

## 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 February 13, 1991

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

Minutes, Meeting of February 13, 1991

Pursuant to the call of W. John Schmidt, the Wildlife Conservation Board met in Room 3191 of the State Capitol, Sacramento, California, on February 13, 1991. The meeting was called to order at 10:05 a.m.

1. Roll Call/Election of Chairman

It was noted by Mr. Bontadelli that the usual practice of the Wildlife Conservation Board in naming a chairman has been to elect the President of the Fish and Game Commission to serve in that capacity. Mr. Stancell nominated Everett M. McCracken as Chairman of the Wildlife Conservation Board.

IT WAS MOVED BY MR. STANCELL THAT MR. EVERETT M. MC CRACKEN,  
PRESIDENT OF THE FISH AND GAME COMMISSION, BE NAMED CHAIRMAN OF  
THE WILDLIFE CONSERVATION BOARD.

MOTION CARRIED.

<u>Present:</u>	Everett M. McCracken, Jr.,	Chairman
	President, Fish and Game Commission	
	Stan Stancell, Assistant Director	Member
	Department of Finance	
	Pete Bontadelli, Director	Member
	Department of Fish and Game	
	Senator Robert Presley	Joint Interim Committee
	Sandy Silberstein,	
	Vice Senator Robert Presley	Joint Interim Committee
	Edna Maita,	
	Vice Assemblyman Jim Costa	Joint Interim Committee
<u>Absent:</u>	Senator Barry Keene	Joint Interim Committee
	Senator David Roberti	Joint Interim Committee
	Assemblyman Phillip Isenberg	Joint Interim Committee
<u>Staff Present:</u>	W. John Schmidt	Executive Director
	Alvin G. Rutsch	Assist. Executive Director
	Clyde S. Edon	Field Agent
	Jim Sarro	Assist. Executive Director
	Howard Dick	Senior Land Agent
	Frank Giordano	Senior Land Agent

Minutes of Meeting, February 13, 1991  
Wildlife Conservation Board

Georgia Lipphardt  
Marylyn Gzyms  
Sylvia Gude  
Sandy Daniel  
Janice Beeding

Senior Land Agent  
Associate Budget Analyst  
Staff Services Analyst  
Executive Secretary  
Office Technician

Others Present: Senator Lucy Killea  
Assemblyman Tom Hannigan  
Shannon Hood  
Dirk Brazil  
Martin Tuttle  
Darrel Skellenger  
Wendel Flint  
Frank MacBride  
Terry Abbott  
Don Bradley  
Bob & Jane Harvey  
Austin S. Jay  
Tom Keegan  
Jim Edmondson  
Mark J. Palmer  
Larry & Charlotte Sanders  
Greg Taylor  
D. J. Smith  
Chris Kelly  
Chris Unkel  
Dave Paullin  
Hank McGowan  
George Kammerer  
Clay McGowan  
Robert E. Doyle  
Peter J. Alexander  
Susan Williams  
Blake Millar  
Glenn Olson  
Richard Spotts  
Robin Kulakow  
Jim Messersmith  
George Nokes  
Ken Dalpe  
Brian Hunter  
Ken Zanzi  
Ron Rogers  
Tom Blankinship  
Glenn Rollins  
Larry Sitton  
Banky Curtis  
Lanny Clavecilla  
Ponca DeLeon

Representing District #39  
Representing District #4  
Senator Frank Hill  
Assemblyman Sam Farr  
Assemblyman Hannigan  
Citizen  
Citizen  
Citizen  
CalTrans  
Noyo Harbor District  
Citizens  
Tax Payers Association  
Entrix, Inc.  
California Trout  
Mountain Lion Preservation  
Landowners  
Metropolitan Water Dist.  
City of Hayward  
The Nature Conservancy  
The Nature Conservancy  
U.S. Fish & Wildlife Ser.  
Citizen  
Citizen  
Citizen  
East Bay Regional Park  
East Bay Regional Park  
East Bay Regional Park  
MacBride Realty  
National Audubon Society  
Defenders of Wildlife  
Yolo Basin Foundation  
Dept. of Fish and Game  
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2. Approval of Minutes

Approval of minutes of the November 1, 1990, meeting of the Wildlife Conservation Board was recommended.

IT WAS MOVED BY MR. STANCELL THAT THE MINUTES OF THE WILDLIFE CONSERVATION BOARD MEETING OF NOVEMBER 1, 1990, BE APPROVED AS WRITTEN.

MOTION CARRIED.

3. Funding Status as of February 13, 1991 (Information Only)

Mr. Schmidt indicated this item was for information only and required no action.

(a) 1990/91 Wildlife Restoration Fund Capital Outlay Budget

Governor's Budget - Land Acquisitions .....	\$ 100,000.00
Governor's Budget - Minor Projects .....	\$ 250,000.00
Less previous Board allocations .....	- 36,188.65
Unallocated Balance .....	\$ 213,811.35

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

Governor's Budget - Land Acquisitions .....	\$ 429,000.00
Plus LWCF Reimbursement .....	+100,000.00
Less previous Board allocations .....	-402,941.25
Unallocated Balance .....	\$ 126,058.75
Governor's Budget - Major Development .....	\$ 500,000.00

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

Governor's Budget - Land Acquisitions .....	\$1,730,000.00
Less previous Board allocations .....	-1,830,000.00
Plus LWCF Reimbursement .....	+ 100,000.00
Unallocated Balance .....	\$ -0-

(d) 1989/90 Environmental License Plate Fund Capital Outlay Budget

Added to Governor's Budget by Ch. 1241 .....	\$ 950,000.00
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(e) 1988/89 Environmental License Plate Fund Capital Outlay Budget

Governor's Budget .....	\$3,292,000.00
Less previous Board allocations .....	-2,887,000.00
Unallocated Balance .....	\$ 405,000.00

(f) 1990/91 Fish & Wildlife Habitat Enhancement Fund Capital Outlay Budget

Governor's Budget .....	\$1,740,000.00
Less previous Board allocations .....	- 110,000.00
Unallocated Balance .....	\$1,630,000.00

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

Governor's Budget .....	\$4,093,000.00
Less previous Board allocations .....	-1,802,531.90
Unallocated Balance .....	\$2,290,468.10

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

Governor's Budget .....	\$3,434,000.00
Less previous Board allocations .....	-3,434,000.00
Unallocated Balance .....	\$ -0-

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

Governor's Budget .....	\$15,000,000.00
Less previous Board allocations .....	- 4,962,574.35
Unallocated Balance .....	\$10,037,425.65

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

Governor's Budget .....	\$10,500,000.00
Less previous Board allocations .....	-10,459,865.97
Unallocated Balance .....	\$ 40,134.03

(k) 1988/89 California Wildlife, Coastal & Park Land Conservation Fund Capital Outlay Budget

Direct appropriation to the Wildlife Conservation Board .....	\$81,300,000.00
Less previous Board allocations .....	-28,431,635.41
Less State administrative costs .....	- 1,219,500.00
Unallocated Balance .....	\$51,648,864.59

(l) 1990/91 Cigarette and Tobacco Products Surtax Fund Capital Outlay Budget

Governor's Budget .....	\$ 985,000.00
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(m) 1989/90 Cigarette and Tobacco Products Surtax Fund Capital Outlay Budget

Governor's Budget .....	\$ 5,500,000.00
Less previous Board allocations .....	- 4,500,000.00
Unallocated Balance .....	\$ 1,000,000.00

(n) 1990/91 Habitat Conservation Fund Capital Outlay Budget

Governor's Budget .....	\$10,800,000.00
Less previous Board allocations .....	- 2,227,000.00
Unallocated Balance .....	\$ 8,573,000.00

RECAP OF FUND BALANCES

<u>Wildlife Restoration Fund</u>	
Acquisition .....	\$ 226,058.75
Minor Development .....	\$ 213,811.35
Major Development .....	\$ 500,000.00
<u>Environmental License Plate Fund</u> .....	\$ 1,355,000.00
<u>1984 Fish &amp; Wildlife Habitat Enhancement</u> .....	\$ 3,920,468.10
<u>California Wildlife, Coastal and Park Land</u>	
<u>Conservation Fund of 1988</u> .....	\$51,648,864.59
<u>Wildlife and Natural Areas Conservation Fund</u> .....	\$10,077,559.68
<u>Cigarette and Tobacco Products Surtax Fund</u> .....	\$ 1,985,000.00
<u>Habitat Conservation Fund</u> .....	\$ 8,573,000.00

4. Recovery of Funds

The following 30 projects previously authorized by the Board have balances of funds that can be recovered and returned to their respective funds. It was recommended that the following totals be recovered:

\$10,260.71 to the Wildlife Restoration Fund,  
 \$261,991.89 to the Environmental License Plate Fund,  
 \$101,537.02 to the Parklands Fund of 1984,  
 \$184,668.03 to the 1984 Fish and Wildlife Habitat Enhancement Fund,  
 \$5,953.75 to the Public Resources Account, Cigarette and Tobacco Products Surtax Fund,  
 \$23,625.40 to the California Wildlife, Coastal & Park Land Cons. Fund,  
 \$142.03 to the Wildlife and Natural Areas Conservation Fund;

and that the projects be closed.

WILDLIFE RESTORATION FUND

Fall River Fishing Access, Shasta County

Allocation	\$ 33,000.00
Expended	-28,672.80
Balance for Recovery	\$ 4,327.20

Glenburn (Fall River) Fishing Access, Shasta County

Allocation	\$ 11,000.00
Expended	- 7,611.98
Balance for Recovery	\$ 3,388.02

Lake Havasu Fish Habitat Enhancement, San Bernardino County

Allocation	\$ 75,000.00
Expended	-72,791.66
Balance for Recovery	\$ 2,208.34

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Wildlife Conservation Board

Vallejo Fishing Pier, Solano County

Allocation	\$ 78,950.00
Expended	-78,612.85
Balance for Recovery	\$ 337.15

Total Wildlife Restoration Fund Recoveries ..... \$10,260.71

ENVIRONMENTAL LICENSE PLATE FUND

Cosumnes River Wildlife Area (Orr Road), Sacramento County

Allocation	\$135,000.00
Expended	-127,998.48
Balance for Recovery	\$ 7,001.52

Upper Battle Creek Wildlife Area, Expansion #1, Shasta & Tehama Cos.

Allocation	\$402,000.00
Expended	-396,885.08
Balance for Recovery	\$ 5,114.92

Upper Butte Sink Wildlife Area, Expansion #2, Glenn County

Allocation	\$882,162.63
Expended	-632,287.18
Balance for Recovery	\$249,875.45

Total Environmental License Plate Fund Recoveries ..... \$261,991.89

PARKLANDS FUND OF 1984

Cabrillo (San Pedro) Pier, Los Angeles County

Allocation	\$ 90,100.00
Expended	- 72,404.08
Balance for Recovery	\$ 17,695.92

Lake San Antonio Fishing Access, Monterey County

Allocation	\$165,500.00
Expended	-165,500.00
Balance for Recovery	\$ -0-

San Antonio Fishing Pier, Alameda County

Allocation	\$200,000.00
Expended	-116,158.90
Balance for Recovery	\$ 83,841.10

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Santa Monica Pier, Los Angeles County

Allocation	\$500,000.00
Expended	<u>-500,000.00</u>
Balance for Recovery	\$ -0-

Vallejo Fishing Pier, Solano County

Allocation	\$ 40,000.00
Expended	<u>- 40,000.00</u>
Balance for Recovery	\$ -0-

Total Parklands Fund of 1984 Recoveries ..... \$101,537.02

1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND

A.C.I.D. South Fish Ladder, Shasta County

Allocation	\$130,000.00
Expended	<u>- 53,377.64</u>
Balance for Recovery	\$ 76,622.36

Ash Creek Wildlife Area (Elkins Lane Levee Reconstruction), Modoc Co.

Allocation	\$200,000.00
Expended	<u>-200,000.00</u>
Balance for Recovery	\$ -0-

Butte Creek House Meadow, Butte County

Allocation	\$ 50,000.00
Expended	<u>-49,367.50</u>
Balance for Recovery	\$ 632.50

Elk Creek #3, Siskiyou County

Allocation	\$ 5,700.00
Expended	<u>- 4,725.41</u>
Balance for Recovery	\$ 974.59

Glass Creek Fish Habitat, Mono County

Allocation	\$ 8,700.00
Expended	<u>- 5,013.77</u>
Balance for Recovery	\$ 3,686.23

Green Lake Creek, Inyo County

Allocation	\$ 3,000.00
Expended	<u>-1,004.30</u>
Balance for Recovery	\$ 1,995.70

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Indian Creek #2, Siskiyou County

Allocation	\$ 14,000.00
Expended	-10,923.75
Balance for Recovery	\$ 3,076.25

Johnson Creek, Mendocino County

Allocation	\$ 31,500.00
Expended	-29,703.12
Balance for Recovery	\$ 1,796.88

Moss Landing Wildlife Area, Wetland Restoration Phase II, Monterey Co.

Allocation	\$200,000.00
Expended	-198,879.36
Balance for Recovery	\$ 1,120.64

San Felipe Creek Fish Barrier, Imperial County

Allocation	\$ 65,000.00
Expended	- 0
Balance for Recovery	\$ 65,000.00

Sierra Mountains Stream Flow Maintenance Dams, El Dorado & Nevada Cos.

Allocation	\$ 60,300.00
Expended	- 30,537.12
Balance for Recovery	\$ 29,762.88

South Fork Kern River Golden Trout Habitat, Tulare County

Allocation	\$ 31,900.00
Expended	-31,900.00
Balance for Recovery	\$ -0-

Willow Creek Barrier (Goose Lake), Modoc County

Allocation	\$ 10,000.00
Expended	-10,000.00
Balance for Recovery	\$ -0-

Total Fish & Wildlife Hab. Enhancement Fund Recoveries .... \$184,668.03

PUBLIC RESOURCES ACCOUNT, CIGARETTE AND TOBACCO PRODUCTS SURTAX FUND

Cosumnes River Wildlife Area (Orr Road), Sacramento County

Allocation	\$1,500,000.00
Expended	-1,500,000.00
Balance for Recovery	-0-

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Crocker Meadows Wildlife Area, Plumas County

Allocation	\$1,015,937.00
Expended	-1,009,983.25
Balance for Recovery	\$ 5,953.75

Total Public Resources Account, Cigarette and Tobacco  
Products Surtax Fund Recoveries ..... \$5,953.75

CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988

Upper Butte Sink Wildlife Area, Expansion #2, Glenn County

Allocation	\$3,896,000.00
Expended	-3,896,000.00
Balance for Recovery	\$ -0-

Upper Sacramento River (Site Mile 155 & 160+), Colusa County

Allocation	\$230,000.00
Expended	-206,374.60
Balance for Recovery	\$ 23,625.40

Total California Wildlife, Coastal and Park Land  
Conservation Fund of 1988 Recoveries ..... \$23,625.40

WILDLIFE AND NATURAL AREAS CONSERVATION FUND

Upper Butte Sink Wildlife Area, Expansion #2, Glenn County

Allocation	\$ 91,837.37
Expended	- 91,695.34
Balance for Recovery	\$ 142.03

Total Wildlife & Natural Areas Conservation Fund Recoveries ... \$142.03

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD RECOVER FUNDS FROM THE PROJECTS LISTED ON PAGES 5 - 9 AND CLOSE THE PROJECT ACCOUNTS. RECOVERY TOTALS INCLUDE \$10,260.71 TO THE WILDLIFE RESTORATION FUND; \$261,991.89 TO THE ENVIRONMENTAL LICENSE PLATE FUND; \$101,537.02 TO THE PARKLANDS FUND OF 1984; \$184,668.03 TO THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND; \$5,953.75 TO THE PUBLIC RESOURCES ACCOUNT, CIGARETTE AND TOBACCO PRODUCTS SURTAX FUND; \$23,625.40 TO THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988; AND \$142.03 TO THE WILDLIFE AND NATURAL AREAS CONSERVATION FUND.

