying a nine foot fall, and a cascade one mile above the falls, to open two miles of new spawning and rearing habitat. The USFS agrees to complete the work and maintain the habitat features for 10 years. Jackass Gulch is a tributary to the North Fork Salmon River, west of Sawyers Bar.

- c. Upper Santa Ana River, San Bernardino County \$ 11,500.00

This is a cooperative project with the San Bernardino National Forest to increase and restore habitat for wild and stocked trout. The proposed work consists of placing rock and log structures in stream to provide cover and structural diversity for improved spawning and rearing habitat. The USFS agrees to complete the work and maintain the habitat features for 10 years. This Upper Santa Ana River project is located in the San Bernardino National Forest north of Barton Flats.

d. Howard Creek, Mendocino County \$ 3,400.00

This is a cooperative project with the Mendocino National Forest to improve bank stability, provide stream shade and increase the availability of terrestrial insects to improve survival rate for summer steelhead. The proposed work consists of fall planting of alders along flood damaged banks of Howard Creek. The USFS agrees to complete the work and maintain the habitat for 10 years. Howard Creek is located in the Mendocino National Forest and is a tributary to the Middle Fork of the Eel River which contains the largest run of summer steelhead in California.

e. Hurkey Creek, San Bernardino County \$ 4,200.00

This is a cooperative project with the San Bernardino National Forest to reestablish stream bank cover destroyed in a 1981 fire, with the ultimate goal of improving and restoring habitat for a wild population of Brown trout. The proposed work consists of winter gathering of local cuttings of cottonwoods and willows, which will then be grown in a nursery for one year. The second year the saplings will be planted using Forest Service crews. The USFS also agrees to fence the planted area and maintain the project features for 10 years. Hurkey Creek is located in the San Jacinto Mountains two and one-half miles east of Mountain Center in the San Bernardino National Forest.

f. Middle Fork Cosumnes River, El Dorado County \$ 8,000.00

This is a cooperative project with the Eldorado National Forest to improve habitat for resident rainbow and brown trout by increasing adult trout cover in areas of high fishing pressure. The proposed work consists of constructing 25 to 30 instream boulder clusters and three large woody debris structures. The USFS agrees to complete the work and maintain the habitat features for 10 years. The project is located in the Eldorado National Forest, Middle Fork Cosumnes River near Pi Pi Valley.

g. Green Lake Creek, Inyo County \$ 3,000.00

This is a cooperative project with the Inyo National Forest to enhance spawning habitat in Green Lake Creek for native rainbow trout. The proposed work consists of packing four cubic yards of gravel from the trail head to Green Lake Creek by mules. The gravel will then be placed into the stream bed, in suitable locations, to create spawning sites. Fish have been observed attempting to spawn in the stream, however, the bottom is dominated by large cobble and boulders, limiting the actual spawning habitat to very small areas. The USFS agrees to complete the work and maintain the habitat area for 10 years. Green Lake Creek is located one mile north of the John Muir Wilderness in the Inyo National Forest.

h. Red Cap Creek #3, Humboldt County \$ 76,250.00

This is the third phase of a cooperative project with the Six Rivers National Forest to increase spawning habitat for chinook salmon and steelhead trout. Since enhancement work was started on this stream in 1982, the adult fall run of chinook salmon has increased from 20 fish in 1982 to 779 in 1985. The proposed work consists of placement of approximately 40 instream boulder structures to develop high quality spawning and cover habitat for adults, diversity and cover for rearing juveniles, and bank stabilization features. The USFS agrees to complete the work and maintain the project features for 10 years. Red Cap Creek is a tributary to the Klamath River and is located approximately four miles southwest of Orleans in the Six Rivers National Forest.

i. Bluff Creek #3, Humboldt County \$101,200.00

This is the third phase of a cooperative project with the Six Rivers National Forest to increase spawning habitat for chinook salmon and steelhead trout. The proposed work consists of construction of approximately 35 instream structures including boulder weirs, deflectors and clusters throughout a one mile reach of Bluff Creek. These structures will provide high quality spawning and cover habitat for returning adults, along with diversity and cover for rearing juveniles. The USFS agrees to complete the work and maintain the structures for 10 years. Bluff Creek is a tributary to the Klamath River located approximately eight miles west of Orleans in the Six Rivers National Forest.

j. Siskiyou Fork Smith River #2, Del Norte County \$ 5,000.00

This is phase two of a cooperative project with the Six Rivers National Forest to improve spawning and rearing habitat for chinook salmon, steelhead trout and cutthroat trout. The proposed work consists of placement of log deflectors to trap gravel, provide cover, and scour runs and pools. The USFS agrees to complete the work and maintain the habitat features for 10 years. Siskiyou Fork Smith River is a major tributary to the Middle Fork Smith River located approximately 30 miles east of Crescent City.

k. California Conservation Corps Salmon & Steelhead Projects,  
Del Norte & Humboldt Counties \$290,000.00

This is a continuation of a cooperative program between the California Conservation Corps (CCC) and Department of Fish and Game to complete stream habitat enhancement work on designated streams within the CCC's Del Norte Center Service Area. Based on survey and design work by DFG and USFS, CCC crews will complete prescribed habitat enhancement work including bank stabilization, instream boulder and log structures, spawning habitat, riparian re-vegetation and barrier modification. The proposed work will be completed in the basins of the Klamath, Trinity, Smith, and Mad Rivers, Redwood Creek, or direct tributaries to the Pacific Ocean outside of the coastal zone. The DFG and USFS will be responsible for any maintenance and post-construction evaluation. Proposed work will be completed over a three year period. The work will improve existing spawning and rearing areas, as well as opening up several miles of new habitat currently blocked by barriers. Payment for completed projects will be made to CCC upon receipt of an approved completion report from DFG project administrator. Twenty-four different project sites are scheduled for completion under this program.

l. Grouse Creek Barrier, Humboldt County \$ 8,500.00

This is a cooperative project with the Six Rivers National Forest to modify a barrier for steelhead trout. The proposed work consists of drilling and blasting a passageway through boulders and bedrock to create a passage system past the barrier. Approximately 27 miles of additional rearing habitat exists above the barrier in Grouse Creek. The USFS agrees to complete the work using trained blasters and will maintain the habitat structure for 10 years. Grouse Creek is a major tributary to the Lower South Fork Trinity River located approximately eight miles north of Hyampom Valley.

m. Jones Creek, Del Norte County \$ 2,000.00

This is a cooperative project with the Six Rivers National Forest to improve spawning and rearing habitat for chinook salmon, steelhead and cutthroat trout. The proposed work consists of placing log structures to narrow stream channels, trap gravel from the bedload, provide cover, and scour runs and pools. The USFS agrees to complete the work and will maintain the structure for 10 years. Jones Creek is a tributary to South Fork Smith River located approximately two miles east of Big Flat Station in the Six Rivers National Forest.

n. Indian Creek #2, Siskiyou County \$ 14,000.00

This is phase two of a cooperative project with the Klamath National Forest to increase spawning habitat for chinook salmon and steelhead trout. The proposed work consists of placing 30 rock clusters in Indian Creek to enhance spawning gravel deposition and create rearing habitat. The USFS agrees to complete the work and maintain the structure for 10 years. Indian Creek is a tributary to the Klamath River near Happy Camp.



- o. Elk Creek #3, Siskiyou County \$ 5,700.00

This is phase three of a cooperative project with the Klamath National Forest to increase spawning and rearing habitat for chinook salmon and steelhead trout. The proposed work consists of placing ten rock clusters to encourage deposition of spawning sized gravel, the formation of scour pools and the creation of rearing habitat for year old steelhead. Elk Creek is a tributary to the Klamath River near Happy Camp.

- p. West Fork Blue Creek, Humboldt County *Del Norte* \$ 20,000.00

This project will be completed by the Department of Fish and Game with contractual force. The purpose is to increase spawning and rearing habitat for chinook and coho salmon and steelhead trout. A 1983 DFG survey of the lower 3 1/2 miles of stream identified a very limited amount of suitable spawning gravel. The proposed work consists of constructing a minimum of 3 boulder weirs and 5 boulder clusters in the lower 3500 ft. of the creek. DFG will monitor structures and have any maintenance required completed by CCC force. West Fork Blue Creek, a tributary to Blue Creek thence the Klamath River, is located 14 miles southeast of Klamath.

- q. Boise Creek, Humboldt County \$ 29,300.00

This is a cooperative project with the Six Rivers National Forest to increase quality and quantity of spawning habitat for steelhead and chinook salmon. The proposed work consists of constructing 17 instream boulder structures including weirs, defectors and clusters to enhance spawning and rearing habitat. The USFS agrees to complete the work and maintain the habitat structures for 10 years. Boise Creek, a tributary of the Klamath River, is located approximately two miles southwest of Orleans.

- r. Horse Linto Creek #2, Humboldt County \$ 79,200.00

This is a cooperative project between the Department of Fish and Game, Willow Creek Community Services District (WCCSD) and the Six Rivers National Forest to improve spawning and rearing habitat for chinook and coho salmon and steelhead trout. The proposed work consists of constructing approximately 30 structures including rock weirs, log and rock deflectors, and rock clusters in a one mile reach of lower Horse Linto Creek. The WCCSD will have the structures constructed under contract, all monitoring and maintenance will be completed under the Coordinated Resource Management Plan (CRMP) program between the above parties. Horse Linto Creek, a tributary to the Trinity River, is located approximately five miles north of Willow Creek.



s. A.C.I.D. South Fish Ladder, Shasta County \$130,000.00

This project, which will be completed by the Department of Fish and Game with contractual force, is to provide additional fish passage at the Anderson Cottonwood Irrigation District Dam at Redding. A new steel modified denil type fish ladder, 54 inches wide and 40 feet long will be installed into an existing slot in the dam. No concrete or concrete products will be required in the installation. An existing ladder on the north end of the diversion dam continues to pass some fish, however, it is considered inadequate for passage of the number of salmon and steelhead attempting to negotiate passage of the dam including the state endangered winter run chinook. The project is located on the Sacramento River within the City of Redding.

Staff recommended that the Board approve these nineteen salmon, steelhead and resident fish projects as one item, allocate \$842,850.00 from the 1984 Fish and Wildlife Habitat Enhancement Fund (Stream Restoration and Enhancement) including \$1,000.00 for WCB contract processing costs; and authorize the staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt reported that a letter of support for items (b) Jackass Gulch Barrier, (n) Indian Creek #2 and (s) A.C.I.D. South Fish Ladder had been received from the Shasta-Cascade Wonderland Association. Mr. Schmidt also noted that Mr. Clyde Edon of staff was present should there be any questions.

Mr. Bontadelli asked Mr. Edon for a summary of the Bluff Creek project in Humboldt County. Mr. Edon reported that Bluff Creek is a tributary of the Klamath River which is a major salmon spawning system which was blocked by damage from the 1964 floods. In 1983 the stream was re-opened to allow access for spawning salmon back into Bluff Creek. Since that time a habitat restoration program was started along with the creation of a rearing program to reintroduce chinook salmon to the stream. The spawning population has increased from 0 fish in 1982 to 500 fish in 1986. Mr. Edon stated that this proposal was for continuation of more spawning habitat further up the stream to accommodate the increased numbers of adult spawners returning to Bluff Creek.

There was a short discussion regarding the Forest Service operating and maintaining these projects for a ten year term and if those agreements are re-negotiated after ten years.

Mr. Bontadelli 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. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ENHANCEMENT AND REHABILITATION OF SALMON, STEELHEAD AND RESIDENT FISH HABITAT ON NINETEEN WATERWAYS; ALLOCATE A TOTAL OF \$842,850.00 FROM THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND (STREAM RESTORATION AND ENHANCEMENT) INCLUDING \$1,000.00 FOR WILDLIFE CONSERVATION BOARD CONTRACT PROCESSING COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

9. San Elijo Lagoon Ecological Reserve Expansion #3, San Diego Co.     \$2,000.00

Mr. Schmidt reported that this proposal was to accept a donation of a 0.60+ acre parcel in San Elijo Lagoon, San Diego County. To date the Board has acquired 290.75 acres in this lagoon located in San Diego's north county area, between Solana Beach and Cardiff-by-the-Sea. This proposed donation is comprised of the wetlands portion of a 0.92 acre private ownership. Acceptance of this donation, which has been recommended by the Department of Fish and Game, will enhance the Department's holdings in this area of the lagoon and help fulfill its continuing efforts to acquire the remaining privately owned wetlands. Mr. Howard Dick described the project and its location.

While the mouth of the lagoon is periodically open to the sea and to tidal action, the lagoon also floods from freshwater runoff fed primarily from Escondido Creek. These conditions provide a combination of salt and freshwater marsh habitats for a wide variety of wildlife species. In addition to supporting a sizable resident population of wildlife, the lagoon provides important seasonal habitat for migratory waterfowl and shore birds.

San Diego County has planned a regional park for the lagoon and general surrounding area, with emphasis on preserving and enhancing its estuarine wetland ecosystem. The County has already acquired in excess of 500 acres, mainly in the east basin of the lagoon, and has entered into a cooperative agreement to manage the property acquired by WCB as an ecological reserve within the regional park.

The owners have agreed to donate this property, with an estimated value of \$5,000, to the State. An estimated \$2,000 is needed to pay for processing fees including title and escrow fees and Department of General Services costs.

The proposed acquisition falls within Class 13 of Categorical Exemptions from CEQA requirements. Class 13 consists of the acquisition of lands for fish and wildlife conservation purposes, including preservation of fish and wildlife habitat, establishing ecological reserves under Fish and Game Code Section 1580, and preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition.

Mr. Schmidt reported that this was a very small parcel but very important to the overall management of the area because it lies at the mouth of the lagoon, an area critical to maintaining desired water flows. Mr. Schmidt noted that a letter of support had been received from the Defenders of Wildlife.

Staff recommended that the Board approve the acceptance of this property for expansion of the San Elijo Lagoon Ecological Reserve as proposed; allocate \$2,000.00 from the 1984 Fish and Wildlife Habitat Enhancement Fund, as available for coastal wetland acquisitions; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Bontadelli 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. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACCEPTANCE OF THE DONATION OF PROPERTY FOR THE SAN ELIJO LAGOON ECOLOGICAL RESERVE EXPANSION #1, SAN DIEGO COUNTY, AS PROPOSED; ALLOCATE \$2,000.00 FROM THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND, AS DESIGNATED FOR COASTAL WETLANDS, TO COVER PROCESSING COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Schmidt introduced Dr. Andrea Tuttle from Senator Keene's Office who joined the meeting.