MOTION CARRIED.



5. Special Project Planning Account

Informational

Mr. Schmidt reported this item was for information only and no action was required.

The Board has historically used a special project account to provide working funds for staff evaluation (appraisals, engineering, preliminary title reports, etc.) of proposed projects. Upon Board approval of a project, all expenditures incurred prior to approval are transferred from the Special Project Account to the approved project and reimbursements to Special Project Accounts are made accordingly. This procedure, therefore, acts as a revolving fund for the pre-project expenses.

Some appropriations now made to the Board do not include a specific budgeted planning line item appropriation necessary to begin a project without prior Board authorization. Pre-project costs are a necessary expenditure in most all capital outlay projects. The Special Project Account would be used for these costs and to pay for State Treasurer and State Controller Offices costs for the necessary Pooled Money Bond Loans the Board applies for periodically.

The Board, at the May 6, 1986, meeting, authorized the Executive Director to use up to 1% of a budgeted appropriation to set up and maintain an appropriate planning account with the provision it would be reported to the Board as an information item at the next meeting. Accordingly, the planning accounts have been set up as follows:

California Wildlife, Coastal and	
Park Land Conservation Fund of 1988	\$70,000.00
Ca. Environmental License Plate Fund	\$10,000.00
Habitat Conservation Fund	\$35,000.00
Fish & Wildlife Habitat Enhancement Fund	\$20,000.00
Wildlife and Natural Areas Conservation Fund	\$19,421.40

ITEM #27, SANTA ROSA SPRINGS ECOLOGICAL RESERVE, RIVERSIDE COUNTY, WAS CONSIDERED AT THIS TIME IN ORDER TO ACCOMMODATE SENATOR ROBERT PRESLEY'S SCHEDULE, BUT SHOWN IN CHRONOLOGICAL ORDER IN THESE MINUTES.

6. Noyo River Fishing Access, Mendocino County

\$65,000.00

Mr. Schmidt reported that the Noyo Harbor District has requested funds for engineering to plan for major improvements and expansion of the existing boat launching facility, an existing WCB project, at Noyo Harbor near Fort Bragg. The project is situated on the left bank of the Noyo River just upstream from the small craft mooring basin. Mr. Rutsch was asked to explain the project and what was proposed for the future.

The Board acquired 1.8 acres of land for the project in 1970 and leased nearly an acre of District property for access and development purposes. In 1972 funding was approved for construction of a two-lane concrete ramp, boarding floats and a paved parking area.

After nearly twenty years of use, the need for this expansion has become very apparent. Increased boat traffic in the adjacent navigation channel has caused severe erosion of the riverbank along the 665 foot river frontage. In addition, very heavy use of the ramp, especially on weekends during the most popular fishing months, points out the inadequacy of the parking area and the limitations of the boat ramp and boarding floats.

Also, commercial growth upstream has increased traffic through the parking area which is the only access to that growing area. This causes congestion and often hazardous conditions to those using the public facility. The proposed improvements would re-route the access road around the parking area to improve traffic flow.

New parking would be developed on a 1.4 acre parcel upstream and adjacent to the existing parking area which the Board acquired in 1981 anticipating the future demand now being experienced.

The District retained the services of an experienced marine engineering firm to make a feasibility study and report to the District on the alternatives and probable cost of making the necessary improvements. After review, the District approved the findings in the engineer's report and, noting the sense of urgency regarding the erosion problem recommended that the improvements be carried out as soon as possible. A resolution has been submitted by the District seeking the funds necessary to proceed with the engineering work, which will include detailed site surveys, design, plans, environmental documentation, permit applications and cost estimates.

As the cost of the proposed improvements is expected to be substantial, it is planned to joint-fund the project construction with the Department of Boating and Waterways (DBW) on a matching basis. It is expected the Board and DBW will recover 75 percent of the project costs, including these engineering costs as well as possible recovery of the \$122,000 site acquisition cost under the Federal Sport Fish Restoration Fund. Net State costs should therefore be less than 25 percent of the total project cost.

The engineering step is important in order to gather specific information on soil conditions, drainage, traffic, water depths, alternate bank protection systems and environmental considerations at the site. It will also provide final plans and a detailed cost estimate for WCB and DBW's consideration at a future time as funds permit. It will provide assistance to the District in the preparation and processing of the necessary environmental documents and permit applications. If approved, the engineering services would be carried out by the Harbor District by agreement with the Department in the usual manner.

This activity is exempt from CEQA under Section 15306, Class 6 of the State Guidelines, and a Notice of Exemption has been filed in accordance with the Act.

Staff recommended that the Board approve this proposal for engineering services to proceed with the Noyo River Fishing Access expansion and improvement, in cooperation with the Noyo Harbor District, as proposed; allocate \$65,000.00 from the Wildlife Restoration Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt noted that Mr. Don Bradley from the Noyo Harbor District was present should there be any questions.

IT WAS MOVED BY MR. STANCELL THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ENGINEERING SERVICES TO PROCEED WITH THE NOYO RIVER FISHING ACCESS EXPANSION AND IMPROVEMENTS, IN COOPERATION WITH THE NOYO HARBOR DISTRICT, AS PROPOSED; ALLOCATE \$65,000.00 FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

7. Clear Creek Wildlife Area, Shasta County \$230,000.00

Mr. Schmidt reported that this proposal was for the acquisition of a 73.5 acre parcel of land located on Clear Creek between the cities of Redding and Anderson, in Shasta County. Clear Creek Road generally follows the alignment of Clear Creek and splits the subject into two separate parcels. The main purpose of this proposed acquisition is to facilitate the implementation of a long-term salmon habitat restoration program on Clear Creek. Mr. Dick described the project and its location.

Topography of the subject site is nearly level to moderately sloping, with elevations ranging from about 500 feet to 700 feet above sea level. Soils on the site consist primarily of gravelly clay loams but most of the parcel is classified as either river wash or tailings and placer diggings, which include areas that have been placer mined or dredged for gold. These soils have little agricultural potential but are sought after by aggregate companies. Vegetation on the site is characteristic of the Northern Sacramento Valley foothills and includes annual grasses, manzanita, poison oak, ceanothus and tree species such as oak and digger pine.

The only structural improvement on the subject property is Saeltzer Dam, which consists of a reinforced diversion dam constructed near the center of the site. The dam was originally built for use in placer mining operations, but currently diverts water used primarily for irrigation purposes.

The Board took previous action relative to this site in 1951 and 1956, by allocating funds, for a tunnel ladder around the Dam. This project, which was completed in 1959, is no longer meeting its intended purposes. To restore the fishery on Clear Creek, according to the Department of Fish and Game, a new fishway must eventually be constructed and a gravel supply obtained. This acquisition, while allowing the opportunity for stream restoration, may also provide a needed gravel source.

The key habitat types include aquatic, riparian, wetland, gravel terraces and uplands. Clear Creek itself provides important spawning habitat for both fall and late fall chinook salmon. The Department of Fish and Game also proposes to introduce spring run chinook salmon above the dam in an attempt to establish a continuing spring run in this creek. While downstream gravel mining has taken its toll on fishery habitat, Saeltzer Dam has become a barrier to upstream migration. It is believed by DFG that this fishery can be restored through spawning habitat and migration corridor restoration projects.

If not placed under permanent protection from development, it is highly likely that the subject property will be sold and subdivided into rural ranchettes. The Redding/Anderson area has grown at a moderate pace and there is a continuing demand for creek frontage homesites in the area. DFG has highly recommended this purchase and if acquired would begin plans for improving the fishway around Saeltzer Dam and later proceed with spawning habitat improvements.

The landowners have agreed to sell their property for its approved appraised value of \$225,000. Department of General Services review costs, appraisal and closing expenses are estimated to be \$5,000. The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes.

Staff recommended that the Board approve the purchase of this acquisition as proposed; allocate \$230,000.00 from the Wildlife Restoration Fund for the purchase price and processing costs; 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 Shasta-Cascade Wonderland Association, Defenders of Wildlife and the Mountain Lion Preservation Foundation.

Mr. McCracken 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 THE CLEAR CREEK WILDLIFE AREA, SHASTA COUNTY, AS PROPOSED; ALLOCATE \$230,000.00 FROM THE WILDLIFE RESTORATION FUND TO COVER THE PURCHASE PRICE AND PROCESSING COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

8. Moss Landing WLA Wetland Restoration Phase III, Monterey Co.      \$150,000.00

Mr. Schmidt reported the Department of Fish and Game is proposing to complete Phase III of a three phase effort to restore coastal wetland habitat on the Department's 616 acre Moss Landing Wildlife Area, adjacent to State Highway 1 near the town of Moss Landing. Mr. Schmidt indicated that the first two phases, one of which was funded by the Department of Fish and Game and the other by the Board, have been completed. Mr. Edon was asked to explain how the third phase relates to the first two phases.

The Moss Landing Wildlife Area property was acquired pursuant to the Board's authorization in 1984. Approximately 200 acres of the property was formerly utilized for the production of salt by solar evaporation. During active salt production, pond levees served to harbor nesting colonies of several species of water-associated birds (avocets, stilts, terns, gulls and snowy plovers). The ponds themselves were rich in brine shrimp and brine fly larvae which attracted thousands of migrant waders. At the time of State acquisition of the property, the outward main levee ruptured and permitted daily tidal inundation to destroy the interior pond system. Thus this extraordinarily valuable bird habitat was considerably reduced in value. As part of the phased habitat restoration effort, the outboard levee was restored on a new alignment using funds provided by the Board for Phase II at the November 21, 1989, WCB meeting.

With Phase II completed, the interior pond system can now be recreated to such a degree that most of the original forage values can be restored. The Phase III development of ponds and internal levees suitable for supporting nesting and foraging water-associated birds, will be initiated in the spring of 1991.

Final design of a system of salt evaporation ponds is currently being completed by Department of Fish and Game's engineering section. The Department's plan also includes the development of two large ponds with water-control structures along the western edge of the total project area to create a combined late summer-autumn night roost area for the endangered brown pelican and a spring breeding area for snowy plovers, a candidate endangered species. Water manipulation will permit the Department to use the same double-pond area for both purposes.



As designed in the approved management plan for the area, the salt ponds to be developed from this proposal will be managed as habitat for a wide variety of water-associated birds, both breeding and migratory species. The property encompassed within the area for this WCB request would be available for waterfowl sport hunting in season. The total project presents the potential to provide habitat for dozens of species of water-associated birds, including waterfowl (divers and some puddle duck species), plus waders ranging from rails to herons and allies.

Contract administration of this project will be carried out by the Department of Fish and Game's engineering staff. The Department has filed the appropriate CEQA document covering all development phases of the project recorded and dated by the State Office of Planning and Research on September 7, 1988. All permits covering construction will be amended for each phase prior to construction.

Staff recommended that the Board approve funding for Phase III of this wetland development project as proposed; allocate \$150,000.00 from the 1984 Fish and Wildlife Habitat Enhancement Fund (P-19), as designated for Coastal Wetlands; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt pointed out that this project supports general waterfowl use, as well as two endangered species. Mr. Schmidt noted that letters of support had been received from Assemblyman Farr, Monterey County Board of Supervisors, Defenders of Wildlife and the Mountain Lion Preservation Foundation.

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

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE FUNDING FOR PHASE III OF THE WETLAND DEVELOPMENT AT THE MOSS LANDING WILDLIFE AREA, MONTEREY COUNTY, AS PROPOSED; ALLOCATE \$150,000.00 FROM THE 1984 FISH AND WILDLIFE HABITAT ENHANCEMENT FUND (P-19), AS DESIGNATED FOR COASTAL WETLANDS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

9. Coal Canyon Ecological Reserve, Orange County

\$4,000,000.00

Mr. Schmidt reported this proposal was for the acquisition of approximately 972 acres of land within Coal Canyon, in eastern Orange County, about 20 miles east of Anaheim. He added that this was a Proposition 70 mandated project to protect a Tecate Cypress Forest in Coal Canyon, Orange County. Mr. Schmidt stated that the proposed acquisition is initially for 952 acres and that 20 acres will be received at the time the sellers develop a catch basin for runoff on this 20 acre site as part of their adjacent development. Since there is a donation of \$875,000, this will have no affect on the State's payment for value of property received. Mr. Sarro described the location of the property.

Coal Canyon is a steep-walled, narrow canyon in the rugged terrain of the Santa Ana Mountains. The site contains portions of the Gypsum Canyon and Fremont Canyon watersheds. The east and west branches of the canyon are formed by tributaries fed by winter and spring rains, while Upper Coal Canyon supports a year-round spring. Elevation ranges from 600 feet on the canyon floor to 2,000 feet at the head of the canyon. Most of the site is on the Silverado soil formation which consists mostly of clays and sandstones. This formation also contains narrow veins of coal formed by fossilized vegetation deposited in freshwater lagoons during the Paleocene era, hence the name "Coal Canyon".

The most significant and unique habitat type on the site is the Southern Interior Cypress Forest -- or Tecate Cypress Forest -- for which the Coal Canyon property is one of the best known remaining examples. Acquisition of land containing Tecate Cypress Forests, in Coal Canyon, is among the projects specifically mandated by the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70).

The Southern Interior Cypress Forest natural community is a unique and globally threatened community. It is restricted to several small stands in Baja, California and to four small stands in southern California. Coal Canyon represents the northernmost stand; the closest remaining stand of Tecate Cypress is found on Guatay Mountain in San Diego County, roughly 80 miles to the south.

The Tecate Cypress Forest is concentrated on dry slopes and ridges below Sierra Peak. The lower canyon slopes are largely vegetated by chamise chaparral, annual grassland and coastal scrub, with the canyon floor supporting narrow riparian corridors. The dominant species of the Cypress Forest community, the Tecate Cypress is a candidate for State listing as a threatened species. Associated with the forest and surrounding communities are several other rare plant species including Braunton's milkvetch, heart-leaved pitcher sage and dense reed-grass. Other plant species found in the area which are considered by the California Native Plant Society to be limited in distribution include the Coastal nolina, Matilija poppy, Catalina mariposa lily and the Fish's milkwort. The Coal Canyon site is listed in the 1988 Annual Report of Significant Natural Areas of California prepared by the Land and Natural Areas Program as an "ensemble" site (three or more highly ranked elements).



The subject property also provides habitat for a variety of wildlife species. Its dense vegetation and steep, inaccessible slopes form excellent cover and foraging area for deer -- and their predators, mountain lion and coyote -- as well as other mammals such as bobcat and grey fox. Upland game birds, such as mountain and California quail, as well as numerous songbirds -- black-chinned sparrow, sage sparrow, Costa's hummingbird, poor-will, phainopepla and lazuli bunting -- are found on the site. Several raptors are known to occur in Coal Canyon, including the golden eagle (which nests nearby), red-tailed hawk, northern harrier, prairie falcon, Cooper's hawk and screech owl. Various reptile species also inhabit the area, including the coast horned lizard and possibly the rare orange-throated whiptail.