10. San Jacinto Wildlife Area Expansion #5, Riverside County \$2,220,000.00

Mr. Schmidt reported this proposal was for the acquisition of 190+ acres lying between and contiguous to two separate portions of the San Jacinto Wildlife Area near the town of Lakeview, just east of Perris Reservoir. Prior Wildlife Conservation Board and Department of Fish and Game acquisitions total approximately 4,500 acres for this wildlife area. The overall wildlife area provides habitat for many wildlife species including waterfowl, quail, dove, cottontail and jackrabbits, golden eagles, black-shouldered kites, hawks, coyotes, deer and approximately 150 other species of non-game birds.

Mr. Giordano indicated that the proximity of the subject property to developed portions of the wildlife area places the protection of this parcel a high priority matter. He also stated that more than 600 acres of state ownership is separated from the main wildlife area by the subject property. It is nearly level throughout, but with a very gradual slope, generally from north to south, with approximately 75% of the property (143+ acres) lying in the flood plain and the remaining 25% (47+ acres) lying slightly above. The larger portion can be developed into wetlands as an addition to the current wetlands contained in the wildlife area while the smaller parcel will provide a buffer, as well as habitat for upland species, including the Stephens' Kangaroo rat. The immediate threat to the area is development as the Moreno Valley expands.



The Moreno Valley area, located northerly of the wildlife area, is one of the fastest growing residential areas in Southern California and is rapidly encroaching into the San Jacinto area from the northwest. Lands similar to the subject were purchased for the wildlife area in 1980-81 for \$1,500 to \$2,000 an acre. In the mid 80's, similar land prices for this type of land had increased to \$4,000 an acre. This land is now appraised at \$11,500 an acre. Land speculation, especially for future residential development, is rapidly increasing in this area. The community of Lakeview, just southerly of the wildlife area, is also expanding but will stop short of encroaching into this area because of the property already purchased by the State.

Most importantly however, and as previously stated, is that this property is an inholding which separates the wildlife area into two sections. It will eventually be developed and forever separate the wildlife areas ownership unless it is purchased. This purchase will provide continuity of ownership and ensure that this portion of the wildlife area will remain free of further development and provide the existing wildlife area much needed protection along a key boundary, in terms of waterfowl habitat and its related uses. It will also ensure the retention of the property in its current condition and will provide the opportunity for creation of additional wetlands.

The owners have agreed to sell at the appraised value of \$11,500 per acre. The exact acreage is estimated to be no more than 190 acres, subject to survey. Staff recommended an allocation to allow for 190 acres, with any excess funds to be recovered at a later meeting. It is estimated that an additional \$15,000 will be needed for escrow, title, survey and review costs. This purchase is exempt from CEQA as an acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve the purchase of the San Jacinto Wildlife Area Expansion #5 as proposed; allocate a total of \$2,220,000.00, \$287,424.84 from the 1984 Fish and Wildlife Habitat Enhancement Fund (Prop. 19), and \$1,912,575.16 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (Prop. 70), as designated for interior wetlands, [Section 5907 (c)(1)(B)]; and authorize staff and the Department of Fish and Game to proceed substantially as planned. Mr. Schmidt noted that the correct Section number for the Prop. 70 funds should be Section 5907 (c)(1)(B) and not (A) as shown in the agenda. Mr. Schmidt also noted that a letter of support from the Defenders of Wildlife had been received.

Mr. Bontadelli 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. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF PROPERTY FOR THE SAN JACINTO WILDLIFE AREA EXPANSION #5, RIVERSIDE COUNTY, AS PROPOSED; ALLOCATE A TOTAL OF \$2,220,000.00, \$287,424.84 FROM THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND, AND \$1,912,575.16 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988, AS DESIGNATED FOR INTERIOR WETLANDS [SECTION 5907 (c)(1)(B)]; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

11. Laguna de Santa Rosa Wetlands Ecological Reserve,  
Expansion #1, Sonoma County

\$140,000.00

Mr. Schmidt reported this proposal was for the acquisition of a 42+ acre freshwater wetland, all lying within the Laguna de Santa Rosa Wetlands Complex, in south-central Sonoma County near Sebastopol. Mr. Giordano described the parcel.

The Laguna is an extremely important wetland area 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 Department of Fish and Game considers the subject site to be an important addition to the Department's holdings in the Laguna de Santa Rosa and has proposed that this oak/grassland parcel be purchased to prevent grazing and to allow for regeneration of new trees. Access to the site would be granted through the landowner's remainder property and would likely be limited to such purposes as school research projects, scientific studies and for the Department's management and administrative activities.

The owners have agreed to sell the property at its approved fair market value of \$130,000.00. An additional \$10,000.00 is estimated to cover the costs of appraisal, survey, escrow, closing and administrative charges, bringing the total needed allocation to \$140,000.00.

This project is exempt from CEQA as an acquisition of land for habitat preservation purposes. The DFG would manage the property in conjunction with its management of five other properties it holds in the Laguna.

Funding is available for this purchase from the California Wildlife, Coastal and Park Land Conservation Fund of 1988, as specifically authorized for this area.

Mr. Schmidt stated that Congressman Bosco has introduced legislation in Washington to declare this area as a National Wildlife Refuge. Mr. Schmidt added that the area is under threat of development which would destroy its unique habitat which includes vernal pools, wet meadows and oak/grassland fields. Defenders of Wildlife support this acquisition.

Staff recommended that the Board approve this acquisition as proposed; allocate \$140,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988, [Section 5907 (c)(10)]; and authorize staff and the Department of Fish and Game to proceed substantially as planned.



There was discussion regarding the use of the parcel after acquisition.

Mr. Bontadelli 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. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF PROPERTY FOR THE LAGUNA DE SANTA ROSA WETLANDS ECOLOGICAL RESERVE EXPANSION #1, SONOMA COUNTY, AS PROPOSED; ALLOCATE \$140,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988, [SECTION 5907 (c)(10)]; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

12. Hope Valley Wildlife Area Expansion #2, Alpine County \$250,000.00

Mr. Schmidt reported this was a proposal to acquire a privately owned 80+ acre parcel adjacent to the Hope Valley Wildlife Area in Alpine County. Since the first proposal for Hope Valley was brought to the Board at its November 15, 1988 meeting, staff has acquired approximately 2750.24 acres within Hope Valley. Mr. Howard Dick described the parcel. Hope Valley lies on the east side of the Sierra Nevada Mountains in Alpine County approximately 15 miles south of South Lake Tahoe. This parcel is ideally situated for eventual conversion to urban development due to its 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 and 89, could mean almost certain destruction of this prime habitat by future development. Sites with similar characteristics are currently being developed in the Carson Valley, Nevada, in the vicinity of Kingsbury Grade.

In the Hope Valley Wildlife Area topography consists of a grassland meadow complex on the level valley floor and Jeffrey 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 the valley. Hope Valley is considered to be one of the most scenic valleys in the Sierra Nevadas and is 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 Jeffrey 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, providing good fishing

opportunities. 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.

The parcel involved in this proposal has been optioned by The Trust for Public Land (TPL) and it is anticipated that it will be purchased directly from TPL after it has exercised its option to purchase. TPL has agreed to sell the parcel to the State at its approved appraised value of \$240,000.00. In addition, it is anticipated \$10,000 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.

Planned funding for this acquisition is anticipated to come from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (Prop. 70), specifically authorized for Hope Valley acquisitions.

Staff recommended that the Board approve this acquisition as proposed; allocate \$250,000.00 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.

Mr. Bontadelli 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. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF PROPERTY FOR THE HOPE VALLEY WILDLIFE AREA EXPANSION #2, ALPINE COUNTY, AS PROPOSED; ALLOCATE \$250,000.00 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. Bontadelli noted that on the next two items (13 and 14) several people had indicated they wanted to speak. He asked the speakers to please identify themselves for the record when they come forward.

13. Calhoun Cut Ecological Reserve, Solano County \$790,000.00

Mr. Schmidt reported this proposal was to consider the acquisition of 967+ acres for the protection of rare and endangered plants and plant communities, as well as for the protection of interior wetland habitat. The property is located in Solano County, approximately 15 miles south of the town of Dixon, near Calhoun Cut and Barker Slough. Barker Slough borders the property on the northeast and Calhoun Cut runs through the middle of the property. Lindsey Slough is east of the property and The Nature Conservancy's (TNC) Jepson Prairie Preserve is located immediately to the west, across Highway 113, which forms the western boundary of the property and provides access to the site. Mr. Frank Giordano described the area.

The property is near sea level in the southern end of the Yolo Bypass area. Elevation varies over a range of about ten feet. This slight variation in elevation creates a swale and hummock topography typical of the remaining native vernal pool/grassland habitats in this area.

There are at least three main habitat types present on the properties, all of which are vanishing in California: Valley Riparian, Valley Needlegrass Grassland and Northern Claypan Vernal Pools. The Valley Riparian is found along Barker Slough and represents some of the finest untouched, unleveed riparian habitats remaining in the delta today.

The Valley Needlegrass Grassland and Claypan Vernal Pools create a mosaic in the swale and hummock topography. This area, from Travis Air Force Base east to the delta area, is one of the last remaining representative examples of the native California Valley Grassland community. There are a few other spots where the Claypan Vernal Pools occur, but they are mostly small and threatened.

The proposed Calhoun Cut Ecological Reserve is home to three globally rare natural communities and six rare and endangered plants and is strongly suspected to also support at least two rare animals. The six taxa and the natural communities with which they are associated were all once more common in the delta area, but have experienced serious reductions in range and overall viability due to flood control efforts and urban and recreational development. These are known to be well represented on the proposed Calhoun Cut Ecological Reserve with the exception of the tiny legumene, which has not been collected in the area since 1961. It is suspected this plant may still occur on the property and has simply not been seen. On the other hand, the habitat is so good for the Mason's lilaeopsis that the Department of Water Resources has chosen the Barker site for this plant as partial mitigation for destruction of a population across the slough on another property.

The Calhoun Cut property is also considered to be critical habitat for the threatened Delta green ground beetle, an animal which is only known from native valley grassland and vernal pool habitats, both of which are depleted nearly to the point of extinction. In addition, in 1981, it was reported to the Department of Fish and Game's Natural Diversity Data Base that tri-colored blackbirds were nesting in the cattails of the freshwater marshlands near Calhoun Cut (on or near the property in question).



The most apparent type of wildlife use is by the thousands of ducks, primarily mallards, and geese wintering in the rich freshwater marshlands located on the property. The Calhoun Cut proposed Ecological Reserve also offers ideal opportunities for non-consumptive users. Perhaps the most significant of these are the educational opportunities offered by the last remaining intact Valley Needlegrass Grassland and Claypan Vernal Pool matrix of this kind in the world. The educational and research opportunities on the Calhoun Cut land are at least as great as are found and have been widely utilized on the adjacent Jepson Prairie property.

The property also offers good opportunities for bird watchers, photographers, wildflower enthusiasts and other non-consumptive users. There is potential for short canoe tours up Calhoun Cut as well, offering a different view of the riparian vegetation and animal life along the water.

The overall management objective would be to preserve and protect the rare natural community types and the endangered plant and animal species represented in their natural condition. It is most likely that the Department would seek cooperative management of the property by way of a Memorandum of Understanding or other arrangement with TNC.

The owners have agreed to sell at the appraised value of \$775,000. It is estimated that an additional \$15,000 will be needed for escrow, title fees, review and appraisal costs.

This purchase is exempt from CEQA as an acquisition of land for wildlife conservation purposes. Funding is available from the Wildlife and Natural Areas Conservation Fund (Prop. 70).

Staff recommended that the Board approve the purchase of the Calhoun Cut Ecological Reserve, as proposed; allocate \$790,000.00 from the Wildlife and Natural Areas portion of the California Wildlife, Coastal and Park Land Conservation Fund of 1988, [Section 2720 (a)]; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Kent Woodell representing the Sportsmen for Equal Access was the first speaker. Mr. Woodell stated that he has had many dealings with the Department of Fish and Game over the years regarding the public's right to use this property and feels he has substantial justification and documentation to verify that much of the waterfowl and riparian areas are already under State sovereign ownership. In summary, his concerns were that the property was not adequately evaluated and investigated, and that the existing rights of public access were not addressed. He also felt that the value of the property is in the waterfowl benefits rather than the needlegrass and rare and endangered plants as stated in the agenda and that no one knows the extent of how rare and endangered the needlegrass and other plants are. Mr. Woodell indicated that the State is stuck in the bureaucratic process that Prop. 70 money has to be spent, and this property is not a natural addition to what exists adjacent to the property (TNC). He also stated that no one from Fish and Game management had visited the site and action should be delayed for further investigation.

Mr. Schmidt stated that the property was not being purchased for its waterfowl habitat. In fact, its plant communities are considered of primary



importance. He also stated that he had personally visited the site and that we have, as with all acquisitions, checked with State Lands Commission regarding the possibility of any State claims. There is, in fact, a claim up to 70+ acres on this property which must be cleared up prior to our proceeding with any close of an acquisition.

Pete Margiotta representing Sportsmen for Equal Access and the California Wildlife Federation was the next speaker. Mr. Margiotta's concerns were (1) this property has exceptional values, both wetlands or sovereign marshes, as well as the uplands, but disagrees that the value is its vernal pools or valley grasses, (2) believes the highest and best use of this property is in the nesting areas per acre and given proper management, would be higher than any other nesting area in Canada or anywhere else, (3) believes because of the water and vernal pools the property offers excellent nesting opportunities for waterfowl and all the other indigenous species to that area, (4) concerned that the property would be set aside for non-consumptive uses only, (5) the continual degradation of recreational opportunities, (6) where and when will Department of Fish and Game mitigate his recreational opportunities that are being taken away, (7) property across the street is closed to recreational opportunities and doesn't understand why (TNC). Mr. Margiotta requested that action be delayed until such time as an appropriate management plan can be resolved in terms of how it's going to be used and when there is a clear definition of what is being acquired.

Mr. Walter Cook, previous staff council for State Lands Commission, was the next speaker. He stated that an appraisal was done on this property but didn't know if the appraisal considered the fact that this particular area is subject to public trust state ownership. He advised the Board to be sure that consideration is given to the public rights already existing in so far as the appraised value. He added that public trust allows the public to navigate waters and also to hunt and fish. He stated the agenda indicated only non-consumptive uses would be allowed on this property.