There are numerous threats to the site from cumulative impacts of surrounding development in this actively growing area. Two major projects, a County jail and a dump site, have been proposed by the County of Orange for Gypsum Canyon to the west. In addition, the landowner of Gypsum Canyon has proposed development of several thousand units for that canyon, immediately to the west of Coal Canyon. Development proposals for Coal Canyon itself are being considered which could include residential development in the Tecate Cypress forest.

Extensive negotiations have occurred between the landowners and The Nature Conservancy (TNC) aimed at placing the Coal Canyon property under permanent protection by way of public acquisition and management. As a result, TNC staff has negotiated a pre-acquisition agreement that enables the Board to acquire the 972 acre site at a significant bargain. The property has an approved minimum fair market value of \$4,865,000 and TNC is offering the property to the State for \$3,990,000. An additional \$10,000 would be required for the Board's share of appraisal, closing costs and Department of General Services review costs, for a total allocation of \$4,000,000. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions and the appropriate Notice of Exemption has been filed.

Management would be by the Department of Fish and Game on an interim basis and discussions are being conducted for long-term management with the Cleveland National Forest, which forms the easterly boundary of the property, and Chino Hills State Park, which lies just to the north, across State Highway 91.

Mr. Schmidt thanked Mr. Scott Ferguson, The Nature Conservancy, for his long and drawn out negotiations on this project. Mr. Schmidt added that letters of support had been received from the Mountain Lion Preservation Foundation and the Defenders of Wildlife.

Staff recommended that the Board approve this acquisition as proposed; allocate \$4,000,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Section 5907 (c)(4), for the purchase price and related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. McCracken 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 THE COAL CANYON ECOLOGICAL RESERVE, ORANGE COUNTY, AS PROPOSED; ALLOCATE \$4,000,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (c)(4), TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Bontadelli stated that since there were several Proposition 70 items on the agenda, and if there was no objection or known opposition to them, in order to move the meeting along, consider those Proposition 70 items as one item at the end of the meeting. Mr. Schmidt noted that there was no known opposition except for possibly item #13. After some discussion, it was decided to hear Item #13, San Francisco Bay Wildlife Area (North Bay), Sulphur Creek Unit, Alameda County, at this time, but shown in chronological order in these minutes. Items #10, 11, 12, 14 & 15 were taken as a consent item at the end of the meeting.

10. South Branciforte Ecological Reserve, Santa Cruz County \$251,000.00

This proposal was for the acquisition of a 3/4 acre parcel of land in the City of Santa Cruz to assure permanent preservation of a critical overwintering grove of trees for Monarch butterflies. Acquisition of various historic monarch groves is among the projects specifically mandated by the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (Proposition 70). Under a contract with the Department of Fish and Game, the Monarch Project of the Xerces Society, Portland, Oregon, has identified and prioritized specific sites along the California coast, and the South Branciforte Grove is among the highest priority for protection with Proposition 70 funds.

According to the Monarch Project's report, the South Branciforte habitat is one of the most important unprotected northern California habitats, both because it is close to habitats at Moran Lake and Natural Bridges (the largest overwintering habitat in northern California) and because it is a valuable scientific research site. Since 1982, research biologists working through the University of California at Santa Cruz have conducted population studies and researched localized movement between overwintering colonies in the area. Because of this continuous research endeavor, South Branciforte has the most extensive research data base of any California overwintering habitat. This alone makes it an exceedingly important site.

Between 20,000 and 30,000 Monarch butterflies occupy the habitat from October through December each winter. Their annual appearance at South Branciforte is dependable with butterflies clustering in sheltered Eucalyptus trees at heights that vary from ten to sixty feet. During high winds or hard rains, they retreat into more protected places within the grove. This additional shelter acts to stabilize the Monarch population during periods of disturbance by providing refuges that don't require leaving the site. South Branciforte has an abundance of understory vegetation, which has been shown to be important in overwintering survival.

A creek flowing through the property is a source of water for the butterflies; nectar is available from garden flowers nearby and from the Eucalyptus trees when they bloom.

Monarch scientists believe that a network of several localized habitats may be more important in northern California than in southern California, because in the colder northern California habitat, a disturbed cluster of butterflies may not be able to fly far to a new overwintering location. It is possible that the several Santa Cruz County habitats may be inter-dependent in the event of a major disturbance to one of the habitats. In this scenario, South Branciforte is a critical link between Natural Bridges and Moran Lake.

Acquisition of this South Branciforte parcel will preserve the most critical piece of that overwintering habitat. One portion of this habitat location has been protected since July, 1986, by a conservation easement held by the Monarch Project. However, the existing easement alone does not protect the central clustering area, which the proposed acquisition will do.

The property has been appraised and the owner has offered it to the State for its approved fair market value of \$245,000. Appraisal, escrow and Department of General Services administrative expenses are estimated to be \$6,000. The project is exempt from CEQA under Class 13 of Categorical Exemptions and a Notice of Exemption has been filed.

Management of the property would be by the Department on an interim basis and it is most likely that a long-term cooperative management agreement would be entered into with the City of Santa Cruz in conjunction with its management of its Ocean View Park, which lies across the street.

Staff recommended that the Board approve this purchase as proposed; allocate \$251,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Section 5907 (c)(2) as specifically authorized for the acquisition of Monarch butterfly habitat; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

This item was considered as part of the Proposition 70 consent items heard at the end of the meeting.

AS ONE OF THE CONSENT ITEMS HEARD AT THE END OF THE MEETING, THE WILDLIFE CONSERVATION BOARD APPROVED THE ACQUISITION OF THE SOUTH BRANCIFORTE ECOLOGICAL RESERVE, SANTA CRUZ COUNTY, AS PROPOSED; ALLOCATED \$251,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (c)(2) AS SPECIFICALLY AUTHORIZED FOR THE ACQUISITION OF MONARCH BUTTERFLY HABITAT; AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

11. Napa Marsh WLA, Huichica Creek Expansion #2, Napa Co. \$735,000.00

This proposal was for the acquisition of approximately 62.5 acres of seasonal wetlands and creek frontage within the Napa Marsh complex as part of the Board's and the Department of Fish and Game's (DFG) ongoing habitat acquisition and restoration efforts in the northern San Francisco Bay Area. This particular site is located about 5 miles southwest of the City of Napa in southwestern Napa County, lying generally between Highways 12/121 on the north and the San Francisco Bay on the south.

The proposed project is part of a joint effort between the Board, the DFG, the State Coastal Conservancy (SCC) and the Napa County Resource Conservation District (RCD) to preserve and to restore seasonal wetlands and the watershed above the DFG's Napa Marsh Wildlife Area. Since about 1980, the Board and the DFG have acquired more than 1200 acres of existing and former wetlands within the historic Napa Marshes to restore and protect this important habitat. The proposed project fits well into the DFG's goal of increasing and protecting the wetlands and associated values of the Napa Marsh complex.

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

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

The multi-agency project which is before the Board in this proposal involves an 85 acre ranch which is bisected by Huichica Creek and lies immediately upstream of the DFG's Huichica Creek Unit of the Napa Marsh Wildlife Area. The ranch has historically been utilized for cattle grazing and as a family duplex. As vineyard use has expanded southerly from the Napa Area, it has become evident that 35 acres within this ranch would undoubtedly be converted to grape production.



The Huichica Creek watershed is the area within which the RCD and the U.S. Soil Conservation Service (SCS) are spearheading a pilot land stewardship program to demonstrate how landowners can develop highly productive quality vineyards in a manner protective of the watershed. The RCD is proposing to acquire the potential vineyard area (22.5+ acres) lying along and north of the Huichica Creek for development of a vineyard of commercial size to demonstrate environmentally sensitive and economically viable viticultural methods to growers. RCD's purchase would be funded by a grant from the SCC. The remaining lands south of the creek would be acquired by the WCB for inclusion in the Department of Fish and Game's Napa Marsh complex.

The project is important because the Huichica Creek watershed has recently experienced rapid conversion of its once rolling hills and grasslands to vineyards. This resultant increased irrigation, hillside erosion and pesticide runoff has caused concern about the adverse impacts to Huichica Creek, one of only twelve habitats for the endangered California freshwater shrimp. The creek also supports native freshwater fish and is the primary water supply to the DFG's Huichica Unit of the Napa Marsh, one of the most important waterfowl nesting areas in the San Francisco Bay.

The lowlands within the area to be acquired by WCB would be included in the DFG's wildlife area. Approximately 11.5 acres of the land which would be purchased by the Board is capable of vineyard use and is distant from the creek. Staff would propose this acreage either be sold or exchanged for other lands which could be included in the wildlife area.

And finally, the homesite itself would be acquired by the Board subject to an existing lease of the duplex and a surrounding 1.1 acre site. Rents from the residence would be paid to the DFG until expiration of the lease, a term of 10 years. The homesite could also be considered for a future sale or exchange, depending on the DFG's needs for the wildlife area.

The proposed joint RCD, SCC and WCB acquisition is a model project which demonstrates how the sometimes conflicting goals of agriculture production and resource protection can be complementary. The RCD will work with the Department of Fish and Game to restore riparian vegetation along the creek and the new vineyard will provide an important buffer between one of California's most significant wildlife areas and the private agricultural uses that could damage the publicly-owned marsh resource.

The various portions of the ranch have been appraised and the landowners have agreed to sell to the cooperating agencies for the approved fair market value. In all, the interests which would be acquired by the Board have a value of \$726,000 and the anticipated costs of escrow, appraisal and Department of General Services review charges are \$9,000, for a total allocation of \$735,000.00.

The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions and the appropriate Notice of Exemption has been filed. The DFG would manage the property as part of the existing wildlife area.

Funding for this acquisition is specifically made available in the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (Proposition 70).

Staff recommended that the Board approve this acquisition under the described cooperative project terms as proposed; allocate \$735,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Section 5907 (c)(11); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

This item was considered as part of the Proposition 70 consent items heard at the end of the meeting.

AS ONE OF THE CONSENT ITEMS HEARD AT THE END OF THE MEETING, THE WILDLIFE CONSERVATION BOARD APPROVED THE ACQUISITION OF THE NAPA MARSH WILDLIFE AREA, HUICHICA CREEK EXPANSION #2, NAPA COUNTY, IN COOPERATION WITH THE STATE COASTAL CONSERVANCY, NAPA COUNTY RESOURCE CONSERVATION DISTRICT AND THE DEPARTMENT OF FISH AND GAME UNDER THE DESCRIBED PROJECT TERMS, INCLUDING ACTION TO DISPOSE OF (SALE OR EXCHANGE) LANDS SURPLUS TO WETLAND NEEDS, AS PROPOSED; ALLOCATED \$735,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (c)(11) TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

12. Mattole River Ecological Reserve, Exp. #3, Mendocino County \$505,000.00

This proposal was for the purchase of 80 acres of land near the headwaters of the Mattole River in northern Mendocino County for preservation of old-growth redwoods, mixed forests and related wildlife habitat. This purchase would complete the Board's acquisition of the sites shown as first priority in the Department of Fish and Game's acquisition recommendations for the area.

At its meetings of November 15, 1988 and May 11, 1989, the WCB approved the purchase of 534 acres within the 614+ acres of first-priority lands, and that property is now in State ownership. The currently proposed expansion, which would bring the State's holdings to about 614 acre, is also in the first-priority zone and is adjacent to the existing preserve.

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

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

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

The primary economic value of these lands is for timber production. According to the appraisal which was approved by the State in March of 1989, the value of the property at that time was \$947,512. A July 1990 update, which was consistent with all other State-approved timber appraisals in the Mattole Headwaters, indicated the value of the property to be \$1,250,000. However, the remaining funds available to the Board for this project were insufficient to allow a purchase by the State. In the past year Save-the-Redwoods League has negotiated extensively with the owners and has reached agreement to purchase the property for \$1 million, a bargain-sale. Save-the-Redwoods proposes to convey the property to the State for \$500,000, thus donating \$500,000 to the State as part of the overall transaction. An additional \$5,000 is estimated to be necessary for closing expenses and Department of General Services review costs.

The property would be managed by the Department of Fish and Game as part of the existing ecological reserve, most likely through long-term agreement with the Sanctuary Forest, Inc., a local nonprofit group. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions and the appropriate Notice of Exemption has been filed.

Staff recommended that the Board approve this purchase as proposed; allocate \$505,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Section 5907 (c)(14) for the purchase price and related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

This item was considered as part of the Proposition 70 consent items heard at the end of the meeting.

AS ONE OF THE CONSENT ITEMS HEARD AT THE END OF THE MEETING, THE WILDLIFE CONSERVATION BOARD APPROVED THE ACQUISITION OF THE MATTOLE RIVER ECOLOGICAL RESERVE, EXPANSION #3, MENDOCINO COUNTY, AS PROPOSED; ALLOCATED \$505,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION (c)(14), TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.



13. San Francisco Bay Wildlife Area (North Bay),  
Sulphur Creek Unit, Alameda County \$1,000,000.00

Mr. Schmidt reported this proposal was to consider the allocation of funds for a multi-agency acquisition of seasonal wetlands and uplands located adjacent to the Hayward Regional Shoreline Recreation Area in Alameda County. The property consists of seven contiguous parcels which total 131.02+ acres. The U.S. Fish and Wildlife Service has classified 90+ acres as wetland and 42+ acres as upland. The property lies partially within the City of Hayward and straddles the city's western industrial park area. To the east of the property is the Hayward Air Terminal and the Skywest Golf Course. To the north and west are mostly open space lands of the Hayward Shoreline Recreation Area. Alameda County Sulphur Creek Flood Control Channel lies to the south of the subject. Ms. Lipphardt explained the project.

In addition to the Wildlife Conservation Board, three other entities are expected to participate in this acquisition project including the U.S. Fish and Wildlife Service, the California State Coastal Conservancy and the East Bay Regional Park District.

The site is one of the last remaining privately owned seasonal wetlands in south San Francisco Bay. Migratory waterfowl and shore birds inhabited the brackish and salt marshes along the Hayward shoreline before the site was diked off in the late nineteenth century. With the reduced inflow of salt water, the shoreline has evolved into a seasonal wetland with a dense coverage of pickleweed, salt brush, alkali heath and other salt tolerant plant species. These plants now form a primary habitat for the endangered Salt marsh harvest mouse. During the winter months, migratory waterfowl find a resting place for feeding when rain water pools in the wetland. The site also provides important roosting and foraging habitat for shore birds during high tides and storms. This wet and dry cycle corresponds to the Bay's changing wildlife use. The proposed acquisition would help to maintain and enhance these wetlands which are on the Pacific Flyway for migratory birds.

The East Bay Regional Park District owns and operates the Hayward Regional Shoreline on the eastern side of the site. The shoreline is open to the public for hiking and bird watching while the shoreline trails offer beautiful vistas of San Francisco Bay as well as providing public access for educational purposes. The District will be responsible for the day-to-day management of the property pursuant to a long-range management agreement which will be developed and entered into by all the acquisition entities. Access to the wetland areas of the site shall be limited with some minimal recreational enhancement of the property being planned. The East Bay Regional Park District has received a grant for acquisition from the California Coastal Conservancy and as part of the grant conditions must prepare an enhancement plan for the site to improve the value of the habitat for migrating waterfowl, shore birds and the Salt marsh harvest mouse. The long-range management agreement is to incorporate the provisions of the enhancement plan.

The current landowners have submitted development plans for the industrially zoned site to the City of Hayward. The plans call for a 5-lot subdivision covering 32.54 acres of the total 131.02+ acres, with 12.7 acres of wetland being filled. The plans have not been approved to date. Acquisition of the property would protect the land from development and enable the District to implement the enhancement plan.

Upon approval of the appropriate governing bodies, the four entities will enter into an agreement committing them to join in the purchase of the property. The owners have agreed to sell the property and it is proposed that the Board would contribute \$1,000,000 toward the total purchase price of \$6,100,000. The State would take title in the property equal to its proportionate share of the overall investment in the project. The District has agreed to pay all title, escrow, closing and review costs associated with the acquisition. The acquisition is exempt from CEQA, under Section 15313 as an acquisition of land for wildlife conservation purposes and a Notice of Exemption has been filed.

Staff recommended that the Board approve this project as proposed; allocate \$1,000,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), as designated for acquisition of wetlands within or adjacent to San Francisco Bay, under Section 5907 (c)(1)(A)-1; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt reported that letters of support had been received from the Mountain Lion Preservation Foundation, Defenders of Wildlife, and a telephone call from Mayor Michael Sweeney, City of Hayward.

Mr. Terry Abbott, Department of Transportation, read a letter to the Board which is attached to these minutes as Exhibit A.

Mr. D. J. Smith, City of Hayward, was the next speaker and stated that the City was very supportive of this acquisition. The City would like to see the allocation granted contingent on developing a compromise with Caltrans, the City and the other acquiring agencies regarding the three or four acres in question.

Mr. Bontadelli asked if this was a multi-agency acquisition and, if so, who were the others involved. Mr. Schmidt responded that the acquisition included the State Coastal Conservancy, East Bay Regional Park District and the U.S. Fish and Wildlife Service. Mr. Schmidt noted that Mr. Bob Doyle from the East Bay Regional Park District was present should there be any questions.

Mr. Bob Doyle, Assistant General Manager, East Bay Regional Park District, gave a brief overview of the area and situation. The area discussed by CalTrans and the City of Hayward is a 3.9+ acre portion of upland. The District requested that the Wildlife Conservation Board approve this acquisition and move forward. They feel this property is and has been

threatened for some time. The District requested that the 3.9+ acres of uplands be eliminated from WCB's contribution. The District has been the lead on the project and their Board has already appropriated funds toward this project.

Mr. Bontadelli clarified with Caltrans and the City representatives that they are recommending that the WCB move forward with the proposal to acquire the property with an understanding in the motion that there will be ongoing discussions between the five agencies involved to find a way to accommodate both the necessary transportation needs, as well as preserving the maximum area for its wetland ecological benefits.

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

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE MULTI-AGENCY ACQUISITION OF THE SAN FRANCISCO BAY WILDLIFE AREA (NORTH BAY), SULPHUR CREEK UNIT, ALAMEDA COUNTY, CONTINGENT UPON ONGOING DISCUSSIONS BETWEEN THE FIVE AGENCIES INVOLVED TO FIND A WAY TO ACCOMMODATE BOTH THE NECESSARY TRANSPORTATION NEEDS AS WELL AS PRESERVING THE MAXIMUM AREA FOR ITS WETLAND ECOLOGICAL BENEFITS, AS PROPOSED; ALLOCATE \$1,000,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), AS DESIGNATED FOR ACQUISITION OF WETLANDS WITHIN OR ADJACENT TO SAN FRANCISCO BAY UNDER SECTION 5907 (c)(1)(A)-1; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

14. Sycamore Valley Ecological Reserve, San Diego County

\$905,000.00

This proposal was for the acquisition of an undivided one-quarter interest in 325.1+ acres of property located immediately east of Sycamore Canyon Open Space Preserve and midway between the City of Poway on the north and the City of Santee on the south, in the County of San Diego. The Miramar Naval Air Station/Camp Elliott protected open space area is located on the west of the property. The property supports five general plant communities including riparian, oak woodland, coastal sage scrub, chaparral and grassland. The proposed acquisition is a multi-party acquisition which, if approved by all parties, will include participation of four separate entities including the County of San Diego, City of Poway, City of Santee and the Wildlife Conservation Board for the Department of Fish and Game. The Board's share of the acquisition will be \$900,000, which represents approximately one-quarter pro rata share of the fair market value of \$3,575,000. Upon approval of the appropriate governing bodies, the four entities will enter into an agreement committing them to join in the purchase of the property.

Of the five general plant communities present on the site, three are listed by the Department of Fish and Game's Natural Diversity Data Bank as highest priority. These are the Freshwater Seep and Southern Arroyo Willow Riparian Forest, the Southern Coastal Live Oak Riparian Woodland, and the Diegan Coastal Sage Scrub. The significance of this site lies in its plant diversity, water sources and oak and riparian woodlands, the latter of which is the focus of the proposed Board's participation. It is composed of willow, sycamore and cottonwood trees of varying sizes and ages. A small seep was found to have standing water in the summer of 1990 and large numbers of insects and birds were observed. This standing water supports cattails, duckweed, wild celery and is likely to serve as a significant source of water for wildlife in the area, especially amphibians. The riparian habitat supports a great number of resident and migratory bird species because of the cover it affords and the large invertebrate population it contains. The state and federally endangered Least Bell's vireo have been observed foraging, and may be nesting, on the site, as well as the locally declining warbling vireo and blue-gray gnatcatchers. The riparian habitat also provides nesting and feeding habitat for raptors such as Cooper's hawks, black-shouldered kites and red-shouldered hawks. A significant deer herd, numbering approximately 300, has been documented on the adjacent Miramar land. The deer are known to frequent the subject property due to the optional forage and cover available. Additionally, the property supports numerous plant species scattered over the area, including endangered species such as Coast barrel cactus, Pygmy spike-moss, San Diego thornmint, San Diego golden star, Palmer's grapplinghook and Willowy monardella.

In addition, the location of the property between the Miramar Open Space and the Sycamore Canyon Open Space Preserve would provide a critical link, or wildlife corridor, in the undeveloped open space of the county. Preservation of this property would result in protection of over 25,000 acres of contiguous native vegetation and associated wildlife. The property is currently zoned for agricultural and residential use with a minimum of 4 acres per homesite. While it is presently farmed, it is the subject of a tentative development plan for a custom lot subdivision of 53 residential building sites.

Prior to the close of escrow, the funding agencies will enter into a long-term management agreement designating the County as the agency responsible for the management of the property. The management will be conducted in conjunction with the County's operations on the adjacent Sycamore Canyon Open Space Preserve and consistent with sensitive resource enhancement and protection goals.

The owners have agreed to sell the 325.1+ acres and as provided in the agreement, the Board would contribute \$900,000 toward the purchase and receive, on behalf of the State, a one-quarter interest in the property. An additional \$5,000 is necessary to cover Department of General Services review costs. The balance of the sales price is to be paid by the County of San Diego and the Cities of Poway and Santee. The County has agreed to pay any relocation costs which may be necessary, as well as the title, escrow and review costs associated with the acquisition.

Staff recommended that the Board approve the acquisition of this property as proposed; allocate \$905,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), as designated for acquisition of riparian habitat within the Counties of San Diego, Orange, Los Angeles, and Ventura, under Section 5907 (c)(3) to cover the purchase price and related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Senator Lucy Killea thanked the Board for the opportunity to comment. Senator Killea stated this was a crucial area in the County of San Diego because it is between two rapidly growing and heavily populated areas which will dissipate very shortly if not preserved. She strongly supported and urged the acquisition of this area as a high priority area.

This item was considered as part of the Proposition 70 consent items heard at the end of the meeting.

AS ONE OF THE CONSENT ITEMS HEARD AT THE END OF THE MEETING, THE WILDLIFE CONSERVATION BOARD APPROVED THE MULTI-AGENCY ACQUISITION OF THE SYCAMORE VALLEY ECOLOGICAL RESERVE, SAN DIEGO COUNTY, AS PROPOSED; ALLOCATED \$905,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), AS DESIGNATED FOR ACQUISITION OF RIPARIAN HABITAT WITHIN THE COUNTIES OF SAN DIEGO, ORANGE, LOS ANGELES AND VENTURA, UNDER SECTION 5907 (c)(3), TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.



15. Upper Sacramento River Wildlife Area, River Mile 166.5-R,  
Glenn County

\$145,000.00

This proposal was to consider the acquisition of 46.83+ acres of land on the west bank of the Sacramento River, in Glenn County. The property is located approximately 2 miles north of the town of Princeton and lies on the river side of the levee near the intersection of State Route 45 and County Road 65. It is adjacent to the Department of Fish and Game's Upper Sacramento River Wildlife Area, Princeton Unit, a 50+ acre riparian parcel which was acquired for river access by the Board in 1956. This unit, which was developed with Board funds in 1975, is currently managed by Glenn County under a 25-year lease agreement.

The subject property contains approximately 30+ acres of mature walnut trees which obtain water primarily from underground sources because of the area's high water level. As a result the orchard is not particularly productive. The balance of the property consists of a 1.8+ acre homesite, levee area and riparian habitat. The entire ownership lies within the flood plain area between the levee and the river, with the house and shop area located on a filled pad situated above the historic high water levels. The low areas are subject to flooding in years of normal rainfall and reversion of the orchard to prime riparian habitat could be accomplished with minimal effort.

Riparian habitat in this area supports more than 200 species of birds and 42 species of mammals and is considered by the Department to be a very productive terrestrial ecosystem. Endangered or threatened species dependent upon these riparian forests include the Valley elderberry longhorn beetle, Bald eagle, American peregrine falcon, Swainson's hawk, Yellow-billed cuckoo and the California hibiscus. Bird species of special concern include the double-crested cormorant, sharp-shinned hawk, Cooper's hawk, osprey, merlin, long-eared owl, willow flycatcher, purple martin, bank swallow, yellow warbler and the yellow-breasted chat.

Much of this type of habitat has already been cleared along the Sacramento River as evidenced by Department of Fish and Game studies which show that only about one percent of the Sacramento Valley riparian forests of the early 1800's remain today. It is recognized that orchard property such as the subject will revert to riparian habitat over time. In addition, orchards have been found to provide habitat for the Yellow-billed cuckoo and other riparian associated wildlife species even before they are replaced by native habitat. Public acquisition would add to the Department's adjacent holdings and allow the Department the opportunity to restore and enhance the habitat on this property. The parcel has county road access to the westerly portion of the property via a ramp up the levee and a gravel roadway leading to the homesite pad.

The owner has agreed to sell the subject parcel, retaining a life estate interest in the homesite only, at the approved fair market value of \$140,600 (\$182,000 full fee value minus the life estate value of \$41,400 = \$140,600). Processing costs are estimated to be \$4,400 which includes the costs of appraisal, escrow and Department of General Services charges. Potential State claims to the property by way of the State Lands Commission have been

considered and their effect on the fair market value has been taken into account in the appraisal. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition for wildlife conservation purposes.

Staff recommended that the Board approve the acquisition of this property as proposed; allocate \$145,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), as designated for the Sacramento River under Section 5907 (c)(8); and authorize staff and the Department of Fish and Game to proceed substantially as planned.

This item was considered as part of the Proposition 70 consent items heard at the end of the meeting.

AS ONE OF THE CONSENT ITEMS HEARD AT THE END OF THE MEETING, THE WILDLIFE CONSERVATION BOARD APPROVED THE ACQUISITION OF THE UPPER SACRAMENTO RIVER WILDLIFE AREA, RIVER MILE 166.5-R, GLENN COUNTY, AS PROPOSED; ALLOCATED \$145,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), AS DESIGNATED FOR THE SACRAMENTO RIVER UNDER SECTION 5907 (c)(8); TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZED STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Schmidt gave a preliminary explanation for Items 16, 17 & 18. Originally, in Item #18 there was an indication that there would be up to \$500,000 reimbursement from the Federal government through the Department of Fish and Game. Because of funding problems, this would not be the case. Item #18 would be funded totally by the Board but the Board would still receive reimbursements through the Department of Fish and Game which would actually be in the form of State money going towards Items #16 and 17. The net effect to the Board is basically the same since all three projects would be funded from the same fund (Proposition 70 - Interior Wetlands). Fish and Game will in turn receive Federal funds for other projects.

Mr. Bontadelli clarified that the Department of Fish and Game was successful in securing an additional \$602,000 in Federal funding through the North American Wetlands Conservation Council. As a result of that, some shifting of funds was needed in order to keep the appropriate State/Federal share in splits available on each project. Therefore, the shifting of funds accomplishes all three of the projects and allows the Department to take full advantage of an additional \$602,000 in Federal funds, as well as receiving the \$500,000 in Federal funds as originally planned.



16. Mendota WLA Wetland Development, Fresno Co.

\$285,570.00

Mr. Schmidt reported that this proposal was to consider an allocation of funds for the State's share of a wetland development project on the Traction Ranch Unit of the Mendota WLA, which is located about 30 miles west of Fresno. Federal funding, for this project, has been approved in the amount of \$285,570.00 by the North American Wetlands Conservation Council toward this \$571,140.00 proposal. The 1,373 acre project, proposed on an area which is presently plowed cropland, represents a major addition to existing wetlands in the San Joaquin Valley.

Mr. Edon gave an explanation of the project. The project area, formerly known as the Traction Ranch, was purchased pursuant to Board action in December of 1986. However, due to a preexisting agricultural lease, it has not been possible to affect wetland conversion of the area until very recently. Environmental and sportsmen's groups, as well as the recreating public, have expressed strong support for restoration efforts to be initiated as soon as possible.

The Department of Fish and Game is eager to complete this project and begin to realize its potential benefits to waterfowl and other wildlife species in this area of California, recognized for its importance to wintering waterfowl. In addition, such listed and candidate species as the Greater sandhill crane, Giant garter snake, Swainson's hawk, Aleutian Canada goose, Peregrine falcon, San Joaquin kit fox and White-faced ibis are also expected to benefit from proper habitat management on the project area.

The project will directly support the wetland goals and objectives of the Central Valley Habitat Joint Venture of the North American Waterfowl Management Plan. When completely developed and operational the project will restore and protect valuable wetland and riparian habitat and increase the carrying capacity for wintering waterfowl of all species as well as a variety of other wetland-dependent species including sandhill cranes. It will also provide improved habitat for seven threatened, endangered and candidate species and provide a variety of public use benefits including hunting and wildlife observation and interpretation.

The project will be designed and administered by the Department of Fish and Game's engineering section. Because of the high wildlife use of the surrounding area during fall and winter and the sensitivity of the spring nesting period, there could be a very short construction window during the dry summer period. Because of that issue, it may be necessary for the Department to phase the development over a two or three season period. This will permit completion of all habitat elements with a minimum of disturbance to the wildlife values on or near the area.

The proposal includes the construction of nearly 12 miles of perimeter and interior levees and the installation of necessary water control structures. Also included will be the installation of one 50-horsepower irrigation pump and one 30-horsepower drainage pump and the installation of fourteen 24 inch culverts with attached screw gates. Existing roads will also be improved for better public access and maintenance activities. It is proposed that all construction activities will be performed through contract services

using licensed contractors. The habitat will then be improved with the planting of 365+ acres to a combination of goose foraging pastures and upland grass habitat to accommodate pheasant and waterfowl nesting and the planting of 40+ acres of riparian habitat along existing sloughs.