Mr. Bontadelli clarified that the designation of an ecological reserve does not in itself preclude hunting. There are several significant ecological reserves within the state where hunting is an accepted ongoing part of the management. Mr. Bontadelli concurred that the agenda does not indicate whether hunting will be allowed. He added that the issue of designation does not either add or preclude the issue of access for hunting.

IT WAS MOVED BY MR. STANCELL TO PUT OVER THE ACQUISITION OF THE CALHOUN CUT ECOLOGICAL RESERVE PROPERTY, SOLANO COUNTY, UNTIL THE FOLLOWING CLARIFICATIONS ARE REACHED.

- 1) BECAUSE THE TITLE AND APPRAISAL DOES NOT INCLUDE A REFERENCE TO PUBLIC TRUST, IT NEEDS TO BE RE-EVALUATED WITH A MORE ACCURATE PICTURE, AS WELL AS A DETERMINATION UNDER THOSE CIRCUMSTANCES AND,
- 2) IN THE EVENT THE OWNER IS WILLING TO SELL, THE ISSUE BE CLARIFIED THAT THE DEPARTMENT OF FISH AND GAME ENSURE THAT ALL THE APPROPRIATE USES BE CONSIDERED IN THE WRITE-UP SO THERE IS NO DOUBT AS TO THE MULTI-USE OPPORTUNITY.

MOTION CARRIED.

14. Collins Lake Wildlife Area Expansion #1, Yuba County \$1,630,000.00

Mr. Schmidt reported this proposal was for the acquisition of 1615+ acres of land for the preservation of deer winter range and winter range for the federal and state listed endangered bald eagle. The Board, at its February 23, 1989 meeting, approved an option to purchase this property when it approved the first phase of the Collins Lake Wildlife Area (720 acres).

Mr. Frank Giordano described the parcel. The property is located in Yuba County approximately 20 miles northeast of the city of Marysville. It is located adjacent to Collins Lake, a man-made reservoir which lies between the 700-1900 foot elevation. It also is contiguous to 720 acres approved for purchase by the Board in February, 1989. The property seldom receives snow, making the lake and surrounding lands attractive to large numbers of waterfowl which winter along the shore. The area also provides a dependable food source for the bald eagles from November through March. At present, hundreds of ducks, Canada geese and 2 to 5 bald eagles winter on the lake and nearby lands.

The proposed expansion, as well as the previous purchase is primarily deer winter range habitat. Deer herd composition counts have been done on or adjacent to this property and it is common to classify over 150 deer in a 2 hour evening count. It is estimated that the area winters approximately 900 deer. The habitat can be described as a mixture of Interior Live Oak and Blue Oak Woodlands. Buckbrush (Ceanothus cuneatus) is the dominant shrub species and is heavily browsed by deer. Redbud (Cercis occidentalis), Coffeeberry (Rhamnus californica) and manzanita (Arctostaphylos) are also common shrub species making up an often dense shrub understory.

Other land in this proposal is a variable woodland often dominated by blue oak and scattered digger pine on the south slopes. North slopes usually contain a heavy growth of live oak, Coffeeberry and toyon. Buckbrush is common and is heavily utilized by deer.

In addition, a portion of Dry Creek, a perennial stream maintained throughout the summer with water from Collins Lake, is located at the northeastern portion of the property. Dry Creek, the Brown's Valley Irrigation District (BVID) ditch and numerous springs and seeps provide excellent habitat for turkeys, quail, pigeons and other abundant game and non-game species. In addition, a portion of McGinn Creek also runs through the property. Because of the abundance of turkeys, this ranch has been used by the Department as a trapping site for its turkey relocation program. Great Blue Herons are often seen feeding along the creeks.

It is anticipated that a portion of the proposed area can be used to create 40+ acres of new interior wetland and riparian habitat by constructing a reservoir in a natural low lying area and using gravity flow water to flood and feed the watered acreage.

Hunting and non-consumptive uses would be allowed as long as they did not interfere with the wintering bald eagles. Deer hunting would be the most popular activity. Since deer hunting, a potential use of this area, ends before the bald eagles arrive for the winter, there is not expected to be a

conflict. Quail and turkey hunters hunting the uplands would not create a disturbance to the eagles. There is no waterfowl hunting as the lake and shoreline are owned by BVID and hunting is not allowed on its property.

The present threat to the area is the development of 15 to 20-acre home sites. Much of the general area is already subdivided and plans are being made to subdivide further. If the development continues, it will most likely result in abandonment of the area by the bald eagle and greatly limit or eliminate the wintering area for deer.

The approved fair market value of the area proposed for acquisition is \$1,615,000. An additional \$15,000 is estimated to cover the costs of appraisal, escrow, closing and administrative charges, bringing the total allocation to \$1,630,000. This project is exempt from CEQA as an acquisition of land for habitat preservation purposes.

Staff recommended that the Board approve this acquisition as proposed; allocate \$1,630,000.00 from the Wildlife and Natural Areas portion of the California Wildlife, Coastal and Park Land Conservation Fund of 1988, [Section 2720 (b)]; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt noted that letters of support had been received from the Defenders of Wildlife and the Twin Cities Rod & Gun Club of Yuba City.

Fred Morawczynski, Yuba County Administrative Officer, was the first speaker. Mr. Morawczynski's concerns are the loss of tax revenues to the County and that there is no money set aside in Proposition 70 for Department of Fish and Game to manage these lands. Mr. Morawczynski urged the Board to delay action until management and tax issues are resolved.

Mr. Michael Mahler, representing Senator John Doolittle, read a letter to the Board, copy of which is attached to these minutes. In addition, Mr. Mahler stated his concerns over the issue of water rights and that funds be allocated to manage the area. He stated that the local irrigation district [Brown's Valley Irrigation District (BVID)] was unaware of this proposal and that we did not have the required water to carry out management as proposed. He also made reference to the Ash Creek Wildlife Area acquisition (November 15, 1988). Mr. Bontadelli stated that the Ash Creek situation had been referred to the Attorney General's Office and that he would gladly provide information to the Senator to clarify the issue since all records show absolutely no wrongdoing on the part of the Wildlife Conservation Board or its staff.

The next speaker was Walter Cook, resident of Yuba County. Mr. Cook expressed his concern to save this habitat and felt the county's position on lost taxes was unwarranted. He stated this is an excellent acquisition and urged the Board to approve the acquisition to preserve this land while the opportunity still exists.

Mr. Bob Ready, an adjacent property owner, stated he is in full support of this acquisition and in fact would personally pay for a well if water was a problem. He also indicated he was relaying the support of several neighbors.



Mr. Kent Woodell, representing Sportsmen for Equal Access, supported the proposal and complimented the Board for considering the acquisition.

Mr. Messersmith, Department of Fish and Game Regional Manager, reported he had a letter from the Brown's Valley Irrigation District stating their intent to provide DFG with 250 ac/ft of water to be used to create a 40 acre pond, certainly enough water to meet management needs. He then discussed the management plan for the area.

Mr. Bontadelli stated for the record that Mr. Robert Bryant, the third member of the Board and a Yuba County resident, who was unable to attend this meeting is strongly in support of this acquisition.