The U.S. Fish and Wildlife Service personnel and private Joint Venture partners will be given on-site inspection tours and routinely informed of progress at monthly technical committee and implementation board meetings. The Department has completed a Negative Declaration required by CEQA for this project which was filed with the State Office of Planning and Research on October 30, 1989.

Mr. Schmidt reported that this project was actually a \$571,140 project and the Board was being asked for \$285,570. The Federal government will be matching our funds and, in addition, there will be a reimbursement of cost coming through the Department of Fish and Game, so the net cost to the Board after reimbursements will be zero. Letters of support were received from the California Waterfowl Association, the National Audubon Society, Ducks Unlimited, Mountain Lion Preservation Foundation, Defenders of Wildlife and The Nature Conservancy.

Staff recommended that the Board approve this wetland development project as proposed; allocate \$285,570.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Section 5907 (c)(1)(B); and authorize staff and the Department of Fish and Game to receive Federal matching funds and enter into agreements necessary to receive the \$285,570.00 in reimbursements and to proceed substantially as planned.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE WETLAND DEVELOPMENT AT THE MENDOTA WILDLIFE AREA, FRESNO COUNTY, INCLUDING THE ACCEPTANCE OF FEDERAL MATCHING FUNDS FROM THE NORTH AMERICAN WETLANDS CONSERVATION COUNCIL, AND THE AUTHORIZATION TO ENTER INTO AN INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF FISH AND GAME TO ACCEPT UP TO \$285,570.00 IN REIMBURSEMENTS TOWARD THIS PROJECT, AS PROPOSED; ALLOCATE \$285,570.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (c)(1)(B); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Bontadelli clarified for the record that the subject area was surveyed for possible kit fox den sites. The survey was completed on February 8, 1991, and no kit fox dens were found on the area. Therefore, any questions relative to endangered species on the project site have been satisfied.

17. Upper Butte Sink WLA Wetland Development, Butte County

\$242,112.00

Mr. Schmidt reported that this was a similar proposal to consider an allocation of funds for the State's share of a cooperative project for construction of wetland habitat on the Upper Butte Sink Wildlife Area. Federal funding for this project has been approved by the North American Wetlands Conservation Council in the amount of \$317,111.00 and Ducks Unlimited has agreed to contribute \$75,000.00 toward this effort for a total estimated project cost of \$634,223.00. Mr. Edon explained the project.

This project is located near the heart of California's premier waterfowl wintering area and has received the highest acquisition and development priority ranking assigned by the Department of Fish and Game. This 3,736 acre parcel, locally known as the Schohr Ranch, was purchased pursuant to WCB action in 1988 and 1989. The subject property lies immediately adjacent to the Board's recent acquisition of a 1,930 acre parcel known as the McGowan Ranch, an area to be considered for expansion by 1,325 acres under item number 29 of this agenda.

When fully developed the subject area will support a diverse ecosystem consisting of 2,800 acres of wetland, 436 acres of oak-grassland, 300 acres of riparian habitat and 200 acres of goose pasture. In addition to waterfowl and other wetland species, development plans emphasize specific measures to create habitat for state and/or federally listed or candidate species including the Aleutian Canada goose, yellow-billed cuckoo, White-faced ibis, tricolored blackbird, Greater sandhill crane, Swainson's hawk, Valley elderberry longhorn beetle and the Giant garter snake. Southern bald eagles and Peregrine falcons are also expected to benefit from the diverse wetland habitats, as well as a host of migratory passerine species.

In addition, a wide variety of public wildlife-oriented uses are planned for the area. The management plan for the area includes provisions for year-round, controlled public recreation and scientific study. The area will also support a warmwater sport fishery in Butte Creek.

The project will directly support the wetland goals and objectives of the Central Valley Habitat Joint Venture of the North American Waterfowl Management Plan. When completely developed and operational the project will restore and protect valuable wetland and riparian habitat and increase the carrying capacity for wintering waterfowl of all species as well as a variety of other wetland-dependent species including sandhill cranes. It will also provide improved habitat for 10 threatened, endangered and candidate species and provide a variety of wildlife-oriented public use benefits.

The proposed project will be designed and administered by the Department of Fish and Game's engineering section. Because of the high wildlife use of the area during fall and winter and the sensitivity of the spring nesting period, there will be a very short construction window during the dry summer period. Because of that issue, it may be necessary for the Department to

phase the development over a two or three season period. This will permit completion of all habitat elements with a minimum of disturbance to the wildlife values on or near the area.

The proposed project consists of the removal of small rice check levees throughout the 3,100 acres formerly used for rice farming and the construction of 45,600 linear feet of major new pond levees together with the improvement of an additional 21,400 linear feet of existing levees. The replacement of wooden riser boxes with 24 inch culverts, with 36 inch steel flash board risers, will be a part of the levee improvement portion of this project.

Also included in the project will be the installation of two automated canal gates to provide irrigation water to 1,300 acres of restored wetland habitat thereby saving from \$40,000-50,000 annually in pumping costs. Approximately one mile of irrigation ditch will also be constructed to serve 1,420 acres of restored wetlands by gravity flow thereby saving an additional \$30,000-40,000 annually in pumping costs.

The construction and improvement of major water control levees, the excavation of the new service ditch and the installation of the two radial gates will be accomplished through the issuance of appropriate contracts. The remaining work is proposed to be carried out with existing DFG personnel and equipment. The U.S. Fish and Wildlife Service personnel and private Joint Venture partners will be given on-site inspection tours and routinely informed of progress at monthly technical committee and implementation board meetings.

The Department has completed a Negative Declaration required by CEQA covering the management and development of the Upper Butte Sink WLA. The Notice of Determination was filed and posted with the State Office of Planning and Research on September 19, 1990.

Mr. Schmidt reported that this project was actually a \$634,223 project and the Board was only being asked for \$242,112. After all reimbursements and cost sharing, the net cost to the Board would be \$46,682. Letters of support were received from the California Waterfowl Association, The Nature Conservancy, National Audubon Society, Ducks Unlimited, Mountain Lion Preservation Foundation, and the Defenders of Wildlife.

Mr. Edon stated that the endangered species consultation for this project had been completed and the Department will have further reviews to the additional portions before construction.

Staff recommended that the Board approve this wetland development project as proposed; allocate \$242,112.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Section 5907 (c)(1)(B); 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 WETLAND DEVELOPMENT AT THE UPPER BUTTE SINK WILDLIFE AREA, BUTTE COUNTY, INCLUDING THE ACCEPTANCE OF FEDERAL MATCHING FUNDS FROM THE NORTH AMERICAN WETLANDS CONSERVATION COUNCIL, AND THE AUTHORIZATION TO ENTER INTO AN INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF FISH AND GAME TO ACCEPT UP TO \$195,430.00 IN REIMBURSEMENTS TOWARD THIS PROJECT, AS PROPOSED; ALLOCATE \$242,112.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (c)(1)(B); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Bontadelli reported he had a copy of both the Federal and State biological opinions for the first phases (Items #16 & 17) and expressed a firm commitment to follow through on the last sections prior to any further construction. Copy attached to these minutes as Exhibit B.

18. Cosumnes River Wildlife Area, Expansion #1, Sacramento County      \$700,000.00

Mr. Schmidt reported this was a proposal to add up to 330+ acres of land to the Cosumnes River Wildlife Area (Orr Road) for protection of valley oak forest and freshwater marsh habitat. The property is located approximately 5 miles northwest of the community of Galt, about 1/2 mile south of Twin Cities Road and 2/3 mile west of the end of Robson Road. It actually straddles the Cosumnes River and adjoins the north boundary of the existing Cosumnes River WLA (Orr Road). Mr. Schmidt noted that since our first acquisition the Bureau of Land Management has made an acquisition contiguous to the overall preserve complex. Mr. Howard Dick explained the basic overall complex.

The subject property contains six significant habitat types. Approximately 90 acres is currently devoted to leveled irrigated row cropland, portions of which have potential for oak reforestation while portions can be developed as managed wetland areas. Another 10+ acres is dense valley oak forest with almost 100 percent canopy closure. In addition to the mature valley oak found in this habitat type, the area also includes Oregon ash, California Buckeye and a well developed understory of grape and blackberry.

A third habitat type, which includes about 25 acres, is comprised of open oak woodland-habitat, with an annual grass understory. Prime riparian habitat makes up yet another habitat type and includes over 30 acres of riparian vegetation along the stream channels of the Cosumnes River and along the borders of the property's wetland areas.

Wetland areas, or marshes, make up a fifth habitat category containing approximately 45 acres. These wetlands, while being valuable wildlife habitat in their existing condition, are expected to be increased in size if acquired. Acquisition of the parcel, will not only allow the Department to manage this wetland area but will also allow for better management of the wetlands on the existing wildlife area since they share common water sources and drainage.



The last, and the largest habitat type containing nearly 130 acres, is comprised of annual grasslands. This area, which is expected to contain vernal pool habitat, is characterized by slightly rolling terrain covered with annual grasses with a few scattered large valley oaks.

Together these habitat types combine to form an area providing habitat to a wide variety of wildlife species, as well as providing a valuable addition to the existing Cosumnes River Wildlife Area and to the greater Cosumnes River Preserve, which currently includes acquisition participation from The Nature Conservancy, Ducks Unlimited and the Bureau of Land Management.

Wildlife species using the area, and which can be expected to use the area after some enhancement measures are taken, include the State listed threatened Greater sandhill crane, Swainson's hawk and Giant garter snake and the Federally listed threatened Valley elderberry longhorn beetle. The area is very rich in bird life with over 200 species having been sighted. These include a host of waterfowl species such as Ross' and snow geese, cinnamon and green-winged teals, canvasback, ring-necked and wood ducks, gadwall, northern shoveler and American widgeon. Mammal use of the area is also heavy and includes use by deer, coyote, grey fox, bobcat, river otter and beaver.

The main threat to the Cosumnes River area as a whole is urbanization. This property is particularly vulnerable to the pressures of expanding residential development. In fact, new housing developments have already begun within 3 miles of the property. Such development on this property would destroy its sensitive and diverse wildlife values. This acquisition has been highly recommended by the Department of Fish and Game and is exempt from CEQA under Class 13 of Categorical Exemptions as an acquisition of land for wildlife conservation purposes.

The primary management objective for the property would be the protection of the existing natural habitat and restoration of degraded areas. These objectives could be met by eliminating the existing cattle grazing on the property and restoring portions of the disturbed grassland areas to seasonal freshwater wetlands. The Nature Conservancy has indicated a willingness to work cooperatively with the Department in its restoration and management efforts on this project.

A determination of State Lands claims has been received and the Commission has claimed a sovereign interest in the channel of the Cosumnes River bed and a navigation easement over the wetland areas. The appraiser has stated that, in his opinion, the upland values of this property, because of its relationship to the water and uses thereof, would not change by virtue of state claims to the water-covered areas. In other words, if the State deemed it appropriate to discount its payment to the sellers to account for State claims to portions of the property, the value of the remaining land must necessarily be modified upward to reflect fair market value of the entire ranch as it now exists. Staff will obtain a Quit Claim Deed for the area below the ordinary high water line and a Grant Deed to the area above that line. The Nature Conservancy has optioned the property and agreed to

sell it for its appraised value of \$2100/acre or \$693,000. If a proposed survey concludes there are less than 330 acres, the acquisition will be reduced accordingly based on the \$2100/acre appraisal. In addition, it is estimated that \$7,000 will be needed to cover costs of escrow and Department of General Services charges.

Mr. Schmidt reported that in addition to being able to create wetlands on the new acquisition it will also afford the opportunity to develop more wetlands on the parcel already owned by the Department of Fish and Game. The parcels share both water and drainage sources which will allow much more restoration work to be completed.

Staff recommended that the Board approve acquisition of this property, as proposed; allocate a total of \$700,000.00; \$500,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 [P-70, Section 5907 (c)(1)(B)], and \$200,000.00 from the Environmental License Plate Fund; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt emphasized this acquisition does not include a \$500,000 reimbursement as was stated in the agenda and as was discussed in the previous two items. Letters of support were received from the Defenders of Wildlife, Ducks Unlimited, The Nature Conservancy, The Trust for Public Land, Waterfowl Habitat Owners Alliance, U.S. Fish and Wildlife Service, and the Mountain Lion Preservation Foundation.

Mr. Wendel Flint, an adjacent landowner to this property, supported the acquisition. Mr. Flint's two concerns were the management of the area by The Nature Conservancy and the future use of the property. Mr. Flint stated that he hoped the area would stay a part of the Cosumnes River Preserve and that it would not be turned into a park.

Mr. Bontadelli clarified for the record that the funding sources are as noted at the beginning of Item #16 in order to take optimum use of the Federal funds available.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE COSUMNES RIVER WILDLIFE AREA, EXPANSION #1, SACRAMENTO COUNTY, AS PROPOSED; ALLOCATE A TOTAL OF \$700,000.00; \$500,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (c)(1)(B) AND \$200,000.00 FROM THE ENVIRONMENTAL LICENSE PLATE FUND TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Bontadelli noted that Mr. Jim Messersmith from the Department of Fish and Game's Regional Office was present should there be any questions on the management of the property.

19. Monitor Island Ecological Reserve, Lake County

\$4,000.00

Mr. Schmidt reported that this was a proposal to acquire a 4+ acre island containing important wetland and riparian habitats that are vital resources for the Clear Lake fishery, as well as for shore birds, waterfowl and raptors. The acquisition is essentially a donation since the owner, The Nature Conservancy, has agreed to transfer it to the State for their processing costs. Mr. Frank Giordano described the area.

This island is located in Clear Lake, a lake situated in north central California. It lies 300+ yards offshore of Monitor Point, in the southeastern portion of the Lake, near the community of Clear Lake Highlands and can be accessed by boat only. Presently, most of the island is visible and dry due to the current drought situation and remains so during all dry years and low water conditions. During high water periods most of the island would be slightly flooded creating marsh habitat ideally suited to waterfowl. In normal water years, the northern portion of the island is low lying and supports an emergent marsh. The southern portion of the island, in an area consisting of 1/2 to 3/4 of an acre, is higher and supports some willow trees and grassland habitat.

The primary habitat values of Monitor Island are its fish nursery habitat consisting of the islands gentle sloping offshore lands, feeding areas for wading birds and brood habitat for waterfowl along with nesting cover on the higher gravel areas for waterfowl and songbirds.

Although there is no reasonable belief that the island will be developed at this time, the imminent threat to this habitat, which as noted does provide important biological values to Clear Lake, is unorganized public trespass. It is not anticipated that the Department will do any active management of the property other than to post it and to allow the development of its habitat to go on unobstructed.

As noted above, The Nature Conservancy has purchased the property and has agreed to transfer it to the State for their acquisition and processing costs of \$1,000. An additional \$3,000 is estimated for escrow and Department of General Services review costs. The estimated value of the acreage is \$10,000.00. The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes and a Notice of Exemption has been filed.

Staff recommended that the Board approve this purchase as proposed; allocate \$4,000.00 from the Environmental License Plate Fund to cover the processing costs and payments to The Nature Conservancy; 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 Mountain Lion Preservation Foundation, Defenders of Wildlife and the County of Lake.