IT WAS MOVED BY MR. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF PROPERTY FOR THE COLLINS LAKE WILDLIFE AREA EXPANSION #1, YUBA COUNTY, AS PROPOSED; ALLOCATE \$1,630,000.00 FROM THE WILDLIFE AND NATURAL AREAS PORTION OF THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988, [SECTION 2720 (b)]; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

15. Walker River Wildlife Area, Mono County \$510,000.00

Mr. Schmidt reported this proposal was for the acquisition of five separate parcels of land totaling 758+ acres located within or adjacent to the Toiyabe National Forest. Mr. Howard Dick described the series of parcels. Specifically, the subject parcels are located on the east side of the Sierra Nevada mountains in Mono County, along Highway 395 between Sonora Junction and the town of Walker. In addition to their high value as a migration corridor for deer, these parcels are strung along Highway 395 and provide excellent public fishing access to the West Walker River. Much of the land along the highway is physically well suited to be developed with cabins or recreational type uses which would no doubt eliminate public access to this area. The river is currently being considered as a Wild and Scenic River.

The primary habitats on these parcels are aquatic, including streams, rivers and springs, as well as the riparian habitat associated with such water areas. The area is also a prime deer migration corridor and provides excellent summer fawning areas. Secondary habitat is sagebrush/bitterbrush and Jeffrey Pine.

According to the Department of Fish and Game, fish species include brown, rainbow, and brook trout as the predominant game species, while tui chub, dace, Paiute sculpin and Lahontan redbreast as common non-game species. Aquatic invertebrate populations representing insects, mollusks, crustaceans and annelids reside in all aquatic environments.



The primary adjacent landowner to these properties is the Toiyabe National Forest. This acquisition will facilitate coordination of management goals and will also help round out the public property holdings in this area. 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 where appropriate. Because of the high wildlife values, as well as the public fishing access provided by these parcels, the Department has highly recommended their acquisition.

The parcels involved in this proposal have been optioned by The Trust for Public Land which has agreed to sell the subject parcels to the State for \$500,000 which is \$100,000 less than the \$600,000.00 appraised value for the 758+ acres. In addition, it is anticipated that \$10,000 will be needed to cover processing costs, including review and escrow fees. Because of this proposal's high fishery and deer range values it qualifies for funding under both the Wildlife Restoration Fund and the general habitat section of the Wildlife and Natural Areas Conservation Fund (Prop. 70). The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve this acquisition as proposed; allocate a total of \$510,000.00, \$360,000.00 from the Wildlife and Natural Areas portion of the California Wildlife, Coastal and Park Land Conservation Fund of 1988, [Section 2720 (b)] and \$150,000.00 from the Wildlife Restoration Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt noted that a letter of support from the Defenders of Wildlife had been received, verbal support received from Cal Trout and a phone call from Assemblyman Byron Sher's staff also in support of this acquisition.

Mr. Bontadelli asked if anyone else wanted to testify on the issue, 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 ACQUISITION OF THE WALKER RIVER WILDLIFE AREA PROPERTY, MONO COUNTY, AS PROPOSED; ALLOCATE A TOTAL OF \$510,000.00, \$360,000.00 FROM THE WILDLIFE AND NATURAL AREAS PORTION OF THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 [SECTION 2720 (b)], AND \$150,000.00 FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

16. Other Business

- a. Suisun Marsh Habitat Enhancement Project, Solano County      \$250,000.00  
(AB 2090)

Mr. Schmidt reported this proposal was to consider an allocation to continue funding marsh habitat development, enhancement and maintenance work on privately owned duck clubs within the primary management area of the Suisun Marsh, as provided for in Assembly Bill No. 2090, Hannigan, (Chapter 1571, Statutes of 1982) and as funded in the 1989/90 State budget.

The Suisun Marsh comprises approximately 85,000 acres of tidal marsh, managed wetlands, and waterways in southern Solano County. It is the largest remaining wetland around San Francisco Bay and includes more than ten percent of California's remaining wetland area. The Marsh is also a wildlife habitat of nationwide importance. It plays an important role in providing wintering habitat for waterfowl of the Pacific Flyway, and because of its size and estuarine location, supports a diversity of plant communities. These provide habitats for a variety of fish and wildlife, including several rare or endangered species.

Recognizing the threats to the Suisun Marsh from potential residential, commercial, and industrial developments, and the need to preserve this unique wildlife resource for future generations, the California Legislature passed and the governor signed in September, 1974, the Nejedly-Bagley-z'berg Suisun Marsh Preservation Act of 1974. The Act directs the San Francisco Bay Conservation and Development Commission and the Department of Fish and Game to prepare the Suisun Marsh Protection Plan "to preserve the integrity and assure continued wildlife use" of the Suisun Marsh. The Protection Plan was completed and sent to the Legislature in December, 1976. AB 1717, Fazio, a bill designed to implement the Suisun Marsh Protection Plan, was approved in September 1977. This act, called the Suisun Marsh Preservation Act of 1977, in addition to other items, provided for the following:

"District means the Suisun Resource Conservation District."

"The District shall have primary local responsibility for regulating and improving water management practices on privately owned lands within the primary management area of the Suisun Marsh in conformity with Division 19 (commencing with Section 29000) and the Suisun Marsh Protection Plan."

"A management program prepared by the Suisun Resource Conservation District designed to preserve, protect, and enhance the plant and wildlife communities within the primary management area of the marsh, including, but not limited to, enforceable standards for diking, flooding, draining, filling, and dredging of sloughs, managed wetlands, and marshes."

The management program for the marsh and management plans for the duck clubs within the primary management area have been completed and approved.

The Legislature, desiring to provide continued support for the Suisun Marsh Protection Plan, approved AB 2090, Hannigan, in September, 1982. This act provides for funding support for the Suisun Resource Conservation District, to aid private marshland owners to develop and enhance their duck club property to comply with the provisions of the management plan approved for their property. The act, as amended by Chapter 142/83, provides for the following:

9965. (a) The Legislature finds that compliance with the mandated regulations of the District will produce public benefits by improving wildlife habitat in the primary management area and that providing public funds to partially offset the costs of complying with those regulations would serve a valid public purpose. Assistance under this section shall not be treated as taxable income to a private landowner.

(b) Each year the District shall submit to the Department an estimate of an amount sufficient to reimburse the private landowners in the primary management area for 50 percent of the operation and maintenance costs which it anticipates they will incur the following fiscal year in carrying out this chapter and division 19 (commencing with Section 29000). Funds for this purpose shall not exceed five thousand dollars (\$5,000) per individual ownership. The funds shall be included in the budget of the Department payable from the Wildlife Restoration Fund and shall be available to the Department for disbursement to the private landowners in accordance with subdivision (c).

(c) Each fiscal year, any private landowner in the primary management area who desires to qualify for the assistance provided by this section shall, by December 31, submit to the District a claim for those costs incurred that calendar year in carrying out the operation and maintenance activities specified in that landowner's individual ownership management program. Each claim shall be accompanied by substantiating documents, as determined by the District. The District shall review each claim to determine its appropriateness by, including, but not limited to, an on-site inspection to establish that the physical improvements or management procedures for which a claim is submitted have been satisfactorily completed. The District shall submit the individual ownership claims to the Department for review and approval for payment equal to 50 percent of each claim. However, no payment shall exceed five thousand dollars (\$5,000). In any fiscal year in which the funds appropriated for purposes of this section are insufficient to pay 50 percent of each claim, the Department shall pay all approved claims on a pro rata basis. In any fiscal year in which no funds are appropriated for purposes of this section, the Department shall pay no claims.

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August 10, 1989

In order to meet the legislative intent of the funding referred to in AB 2090, \$250,000 was included in the 1989/90 budget bill payable from the Environmental License Plate Fund to provide continued support for this program. This is the fourth year that funding has been provided.