Mr. McCracken 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 THE MONITOR ISLAND ECOLOGICAL RESERVE, LAKE COUNTY, AS PROPOSED; ALLOCATE \$4,000.00 FROM THE ENVIRONMENTAL LICENSE PLATE FUND TO COVER THE PROCESSING COSTS AND PAYMENTS TO THE NATURE CONSERVANCY; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

20. Mattole River Ecological Reserve, Expansion #2  
(McNasty Creek), Mendocino County

\$188,000.00

Mr. Schmidt reported that this proposal was for the acquisition of 61+ acres of habitat along the Mattole River, in northern Mendocino County, for the preservation and enhancement of fisheries habitat and preservation of old-growth redwoods. The property lies about 3/4 of a mile west of the property described in Item 12 of this agenda, and 1/4 mile south of the existing Mattole River Ecological Reserve. There is an intervening U.S. Bureau of Land Management (BLM) ownership between the existing Reserve and the subject 61 acres. Mr. Sarro explained this project as it relates to other projects the Board has approved in the past.

The Sanctuary Forest, Inc. (SFI), a nonprofit group in the local area, purchased the subject property and now proposes to sell it to the State for inclusion in the old-growth reserve. The parcel is on the left bank of the Mattole River at the confluence of a stream which is referred to locally as McNasty Creek. This location is identified as an important site for protection and restoration by the Department of Fish and Game sponsored report, Elements of Recovery, published by the Mattole Restoration Council in December, 1989.

Acquisition will allow for the preservation and enhancement of streambed habitat for steelhead and king and coho salmon spawning and rearing. It is felt that McNasty Creek could be one of the most productive steelhead and coho tributaries of its size in the Mattole watershed.

McNasty Creek is the most upstream tributary to the Mattole and was logged in 1962. It is now heavily covered with vegetation, primarily hardwoods and chaparral. The importance of this strategic parcel for erosion control was recognized in Elements of Recovery, and to assure the continued rehabilitation of this watershed, SFI purchased it outright. As part of its proposal to now sell the property to the State, SFI would agree to use the proceeds to pay off its debt and holding expenses and use the entire balance for purposes of further acquisitions in the reserve, management and restoration of habitat and the watershed and development of public access walking trails and interpretive facilities in the old-growth forest. The Department of Fish and Game views all of these proposed activities as compatible with the old-growth reserve purposes and the watershed rehabilitation program for the Mattole. The proposed interpretive facilities would be located on a parcel within the 61 acre site which would be retained by SFI. The beginning of the nature trail would be located at the south end of the site and would run northerly through BLM land, another private ownership (to be acquired by



SFI) and then through the State-owned 534 acre old-growth preserve. A tri-party agreement for the trail, operation and maintenance would be entered into between DFG, SFI and BLM.

Since there is old-growth within the subject parcel together with the general wildlife habitat found therein it warrants partial funding through Section 5907 (c)(14) of Proposition 70 specified projects. Since McNasty Creek is a very important steelhead and coho and king salmon nursery and spawning area which should be protected and enhanced, it also qualifies for funding from the Wildlife and Natural Areas portion of Proposition 70, Section 2720 (b)(2). The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions and a Notice of Exemption has been filed.

The appraised and approved fair market value of the property is \$200,000, less approximately \$1,000 for a minimal-sized site to be retained by SFI. The SFI has agreed to sell the property to the State for \$185,000 (\$14,000 donation), most of which will cover its acquisition and holding expenses. The balance, as indicated, would be devoted to further SFI acquisitions, restoration and management of the ecological reserve at the Mattole headwaters. Staff estimates an additional \$3,000 will cover the closing expenses and Department of General Services review costs related to this purchase.

Staff recommended that the Board approve this purchase as proposed; allocate a total of \$188,000.00; \$160,824.46 from the Wildlife and Natural Areas Conservation Fund, Section 2720 (b)(2), and \$27,175.54 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Section 5907 (c)(14), for the purchase price and related costs; 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 Californians for Native Salmon and Steelhead, Caltrout, Shelter Cove Commercial Fishermen's Association, Mountain Lion Preservation Foundation and the Defenders of Wildlife.

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

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE MATTOLE RIVER ECOLOGICAL RESERVE, EXPANSION #2 (MCNASTY CREEK), MENDOCINO COUNTY, AS PROPOSED; ALLOCATE A TOTAL OF \$188,000.00; \$160,824.46 FROM THE WILDLIFE AND NATURAL AREAS CONSERVATION FUND AS ESTABLISHED BY THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION ACT OF 1988 (P-70), SECTION 2720 (b)(2), AND \$27,175.54 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (c)(14), TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.



21. McGinty Mountain Ecological Reserve, Exp. #1, San Diego County \$180,000.00

Mr. Schmidt reported this proposal was for the acquisition of approximately 86 acres of land for the preservation of critical plant habitat. The parcel lies adjacent to and will become part of the state's current ecological reserve which is a cooperative project involving the Department of Fish and Game, the County of San Diego and The Nature Conservancy (TNC). Like the first purchase, which was approved by the Board on February 23, 1989, the proposed project supports major concentrations of unique plant species. Habitat protection is necessary both to preserve globally endangered plant species and to enhance public access to the existing protected area. Mr. Giordano explained the area as it relates to the previous action by the Board.

McGinty Mountain, a rocky mountain ranging in elevation from 1200 ft. to 1600 ft., is covered by a unique form of coastal sage scrub chaparral vegetation restricted to gabbro-derived soils. This habitat supports high concentrations of rare plant species found only in southern San Diego and northern Baja, California. The mountain provides habitat for 7 plant species considered rare by The Natural Diversity Data Base. It contains critical habitat for three State listed plant species including the largest known population of the State listed endangered Dehesa beargrass and large populations of the State listed rare Gander's butterweed and State listed endangered San Diego thorn mint.

Wildlife use is primarily by year-round residents of upland scrub and chaparral habitat. Migratory songbirds utilize the site in moderately large numbers. Raptor use could be considered moderate, nongame bird and small mammal use as high, reptile and amphibian use as low to moderate.

It was proposed that WCB purchase this property through The Nature Conservancy, which holds an option to purchase from the current owner. While preservation of the rare plant community is the prime purpose for this acquisition, compatible public use of this parcel and the adjacent TNC parcel could include hiking, birding, photography and educational uses. Access can be easily integrated into TNC's proposed trail systems and interpretive facilities on their adjacent ownership. Management objectives would be to manage this acreage as part of The Nature Conservancy's existing preserve and they have expressed willingness to work cooperatively with the Department of Fish and Game to cover management costs.

The Nature Conservancy has offered the subject to the state for the appraised value of \$173,000 as approved by the Department of General Services. An additional \$7,000 is the estimated need for escrow, closing and Department of General Services review costs. The acquisition is exempt from CEQA as an acquisition of land for wildlife conservation purposes.

Mr. Schmidt noted that letters of support had been received from the Mountain Lion Preservation Foundation and the Defenders of Wildlife.

Staff recommended that the Board approve this acquisition of property as proposed; allocate \$180,000.00 from the Wildlife & Natural Areas Conservation Fund, as established by the California Wildlife, Coastal and Park Land Conservation Act of 1988, Section 2720 (a), for the purchase price and related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

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

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF MCGINTY MOUNTAIN ECOLOGICAL RESERVE, EXPANSION #1, SAN DIEGO COUNTY, AS PROPOSED; ALLOCATE \$180,000.00 FROM THE WILDLIFE AND NATURAL AREAS CONSERVATION FUND, AS ESTABLISHED BY THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION ACT OF 1988 (P-70), SECTION 2720 (a), TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

22. Collins Lake Wildlife Area - Lindgren Donation, Yuba County \$4,000.00

Mr. Schmidt reported that this proposal was to acquire 57+ acres of land as an addition to the State's Collins Lake WLA and for the preservation of deer winter range, winter range for the Federal and State listed endangered Bald eagle and habitat for upland game. The Board, at its February 23, 1989, and its August 10, 1989, meetings, approved the purchase of the original and first expansion of the Collins Lake Wildlife Area (2335+). This proposed acquisition is essentially a donation since the owner, The Nature Conservancy, has agreed to transfer this property to the State for their processing costs. Mr. Giordano described the proposal.

The property is located in Yuba County approximately 20 miles northeast of the City of Marysville. It also is contiguous to the existing wildlife area which is located adjacent to Collins Lake, an artificially created reservoir.

The proposed acquisition is primarily deer winter range, upland game and mountain lion habitat. Deer herd composition counts have been done on the state's wildlife area and it is common to classify over 150 deer in a two hour evening count. The habitat can be described as a mixture of Interior Live Oak and Blue Oak Woodlands. Buckbrush is the dominant shrub species and is heavily browsed by deer. Redbud, coffeeberry and manzanita are also common shrub species. The property contains excellent habitat for turkeys, quail, pigeons, doves, rabbits and other abundant game and nongame species. Because of the abundance of turkeys in this general location, the area has been used by the Department as a trapping site for its turkey relocation program. Hunting and nonconsumptive uses would be consistent with the current Collins Lake Wildlife Area.

The present threat to this area is the development of 15 to 20-acre home sites since 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 by the Bald eagle, greatly limit or eliminate deer and upland game habitat.

The original owner offered this land as a donation to the State in late 1990. However, since procedures would not permit acceptance by year's end, The Nature Conservancy (TNC) agreed to accept it and transfer it to the Board at a later date at their cost to process. The original owner has also agreed to donate an additional 105+ adjacent acres over the next two to four years. Future donations will be directly to the State. Staff requested that the Board, in addition to approving acquisition of the subject 57+ acres, also approve the acceptance of the future donations as they pertain specifically to the remaining 105+ adjacent acres.

The fair market value of the area proposed for acquisition at this time is \$57,000. It is estimated that TNC's costs (\$1,000+) plus the costs of escrow, closing and administrative charges will total \$4,000. This project is exempt from CEQA as an acquisition of land for habitat preservation purposes.

Staff recommended that the Board approve this purchase and also authorize the acceptance of future donations up to 105+ acres as proposed; allocate \$4,000.00 from the Wildlife and Natural Areas Conservation Fund, as established by the California Wildlife, Coastal and Park Land Conservation Act of 1988 (P-70), Section 2720 (b)(4), to cover processing costs and the payment to The Nature Conservancy; 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 Mountain Lion Preservation Foundation and the Defenders of Wildlife.

Mr. McCracken 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 THE COLLINS LAKE WILDLIFE AREA-LINDGREN DONATION, PLUS THE ACCEPTANCE OF FUTURE DONATIONS UP TO 105+ ACRES AS PROPOSED; ALLOCATE \$4,000.00 FROM THE WILDLIFE AND NATURAL AREAS CONSERVATION FUND, AS ESTABLISHED BY THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION ACT OF 1988 (P-70), SECTION 2720 (b)(4), TO COVER PROCESSING COSTS AND THE PAYMENT TO THE NATURE CONSERVANCY; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

23. Malibu Creek Steelhead Restoration, Los Angeles County

\$390,000.00

Mr. Schmidt reported that this proposal was for a cooperative project involving the combined efforts of the Department of Fish and Game, Department of Parks and Recreation, Santa Monica Mountains Conservancy, and California Trout, Inc. to restore and enhance the steelhead run in Malibu Creek. Mr. Edon described the project in detail.

Malibu Creek, located in Los Angeles County, is the southern most Pacific Coast stream which still supports a viable run of steelhead. It has the largest coastal drainage in the Santa Monica Mountains (105 square miles) with stream flows typically ranging from summer lows of 6 - 10 cubic feet per second (cfs) to storm flow peaks exceeding 600 cfs. Acquisitions of private land along Malibu Creek by the California Department of Parks and Recreation has consolidated ownership of the project area within the Malibu Creek State Park complex.

The Malibu Creek steelhead represent an especially important resource since they are a race which has survived the hot, dry climate of southern California. Documented records are lacking, but local residents of the Malibu area reported that large numbers of adult steelhead used to be caught in Malibu Creek before the construction of Rindge Dam in 1924. However, since its construction, a remnant population has been limited to only a 2.6 mile stretch of the lower creek which provides limited habitat for spawning adults and rearing juveniles.

Rindge Dam, currently a nonfunctional concrete facility, stands approximately 100 feet tall and 160 feet wide at its top. It has been a useless facility since about 1950 when the reservoir behind the dam filled with gravel and other sediments.

The objective of this project is to enhance the steelhead run by providing for fish passage at Rindge Dam and at three less substantial barriers between Rindge Dam and Century Dam approximately 7.5 miles upstream. Within this 7.5 mile reach approximately 4.8 miles of suitable new habitat will become available to migrating adults with the expectation that an increase in steelhead production will follow. Presently, there is only about 1.2 miles of good steelhead habitat, most of which is concentrated in a narrow gorge downstream from the dam.

Rindge Dam is the first barrier the fish encounter after leaving the ocean. Providing fish passage over this formidable structure using most conventional means would be difficult. Various types of ladders considered would be extremely costly and difficult to construct, operate and maintain.

The only practical method found is a modified Borland fish lift, a type of fish lock which has been quite popular in the British Isles over the past 40 years. It is effective at most dam heights, is relatively inexpensive, and can be designed in this instance with low operation and maintenance costs. The Borland includes a ladder to bring fish into an entrance chamber. After fish are in this chamber, a gate valve closes at the lower end, and the chamber fills with water flowing down a 30-inch steel pipe from the top of



the dam. As water backs up into this tube, the fish follow its flow and eventually find themselves at the water surface at the top. In this case, they swim over a false weir directing a pumped flow of water into a pool at the upper end of the pipe and slide down a chute into the stream approaching the dam. In the process, they pass over a treadle activating a camera and other devices to photograph and count them. The facility can be operated unattended. The Rindge Dam spillway will be modified to safely pass migrating juvenile and adult steelhead downstream.

The second barrier to migration is a two-step falls adjacent to a highway tunnel about a mile upstream from Rindge Dam. It is proposed that a single facility, a combination of a new flume and denil-type fish ladder, take fish past both falls at once. The third barrier to passage is caused by a gauging weir designed to measure stream flows. This is a flat concrete apron extending across the creek at a location upstream of the tunnel falls. Flow velocities created by this structure are too great for steelhead passage under normal conditions. The structure will be modified to incorporate resting sites and shorten the distance fish must travel through high velocity flows.

Finally, the fourth problem is a five-tube culvert bridge which takes light vehicular and foot traffic over Malibu Creek in the Century Park vicinity. As is the usual case, water flowing swiftly through the culverts has excavated gravel from the downstream area impacted by the flow, dropping the creek bed level downstream of the culverts. The required jump into the lower culvert followed by a high-velocity flow through the culvert is difficult to negotiate. The solution is to remove the concrete and two culverts from the mid-section of the structure, so that the creek bed is at the bottom of the opening thereafter bridging the gap with a concrete slab.

Cost estimates provided by DFG and reviewed by staff are as follows:

Borland Lift at Rindge Dam	\$ 267,000.00
Downstream migrant facility at Rindge Dam	89,000.00
Ladder and flume over tunnel falls	106,800.00
Weirs and pool at measuring weirs	35,600.00
Replacement of culvert at Century Falls	26,700.00
Office of the State Architect fee for final design and project administration	<u>64,900.00</u>

Total Estimated Projects Costs: \$590,000.00

The project will be bid out under normal State procedures and done under contract with the lowest responsible bidder. The Santa Monica Mountains Conservancy has already allocated \$200,000 toward projects costs, conditioned upon WCB's allocation of the remaining \$390,000.

The Department of Parks and Recreation has completed the California Environmental Quality Act (CEQA) documents for the construction of fish passage facilities in Malibu Creek. A Negative Declaration finding was made and a Notice of Determination filed with the State of California.



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The Santa Monica Mountains Conservancy has agreed to work with California Trout and the Department of Parks and Recreation to secure funds for the operation and maintenance of the facilities for the next ten years. The Department of Fish and Game, Department of Parks and Recreation and Santa Monica Mountains Conservancy have also developed a Memorandum of Understanding to provide for the restoration of steelhead trout in Malibu Creek.

Staff recommended that the Board approve this project as proposed; allocate \$390,000.00 from the Wildlife and Natural Areas Conservation Fund, as established by California Wildlife, Coastal and Park Land Conservation Act of 1988 (P-70), Section 2720 (b)(2); 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 Assemblyman Hayden, Senator Hart, Caltrout, Defenders of Wildlife, Mountain Lion Preservation Foundation and Huey Johnson.

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE COOPERATIVE PROJECT TO RESTORE AND ENHANCE THE STEELHEAD RUN IN MALIBU CREEK, LOS ANGELES COUNTY, AS PROPOSED; ALLOCATE \$390,000.00 FROM THE WILDLIFE AND NATURAL AREAS CONSERVATION FUND, AS ESTABLISHED BY THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION ACT OF 1988 (P-70), SECTION 2720 (b)(2); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

Mr. Stancell asked how was the funding share ratio determined, specifically why was the Santa Monica Mountains Conservancy's share only \$200,000.00. Mr. Edon responded that the Santa Monica Mountains Conservancy has already paid for preliminary design which was approximately \$50,000.

Mr. Jim Edmondson, from California Trout, stated that he has been involved with this project since December of 1983. The Santa Monica Mountains Conservancy at the time of their grant of \$200,000.00 had already provided funds in the amount of \$121,000 to provide engineering, biological assessment, coordination of the agencies, CEQA documentation, MOU and a host of other things. Their donation at that time was over \$320,000 and the project was estimated at \$500,000. At that time their obligation was over half, it has now been refined and approved to the level of \$390,000 to match their \$200,000.

24. Allensworth Ecological Reserve, Tulare County

\$490,000.00

Mr. Schmidt reported that this proposal was for the acquisition of three parcels of land totaling 651.03+ acres of primarily native habitat. The parcels are located 2 to 3 miles west of Highway 99, near Earlimart, about 5 miles north of Delano and the Kern County line. The area contains prime critical habitat for three listed animal species: the State listed threatened and Federally listed endangered San Joaquin kit fox, and the State and Federally listed endangered Tipton kangaroo rat and Blunt-nosed leopard lizard. At present, virtually all of the subject area is in a natural, undisturbed state and provides a permanent life-cycle home for each of the threatened and endangered species mentioned as well as hunting and foraging habitat for numerous raptor species. One of the parcels was farmed for a short time in the past, but it has now reverted to suitable habitat according to the Department of Fish and Game. The acquisitions will also help in DFG's long range plan to tie existing holdings together in this area. Mr. Dick described the project location.

The Allensworth site is listed in the 1988 Annual Report of Significant Natural Areas of California prepared by the Lands and Natural Areas Program. The Valley sink scrub community found here is one of the best remaining examples in the southern San Joaquin Valley. Due to the relatively large area it covers, it provides critical habitat for rare, threatened and endangered species, such as the San Joaquin kit fox, which requires sizable territories (1-2 square miles) for hunting and breeding. In addition, because of its significant habitat for the Blunt-nosed leopard lizard, the Allensworth site is also recommended for protection in the Recovery Plan for that species.

According to the Conceptual Area Plan submitted by the Department of Fish and Game, the subject parcels are desirable to connect existing Fish and Game parcels (reducing habitat fragmentation) and to add more natural lands with similar values to the existing reserve. The current DFG holdings at Allensworth are too small and disjunct to sustain populations of the rare, threatened and endangered animals over time. Enlarging and connecting the existing reserve parcels will reduce the impact of conflicting uses on surrounding lands as well as provide a contiguous migration corridor between parcels.

The subject properties are located in an area which has been mostly converted to extensive agricultural uses including alfalfa, cotton, milo, grapes or orchard use. A new trend in the area is toward turkey farms. It is almost a certainty that the subject parcels will not remain native land if the property is not preserved by some means.

Operation and maintenance costs for this area are expected to be minimal. The management focus is habitat preservation with potential species augmentation. Minimal, if any, development will be required. While the Department will have to post the area, fencing may not be necessary since the principal threat comes from agricultural conversion, not trespass.

The owners have agreed to sell the subject land at the total approved fair market value of \$480,000. Acquisition costs are estimated to be an additional \$10,000 for appraisal costs, title insurance, escrow fees and the Department of General Services review charges. The proposed acquisition qualifies for, and funding is available from, the Wildlife and Natural Areas Conservation Fund, as provided for with the passage of the California Wildlife, Coastal and Park Land Conservation Act of 1988 (P-70). The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes and a Notice of Exemption has been filed.

Staff recommended that the Board approve this acquisition as proposed; allocate \$490,000.00 from the Wildlife and Natural Areas Conservation Fund, Significant Natural Areas portion, as established by the California Wildlife, Coastal and Park Land Conservation Act of 1988 (P-70), Section 2720 (a), for the purchase price and related costs; 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 Mountain Lion Preservation Foundation and the Defenders of Wildlife.

Mr. McCracken 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 THE ALLENSWORTH ECOLOGICAL RESERVE, TULARE COUNTY, AS PROPOSED; ALLOCATE \$490,000.00 FROM THE WILDLIFE AND NATURAL AREAS CONSERVATION FUND, AS ESTABLISHED BY THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION ACT OF 1988 (P-70), SECTION 2720 (a), TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

25. Estelle Mountain Ecological Reserve, Riverside County \$450,000.00

Mr. Schmidt reported that this proposal was to consider the acquisition of 4 parcels of mountainous property, totaling 82.25+ acres, located in western Riverside County just east of Interstate 15 and south of Lake Mathews. The four adjacent parcels are within Riverside County's Habitat Conservation Plan reserve study area for the Stephens' kangaroo rat, a state listed threatened species and a federally listed endangered species. While containing critical habitat for this species, the subject property is also home to the state listed threatened Munz's onion, of which its presence in this area is one of only seven known populations. The wildlife use of the area includes foraging, wintering and breeding for bird species and some raptors, including the Golden eagle. Ms. Lipphardt described the proposal.

The County's Habitat Conservation Plan was designed to identify areas to acquire for permanent reserves for numerous species, and as support for an application to the U.S. Fish and Wildlife Service for a permit to allow incidental take of the Stephens' kangaroo rat outside the reserve study

area. In this regard, the County has recently acquired eight additional 20-acre parcels adjacent to and near the subject acquisition area for a proposed reserve.

In general, Stephen's kangaroo rat habitat is characterized by grassland or sparse coastal sage scrub vegetation in areas with penetrable soils and a flat to moderately sloping topography. Local populations of this rat are impacted by seasonal fluctuations in vegetation and by the amount of habitat available, as well as breaks in the migration corridors that link habitats. Currently, the single greatest threat to the species is loss of habitat, usually caused by disking of grassland for farming and livestock and grading of valleys and hills for urban development. Combined, these land uses are removing habitat and fragmenting the distribution of the species by removing corridor linkages. The subject area has been subdivided into 20-acre parcels and is zoned for one residential unit per 10 acres. This acquisition, when combined with the adjacent county properties, will increase the proposed reserve area and help protect the area from fragmentation.

The management of the property will be in cooperation with the County of Riverside. In addition, while not contiguous to the Department's nearby Lake Mathews Ecological Reserve, the subject's close proximity (less than 5 miles) would enable the Department to combine management activities for both reserves. Access to the properties is obtained via dirt and fire roads which are currently open to the public.

The two individual landowners of the four parcels have agreed to sell the subject land at the approved fair market values of \$100,000 for the 20+ acre ownership and \$342,500 for the 62+ acre ownership. Acquisition costs are estimated to be an additional \$7,500 for appraisal costs, title insurance, escrow fees and the Department of General Services review charges. The proposed acquisition qualifies for, and the funding is available from, the Wildlife and Natural Areas Conservation Fund within Proposition 70. The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes and a Notice of Exemption has been filed.

Staff recommended that the Board approve this acquisition as proposed; allocate \$450,000.00 from the Wildlife and Natural Areas Conservation Fund, Section 2720 (a), per Section 2721 (b) and (d), as established by the California Wildlife, Coastal and Park Land Conservation Act of 1988 (Prop. 70) for the purchase price and related costs; 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 Mountain Lion Preservation Foundation and the Defenders of Wildlife.

Ms. Sandy Silberstein, representing Senator Robert Presley, expressed support for this acquisition as it brings Riverside County one step closer to implementing the Kangaroo Rat Habitation Plan.



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

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE ESTELLE MOUNTAIN ECOLOGICAL RESERVE, RIVERSIDE COUNTY, AS PROPOSED; ALLOCATE \$450,000.00 FROM THE WILDLIFE AND NATURAL AREAS CONSERVATION FUND, AS ESTABLISHED BY THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION ACT OF 1988 (P-70), SECTION 2720 (a) PER SECTION 2721 (b) and (d), TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

26. Salmon Falls Ecological Reserve, Expansion #1, El Dorado Co.      \$250,000.00

Mr. Schmidt reported that this proposal was to consider the acquisition of a 40+ acre parcel of land located about 3 to 4 miles north of the rapidly growing El Dorado Hills area. Specifically, the land is on the east side of Folsom Lake, about 5 miles south of Pilot Hill and located about 1 mile southeast of the Salmon Falls Road Bridge crossing the South Fork of the American River. Mr. Dick explained the current proposal and how it related to the previous acquisition.

This is the second proposal to be considered, by the Wildlife Conservation Board, in this area for land that supports an extremely rich and important ensemble of rare plants found only in this general area and nowhere else in the world. The unusual condition in this area is primarily a result of a unique soil type known as the grabbroic soil type, in the Rescue Series.

The primary vegetation type in this area is chamise chaparral which is composed of chamise, Lemmon's ceanothus, manzanita, many oak species and redbud. The rare Pine Hill ceanothus occurs in cleared or open areas on Rescue soils found within the more common chaparral type. Some slopes support pines and many oak species, including blue oak, interior live oak, black oak, scrub oak, leather oak, valley and canyon live oak.

The hill on which this parcel is located supports the best known populations of both El Dorado morning glory and Pine Hill ceanothus. Soaproot also is well represented there. Butterweed and mule-ears are found scattered over much of the area while bedstraw occurs under the ponderosa pines on the north-facing slopes. According to the Department of Fish and Game, wildlife use in this area includes resident deer and mountain lion, as well as numerous game birds including dove, quail and wild turkey.

This area is seriously threatened by development with upscale small lot subdivisions moving north toward the area from El Dorado Hills and Cameron Park. There is also great pressure in the immediate area for development of small acreage residential homesites. The subject parcel itself is currently zoned for two residential homesites; however, there is no current access to the parcel. Department of Fish and Game has highly recommended purchase of this parcel. The project is categorically exempt from CEQA and a Notice of Exemption has been filed.



It is anticipated that the primary management goal would be to maintain and protect the existing populations of rare or endangered plants and for that reason the area would probably be maintained as an ecological reserve with limited public access. Future management costs, if any, would be limited to possible fencing and posting, as well as periodic on-site monitoring of the area. ✓

The owners have agreed to sell the property at its approved appraised value of \$240,000. Estimated costs are \$10,000, making a total allocation necessary for this purchase to be \$250,000.00.

Staff recommended that the Board approve the purchase of this property as proposed; allocate \$250,000.00 from the Habitat Conservation Fund (P-117), Section 2786 (a) & (c), for the purchase price and related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Mr. Schmidt reported that this area was subject to development if not acquired and that according to the Department of Fish and Game preservation of small parcels like this are very important to the integrity of the species. Mr. Schmidt noted that letters of support had been received from the Defenders of Wildlife and the Mountain Lion Preservation Foundation. Mr. Schmidt added that he addressed the El Dorado County Board of Supervisors in January regarding this proposal. He then stated that he had not received any letters of opposition but that it was read in the newspaper that the Tax Payers Association of El Dorado County was not pleased with the acquisition.

Mr. Mark Palmer, Mountain Lion Preservation Foundation, supported this acquisition project with the use of the Proposition 117 funds. He commended the Board and its staff for all the work being done on Prop. 117 projects.

Mr. Larry Sanders, adjacent project owner, expressed his concern over the conceptual plan to purchase possibly 2,000 acres in the area. He asked if the 2,000 acres could be identified so he could determine the affect towards development of his property. Mr. Schmidt commented that the conceptual area plan only identifies 2,000 acres of property which supports rare plant species. The proposal is not to buy 2,000 acres and staff is not working on any other proposals. Mr. Messersmith, Department of Fish and Game Regional Manager, stated that it was a conceptual area acquisition plan which described approximately 2,000 acres and within that area two representative types were identified by the Natural Heritage Division as parcels recommended for acquisition. This completes the areas intended to acquire within this 2,000 acres.

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

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE SALMON FALLS ECOLOGICAL RESERVE, EXPANSION #1, EL DORADO COUNTY, AS PROPOSED; ALLOCATE \$250,000.00 FROM THE HABITAT CONSERVATION FUND (P-117), SECTION 2786 (a) AND (c), TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

27. Santa Rosa Springs Ecological Reserve, Riverside County \$5,000,000.00

Mr. Schmidt reported this proposal was for Wildlife Conservation Board participation in a cooperative acquisition project covering approximately 3,825 acres of land in Riverside County to protect a unique and sensitive assemblage of plant and animal species.

Mr. Jim Sarro described the subject property, known as Santa Rosa Springs, which is part of the Santa Rosa Plateau, which lies at the southern end of the Santa Ana Mountains in southwest Riverside County, approximately 85 miles southeast of Los Angeles and about 50 miles north of San Diego. The property proposed for acquisition lies east of Clinton Keith Road, west of Interstate 15, and is adjacent to De Luz Road to the south. The Santa Rosa Plateau is a fault block which rises to 2,200 feet in elevation over 1,100 feet above Murrieta Valley to the east. The southern edge of the plateau consists of a rim of four flat-topped mesas. These are erosional remnants of a once extensive basalt flow which occurred approximately 5.5 million years ago.

The Santa Rosa Springs property includes four of California's most threatened habitat types, encompassing excellent examples of Upland Native Bunchgrass, Engelmann Oak Woodland, Southern Sycamore Alder riparian woodland and Southern Coast Live Oak riparian forest. The site also supports fine examples of the more common Venturan sage scrub, Northern mixed chaparral and Chamise chaparral plant communities.

The property contains some of the largest contiguous areas of upland native bunchgrass that remain in southern California. The prairie is dominated by such native perennials as Purple needlegrass, Slender needlegrass and Malpais bluegrass. Ecologists generally agree that this is the finest preserved bunchgrass prairie left in California.