The District and the Department of Fish and Game will review all applications received from the private owners and will determine that the work planned will conform to the prescribed approved management plans, as contained in their five year program agreement, before such funding is approved. Such work will be pursuant to Chapter 1571 of the statutes of 1982 and may include but is not limited to levee construction, restoration, maintenance, water conveyance systems, water control structures and habitat enhancement.

All marsh enhancement and development work will be in compliance with the construction and management standards described in "The Suisun Resource Conservation District's Management Program to preserve, protect and enhance the plant and wildlife communities within the primary management area of the Suisun Marsh", which was certified by BCDC in 1981 according to the procedures established in AB 1717. In addition all of the development work authorized by the district will be covered under appropriate permits. The District has determined that this action is exempt from CEQA under Section 15101, Class 1 (i), and has filed a categorical exemption in accordance with the Act.

Staff recommended that the Board approve continuation of the marsh development enhancement program authorized under AB 2090 as proposed; allocate \$250,000.00 from the Environmental License Plate Fund; and authorize staff and the Department of Fish and Game to augment current agreements and proceed substantially as planned.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE CONTINUATION OF THE SUISUN MARSH HABITAT ENHANCEMENT PROJECT AUTHORIZED UNDER AB 2090, SOLANO COUNTY, AS PROPOSED; ALLOCATE \$250,000.00 FROM THE ENVIRONMENTAL LICENSE PLATE FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.



b. Discussion - Public Notice Procedures

Mr. Schmidt reported that on 8/11/88 staff was asked to investigate costs and procedures for notifying adjacent landowners. While some Boards and Commissions do notify adjacent landowners, no law was found that requires this notification. The Board does notify appropriate government agencies, County Board of Supervisors and local legislators, as well as send out news releases.

The staff report, prepared November 10, 1988, (attached - not previously discussed due to other Board business) indicates an estimated cost to notify adjacent landowners of \$20.00/meeting in mailings and \$200.00/meeting in staff time. Mr. Schmidt indicated that would now be higher in that a new land agent is now on staff and that we are facing yet another acquisition program (Proposition 99). He further stated that this new requirement would mean that we should now consider acquiring a microfiche data base, and viewing equipment, of county landowner records. Cost of this service, although not requiring Board action, is estimated at \$2800.00 per year for the service and a one time cost of \$2450.00 for the equipment. It should be noted that this new requirement, in itself, would not necessitate this data, but coupled with ongoing land acquisition needs, makes it an important acquisition tool. Currently this information is obtained by going to the Office of Real Estate and Design Services, Department of General Services, and using their equipment.

Staff, however, feels the proposed policy of notifying all adjacent landowners to proposed WCB projects, as described in the November 10, 1988, report is warranted and recommends approval as submitted.

Mr. Bontadelli stipulated that the acquisition of a microfiche data base of county landowner records is an appropriate request for the Department and will work with WCB to be sure sufficient funds are available.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE  
CONSERVATION BOARD ADOPT A POLICY TO NOTIFY ADJACENT  
LANDOWNERS OF PROPOSED ACQUISITION/DEVELOPMENT PROJECTS.

MOTION CARRIED.

c. Kirby Park (Elkhorn Slough) Public Access, Monterey County      \$1,700.00

Mr. Schmidt reported that the Moss Landing Harbor District has requested an additional allocation of \$1,700.00 to supplement funds previously approved by the Board for the Kirby Park Public Access project. The allocation of these funds will enable the District to award a contract for construction at the low bid received July 21, 1989.

On November 20, 1987, the Board allocated \$198,300 for upgrading this existing facility. The District, after receiving a low bid of \$242,000 at the first bid opening, consulted with their engineers and contractors

for possible cost saving options. On July 21, 1989, a second bid opening was held which resulted in a low bid of \$211,000, \$31,000 less than the low bidder on the first bid solicitation.

According to the District the project cost cannot be lowered further without a reduction in project scope. Staff has reviewed the District's plans and bidding experience and concurs with their position recommending award of the present low bid.

This supplement would bring the Board's total project allocation to \$200,000, the maximum for such minor capital outlay projects. The District has indicated it could provide the additional funding needed.

In consideration of the funding to be provided by the Moss Landing Harbor District, staff recommended that the Board approve the supplemental allocation of \$1,700.00 from the Wildlife Restoration Fund for the Kirby Park Public Access, Monterey County; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

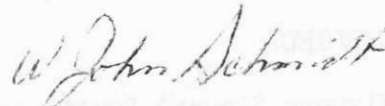
IT WAS MOVED BY MR. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE SUPPLEMENTAL ALLOCATION FOR THE KIRBY PARK (ELKHORN SLOUGH) PUBLIC ACCESS PROJECT, MONTEREY COUNTY, AS PROPOSED; ALLOCATE \$1,700.00 FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

There being no further business to consider, the meeting was adjourned at 3:14 p.m. by Mr. Bontadelli.

DUE TO THE POOR QUALITY OF THE TAPE RECORDING OF THIS MEETING, MANY PORTIONS OF THE TAPE COULD NOT BE TRANSLATED VERBATIM.

Respectfully submitted,



W. John Schmidt  
Executive Director

Attachments

# PROGRAM STATEMENT

At the close of the meeting on August 10, 1989, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$222,183,223.80. 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 .....	\$16,037,244.20
b.	Fish Habitat Development .....	11,382,814.00
	1. Reservoir Construction or Improvement .	\$3,065,821.39
	2. Stream Clearance and Improvement .....	5,612,731.22
	3. Stream Flow Maintenance Dams .....	498,492.86
	4. Marine Habitat .....	646,619.07
	5. Fish Screens, Ladders and Weir Projects	1,559,149.46
c.	Fishing Access Projects .....	32,967,847.56
	1. Coastal and Bay .....	\$3,124,536.25
	2. River and Aqueduct Access .....	6,940,730.95
	3. Lake and Reservoir Access .....	6,197,560.43
	4. Piers .....	16,705,019.93
d.	Game Farm Projects .....	146,894.49
e.	Wildlife Habitat Acq., Development & Improvement Projects ..	154,312,056.06
	1. Wildlife Areas (General) .....	\$118,699,929.10
	2. Miscellaneous Wildlife Habitat Dev. ...	3,308,962.19
	3. Wildlife Areas/EcoReserves, (Rare & Endangered) .....	32,303,164.77
f.	Hunting Access .....	533,743.57
g.	Miscellaneous Projects .....	6,008,012.87
h.	Special Project Allocations .....	311,995.42
i.	Miscellaneous Public Access Projects .....	482,615.63
	Total Allocated to Projects .....	\$222,183,223.80

REPLY TO:  
ROOM 5087  
STATE CAPITOL  
SACRAMENTO, CALIFORNIA  
95814  
(916) 445-5788  
20 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

August 10, 1989

Mr. W. John Schmidt, Executive Office  
Wildlife Conservation Board  
1416 Ninth Street  
Sacramento, CA 95814

Dear John:

As the state Senator representing Yuba County, I am concerned about the proposed purchase of additional acreage to be added to the Collins Lake Wildlife Area.

For the following reasons, I am joining with the Yuba County Board of Supervisors in opposing the expansion of the Collins Lake Wildlife Area in Yuba County:

- . The land would be taken off the taxrolls. The compensation that the County would receive in lieu of the local property tax under Fish and Game Code 1504 would not compensate the County for its revenue losses. That compensation would be frozen at the tax amount levied at the time of purchase, not on current market value. The compensation would also not be due until the area is officially designated management area.
- . The Department of Fish and Game continues to purchase more property throughout the state, yet openly states it does not have adequate funds to properly manage the areas. The result of this sort of planning is an unmanaged parcel that affects the land uses of adjoining properties in many cases becoming a burden to both the County and private property owners.



August 10, 1989  
Page 2

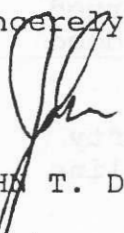
In addition, it has come to my attention that the last purchase of property for the Ash Creek Wildlife Area in Lassen County was not based on the appraisal brought before this Board. That property appraisal -- and the reasons given for the board's purchase of the property -- was based on an added water supply from five wells. However, the property was purchased for the appraised price with only one of the five wells. Amazingly, the others remained the property of the seller. The Department now owns the land without the water it desperately needed and paid for so dearly.

Assemblyman Chris Chandler and I have introduced Assembly Bill 2290 and Senate Bill 1249 respectively, which will be heard next year. Both of these bills would set up new guidelines for reimbursing the counties as well as provide that the State would have to go through a local hearing process and produce a management plan before these acquisitions were to take place.

I therefore request that the Board place a moratorium on all purchases for wildlife management areas until both Assemblyman Chandler's and my legislation are heard early next year.

Thank you for providing me with this opportunity to address you on this important matter.

Sincerely,



JOHN T. DOOLITTLE

JTD:hnr

DEPARTMENT OF FISH AND GAME

## WILDLIFE CONSERVATION BOARD

14 NINTH STREET

SACRAMENTO, CA 95814

(916) 445-8448



November 10, 1988

TO: WILDLIFE CONSERVATION BOARD

Members: Albert Taucher, Stan Stancell, Pete Bontadelli

Legislative Advisory Committee:

Senate Members: Barry Keene, Robert Presley, David Roberti

Assembly Members: Jim Costa, Phillip Isenberg, Norman Waters

SUBJECT: Notification of proposed acquisitions/development projects to adjacent property owners.

At the August 11, 1988, Wildlife Conservation Board Meeting, staff was directed to investigate possible procedures, and estimated costs, for notifying adjacent landowners of the Board's acquisition/development proposals. To comply with the Board's direction, staff has compiled the following information for Board consideration.

In reviewing what types of notification other state agencies, boards or commissions provide adjacent ownerships, staff found none that had a set policy of notifying just these ownerships.

State Parks notifies those ownerships that are termed to be "within the sphere of influence". This could be the neighbors or all people in the general area. Other agencies hold public hearings on proposed projects prior to final site selection. These meetings, depending on the projects, are often quite large and involved (such as selecting a prison site).

It was found that cities and counties, for zoning changes, notify ownerships within a certain distance of the proposed zone change.

The Department of Fish and Game and the Wildlife Conservation Board has not provided formal notice to adjacent ownerships in the past. It has sent notices to local Assembly and Senate members, as well as the County Board of Supervisors. This has been done by mailing a copy of the line item agenda, and later, full agenda, providing generally 30 days' notice prior to a Board meeting. In addition, the Board gives the Department project information (both line item and full agendas) for press releases. The Department sends these releases to local news agencies they select. These news agencies may or may not print or otherwise advertise our proposal.

On occasion, there have been some public hearings on a proposal but this is rare and mostly confined to development projects. Acquisition proposals generally have been low-keyed in the past and no formal notice, other than stated above, was felt necessary.

The problem is to determine if additional notification is necessary. If so, what types of projects call for notification; who to notify; when to notify; how to notify; and what should be included in the notification. If the Board feels additional notification is necessary, the following may serve the Board as a guideline.

### I. What Types of Projects Call For Notification

Staff suggests that if additional notification is necessary, that all new acquisition and development projects qualify with the following exceptions:

#### A. Acquisitions

- 1) Acquisition of land from state, federal, county or other public agencies.

These are mostly inholdings surrounded by public lands.

- 2) An exchange or acquisition of land from a private organization where the land use will remain the same.

This, for example, would be an exchange or purchase from The Nature Conservancy in the Carrizo Plain or the Desert Tortoise Natural Area in which the land was purchased by another for wildlife purposes and held by them until we could purchase it.

#### B. Development

- 1) Upgrading or repair of existing facilities.

For example, if the Board allocates money to help a city repair a pier or upgrade a fishing access.

- 2) Any stream or river habitat improvement program where the area is entirely within the State Park or National Forest System.

### II. Who to Notify

Notification of all contiguous ownerships.

Staff could research the assessor's records to determine contiguous ownerships and notify one party per ownership, as listed on the assessor's records, of the pending proposal.

III. When to Notify

The proposed notification could be sent out at the time of mailing the line item agenda, approximately 35 days prior to the WCB meeting.

Due to the often delicate negotiation problems, it is not recommended that notice be sent prior to an ownership commitment.

IV. How to Notify

By mailer only.

V. What Could be Included in Notification

Attached is a proposed notification letter. In addition to the mailer, a line item agenda should be included. The attached letter includes what staff recommends as necessary information.

It is not recommended that further information be sent unless a party requests same.

Staff Time and Cost

It is estimated that the Board has heard approximately eight acquisition projects and one development project per meeting that would qualify for notification under the proposed guidelines (36 per year). Assuming work load increases 20% with Proposition 70, this would result in a total of 43+ projects per year.

Large projects are likely to have more contiguous owners than smaller acquisition or development projects. However, staff uses an average of four ownerships per project or 172 notices per year and costs would be minimal.

The mailing and copying costs would probably add no more than \$20.00 to the cost of each meeting.

Staff time for research is estimated at 1.5 hours per agent per WCB meeting. However, it is unknown the time that may be involved in responding to the public inquiries which may be generated by the notice. At worst, it is not expected to be substantial, probably in the range of \$200.00 staff time per quarterly meeting.



November 10, 1988

Staff recommends the Board continue with the existing policy of notifying the public. However, extra efforts be directed toward public notice through newspapers of general circulation in area of proposed projects.

Sincerely,

**COPY** ORIGINAL SIGNED BY  
W. JOHN SCHMIDT

W. John Schmidt  
Executive Officer

Attachment

DEPARTMENT OF FISH AND GAME

## WILDLIFE CONSERVATION BOARD

1416 NINTH STREET  
SACRAMENTO, CA 95814  
(916) 445-8448

PROPOSED NOTIFICATION FORM -- UNDERLINED IS VARIABLEOctober 17, 1988

Mr. John P. Smith  
2136 Waterfall Drive  
Chico, CA 92100

Dear Mr. Smith:

Re: Proposed acquisition of Butte County APN 576-21-04,  
Upper Butte Sink Wildlife Area, Butte County

The Department of Fish and Game, through the Wildlife Conservation Board, proposes to acquire 1,500+ acres of land for the expansion of the Upper Butte Sink Wildlife Area.

According to the Butte County Assessor's records, this land adjoins your property listed by Butte County as APN 576-21-05.

The proposed acquisition shall be presented to the Wildlife Conservation Board at the meeting of November 15, 1988, for consideration.

If you have any questions on this proposal or wish further information, please call or write to me at the above address.

Sincerely,

Frank G. Giordano  
Land Agent  
(916) 324-7909