The Engelmann oak woodland community type is found on the Santa Rosa Springs property in both the open or savannah phase and the riparian phase. Engelmann oak, the dominant species, was once widespread in southern California but is now reduced to a few significant sites ranging from the Santa Ana Mountains to San Diego.

The Southern Riparian Forest found on the subject property is ecologically unique because of the presence of Engelmann oak. Both the Riparian Forest and the Sycamore/Alder Riparian Woodland shelter unique "tenajas", permanent rock pools in the otherwise ephemeral streambeds. These tenajas support a diverse array of reptiles and amphibians.

Coastal sage scrub and chaparral areas on the site provide habitat for numerous birds such as California thrasher, Common bushtit, California quail and Rufous-sided towhee.

Santa Rosa Springs is also significant in that it links together the two noncontiguous portions of The Nature Conservancy's Santa Rosa Plateau Preserve thus providing an important wildlife corridor. Threats to the subject property would very likely have an impact on the existing preserve by further fragmenting the natural habitat and cutting off this critical wildlife corridor for deer, mountain lion and other animals.

In addition to the threatened habitat types described above, at least six rare plants are found on the Santa Rosa Springs property. These plants include the Peninsular manzanita, California orcuttia, Thread-leaved brodiaea, Orcutt's brodiaea, San Miguel savory, and the Palomar monkeyflower. In addition, either special amphibian, reptile and mammal species are found thereon including the California treefrog, Red-legged frog, Southwestern pond turtle, San Diego horned lizard, Coastal rosy boa, Hammond's two-striped garter snake, Mountain lion, and the American badger. Also, birds of special concern include the American harrier, Cooper's hawk, Golden eagle, Black-shouldered kite, burrowing owl, Long-eared owl, California gnatcatcher, Coastal cactus wren, yellow warbler and the Grasshopper sparrow.

The Santa Rosa Plateau is listed in the 1988 Annual Report of Significant Natural Areas of California prepared by the Land and Natural Areas Program as an "ensemble" site (three or more highly ranked elements). It has been described as containing "the greatest concentration of different endangered ecosystems in California".

The Santa Rosa Plateau has been used for cattle grazing since the Spanish mission period of the early 1800's. Until recently, the region was sparsely populated. In the past two decades, however, the area between Riverside and San Diego has undergone tremendous development. The subject property is within a general plan designation that would allow between 770 and 3,855 residential units. The owner is proposing a development plan to construct approximately 2,400 homes, a 27-hole golf course, and 21 acres of commercial use. Development of the site at anywhere near this density would severely impact the site's natural values and impair its viability as deer and mountain lion habitat, and result in substantial degradation of the natural values found on the adjacent Nature Conservancy's Santa Rosa Plateau Preserve.

The Nature Conservancy has taken the lead in negotiations with the owner of the property and the coordination of the cooperating agencies in the proposed acquisition. The fair market value of the property, as approved by the State, is \$43,000,000. Under the proposed joint purchase agreement, the property would be acquired for \$35,400,000. The Board's share of the purchase would be \$5,000,000 and the balance would be paid by the County of Riverside and the Metropolitan Water District of Southern California. The State would take title to an interest in the property equal to its proportionate share of the overall investment in the project.

Funding of WCB's share of this acquisition is specifically budgeted in the 1990-91 appropriation of Proposition 117 funds for "... a high priority acquisition of native oak woodlands and associated highly rare, natural communities unique to Southern California uplands". The budget also provides that priority shall be given to any project for which there are substantial matching funds from nonstate sources. The Department has identified this property acquisition as ideally fitting the description of this budgeted item and has given it highest priority for this purpose. The acquisition is exempt from CEQA under Class 13 of Categorical Exemptions and the appropriate Notice of Exemption has been filed.

A management plan covering the entire Santa Rosa Springs property and adjoining The Nature Conservancy's property is currently being prepared and is expected to provide for a variety of passive recreational uses, including hiking trails, interpretive programs and limited public access, with the majority of the site being devoted to species protection and enhancement. The primary management objective for the area is to establish and maintain a viable reserve for the long-term protection of indigenous species. Management of the native grasslands on the Plateau will require a long-term, carefully designed program of prescribed fire to enhance conditions for native species and limit the impact of introduced Mediterranean grasses. Riparian areas require some rehabilitation, including streambed stabilization and pool creation, and willow/cottonwood revegetation. This project will likely be a cooperative effort between several partners, including Metropolitan Water District of Southern California, Riverside County Parks Department and The Nature Conservancy. The Nature Conservancy has resident staff on site and will coordinate much of the management effort and restoration.

Mr. Schmidt indicated that the overall project was valued at about \$45,000,000, and the Board's involvement would be towards a portion of property for \$5,000,000 purchase price, estimated value at \$8,000,000. Mr. Schmidt thanked Mr. Chris Kelly from The Nature Conservancy for his long and hard work on this project.

Senator Presley reported that the property is a tremendous location, one of the few remaining opportunities left to preserve areas of wildlife and various plant species. He further stated that if this acquisition was not pursued, development would be probable. Senator Presley added that it was a good move on the State's part and that he strongly supported the acquisition.

Staff recommended that the Board approve this cooperative, joint acquisition as proposed; allocate \$5,000,000.00 from the Habitat Conservation Fund (P-117), as budgeted; 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 Mountain Lion Preservation Foundation.

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

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE JOINT ACQUISITION OF THE SANTA ROSA SPRINGS ECOLOGICAL RESERVE, RIVERSIDE COUNTY, AS PROPOSED; ALLOCATE \$5,000,000.00 FROM THE HABITAT CONSERVATION FUND (P-117), AS BUDGETED; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.



28. Salmon, Steelhead & Resident Fish Habitat Enhancement Projects \$285,454.00

Mr. Schmidt proposed that the Board allocate funds for the enhancement and rehabilitation of salmon, steelhead and resident fish spawning and rearing habitat on fourteen waterways in California.

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 fourteen proposed habitat enhancement projects is briefly provided below: This includes a change in the amount of item (k) which should be \$18,100, not \$8,100 as shown in the agenda.

a. Antelope Creek, Phase II, Siskiyou County \$10,500.00

This is a cooperative project with the Klamath National Forest to complete the second phase of habitat restoration on Antelope Creek. In this phase, an additional 3,000 - 5,000 feet of the creek will be fenced to encourage stream shading and healthy meadow vegetation, thus reducing sedimentation and increasing fish habitat. Two thousand lineal feet of eroding stream bank will be stabilized with woody structures and vegetation. The combined project areas will greatly improve rainbow, brown and eastern brook trout habitat on Antelope Creek. The project will be administered by the Klamath National Forest, in cooperation with a DFG contract administrator.

b. Beaver Creek Rearing, Siskiyou County \$21,349.00

This is a cooperative project with the Klamath National Forest to improve rearing habitat for steelhead in Beaver Creek, a south flowing tributary to the Klamath River that has been the focus of numerous multi-agency cooperative projects in past years. Evaluations of the fish habitat condition and utilization were conducted in 1988 and 1989 on the mainstem of Beaver Creek. These evaluations showed that much of the study area lacked one or more of the components necessary to provide suitable overwintering rearing habitat. This project will entail placing and maintaining large woody debris within the Beaver Creek system in an attempt to restore overwintering rearing habitat to a condition similar to that which occurred prior to its removal by flooding and man caused actions. The project will be administered by the Klamath National Forest, in cooperation with a DFG contract administrator.

- c. Cottonwood Creek Paiute Cutthroat Habitat #3, Mono Co. \$43,210.00

This is a cooperative project between the Inyo National Forest and the Department of Fish and Game to continue an ongoing project as outlined in the Paiute Cutthroat Trout (PCT) Management Plan for the recovery of PCT, a threatened species. The work will be completed in the Cottonwood Basin of the White Mountains and consists of bank stabilization, replenishment of spawning gravel, construction of habitat structures to enhance meadow restoration and to provide cover or shade and installation of cattle exclusions. The project will be administered by the Inyo National Forest, in cooperation with a DFG contract administrator.

- d. Coyote/Buttermilk Areas Stream Restoration, Inyo Co. \$8,000.00

Riparian areas in the Coyote and Buttermilk areas on the White Mountain Ranger District have been enhanced and restored under a continuing program funded by the Inyo National Forest and Department of Fish and Game. The objective of this project is to continue to restore trout habitat in selected streams supporting fisheries in this area. This will include arrestment of headcuts adjacent to stream channels by installing channel stabilization structures and stabilization of stream channels by revegetation with willows or herbaceous plants. The work will take place in Cow, Coyote, Rawson and Little McGee Creeks. The project will be administered by the Inyo National Forest, in cooperation with a DFG contract administrator.

- e. Fall River Bank Stabilization, Shasta County \$30,000.00

The Department of Fish and Game proposes to continue a program of reestablishing riparian cover and bank stability along selected sections of the Fall River, using their existing fish habitat crew. Intensive livestock use has removed stream side vegetation and caused severe bank erosion which increases siltation in the stream resulting in a loss of quality trout habitat. The Department of Fish and Game has completed several large livestock exclusion fencing projects on Fall River which have been very successful in stabilizing the banks and reestablishing riparian vegetation. The project which is being proposed would continue this program with a total of 6,600 feet of wire fencing being built on three different properties.

- f. Kidder Creek Diversion Screen, Siskiyou County \$15,000.00

The Department of Fish and Game proposes to install a screen device to prevent the loss of thousands of juvenile steelhead at a diversion ditch fed by Kidder Creek. The proposed 12 foot long by 2 foot high steel screen device will be constructed with a cement foundation utilizing 6 inch enclosed walls. A water driven wheel will be installed to serve as a power source to drive a self-cleaning wiper system. The Department of Fish and Game will assume all construction and maintenance of the facility.

g. O'Harrel Creek, Mono County \$2,540.00

This is a cooperative project between the Inyo National Forest and the Department of Fish and Game to restore and enhance habitat quality for the Lahontan cutthroat trout, a threatened species. The work will consist of planting stream bank cover to increase shading for reduction of stream temperatures and stabilize banks. An old concrete weir will be removed and instream rock habitat will be added. The project will be administered by the Inyo National Forest, in cooperation with a DFG contract administrator.

h. Peppermint Creek, Tulare County \$4,400.00

This is a cooperative project with the Sequoia National Forest to improve trout cover in existing pools, and to create new pools in bedrock portions of Peppermint Creek between the Upper Peppermint Campground and the vicinity of the Peppermint stream gauging weir. Approximately one-quarter mile of stream will receive one to five low-stage check dam structures to increase pooling, one or two blasted-out pools, and vegetation plantings to increase cover. The project, which will enhance rainbow trout habitat, will be administered by the Sequoia National Forest, in cooperation with a DFG contract administrator.

i. San Pedro Creek (Augmentation), San Mateo County \$19,500.00

The Department of Fish and Game has a \$30,000 contract with the City of Pacifica to complete a fish ladder structure in San Pedro Creek to improve passage conditions for steelhead trout. The original project as presented was intended to be completed with a 12 foot ladder. In consultation with the City Engineers, the DFG has recommended a design change which now calls for a 36 foot ladder. The lowest bid received for this structure was \$44,132.00 which is \$14,132 over project allocation. The DFG and the City of Pacifica are requesting approval for the additional funds needed to complete this project. The additional funding includes a contingency to cover cost increases that may occur due to construction delays.

j. Shovel Creek, Phase II, Siskiyou County \$20,000.00

This is a cooperative project with the Klamath National Forest to complete Phase II of the Shovel Creek Trout habitat project. The Goosenest Ranger District has identified the need to improve fish habitat along approximately 3,000 feet of Shovel Creek by stabilizing stream banks through the placement of rock rip-rap where needed. Log weirs will be installed to create pool habitat and boulders placed for cover. Willows will be planted and livestock controlled to provide shading and improve the vegetative condition. The project will be administered by the Klamath National Forest, in cooperation with a DFG contract administrator.

k. Ten Mile Creek, Fresno County \$18,100.00

This is a cooperative project with the Sequoia National Forest to improve rainbow and brown trout habitat and angler catch rates by reducing sedimentation, creating pool habitat, increasing instream cover and stabilizing banks. This work will be done at selected sites near Ten Mile and Loggers Flat Campgrounds. The project will be administered by the Sequoia National Forest, in cooperation with a DFG contract administrator.

l. White River/Poso Creek, Tulare County \$11,955.00

This is a cooperative project with the Sequoia National Forest to increase instream cover and pools for rainbow trout with the expected results of increasing angler catch rates on the White River and Poso Creek. These pools will be created by introducing large woody debris in the stream. Approximately five instream structures will be constructed in each stream using hand labor. The possibility of utilizing local fly fishing clubs for volunteer labor exists. However, Forest Service personnel will be needed to fall trees and transport large logs to the project site. In addition, the Forest Service will supervise the installation of structures, in cooperation with the DFG contract administrator.

m. Wildcat Creek Bank Stabilization, Contra Costa County \$30,000.00

This is a cooperative project with the East Bay Regional Park to enhance spawning habitat in Wildcat Creek for rainbow and steelhead trout by providing spawning gravels, improving existing refuge pools and creating new ones, and by reducing stream bank erosion by controlling bank slides and installing fencing to exclude cattle from entering the stream. The project will be administered by East Bay Regional Park, in cooperation with the DFG contract administrator.

n. West Walker River Fish Ladder, Mono County \$50,000.00

The Department of Fish and Game proposes to replace the existing, nonoperative, fish ladder at the Swauger Dam with a new denil fishway. This project will allow upstream access, for rainbow and brown trout, over the existing diversion dam. The Department will assume responsibility for the construction and maintenance of this facility.

Administrative contract cost to process the contracts for the listed projects is \$900.00.

Staff recommended that the Board approve these fourteen salmon, steelhead and resident fish projects as one item as proposed, including the correction of the amount on item (k); allocate \$285,454.00 from the Habitat Conservation Fund (P-117), as designated for stream restoration, including \$900.00 to cover the Department of General Services contract review costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.



IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE FOURTEEN SALMON, STEELHEAD AND RESIDENT FISH HABITAT ENHANCEMENT PROJECTS AS ONE ITEM, AS PROPOSED; ALLOCATE \$285,454.00 FROM THE HABITAT CONSERVATION FUND (P-117), AS DESIGNATED FOR STREAM RESTORATION, INCLUDING \$900.00 TO COVER THE DEPARTMENT OF GENERAL SERVICES CONTRACT REVIEW COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

A. ANTELOPE CREEK, PHASE II, SISKIYOU COUNTY	\$ 10,500
B. BEAVER CREEK REARING, SISKIYOU COUNTY	\$ 21,349
C. COTTONWOOD CREEK PAIUTE CUTTHROAT HAB. #3, MONO CO.	\$ 43,210
D. COYOTE/BUTTERMILK AREAS STREAM RESTORATION, INYO CO.	\$ 8,000
E. FALL RIVER BANK STABILIZATION, SHASTA COUNTY	\$ 30,000
F. KIDDER CREEK DIVERSION SCREEN, SISKIYOU COUNTY	\$ 15,000
G. O'HARREL CREEK, MONO COUNTY	\$ 2,540
H. PEPPERMINT CREEK, TULARE COUNTY	\$ 4,400
I. SAN PEDRO CREEK (AUGMENTATION), SAN MATEO COUNTY	\$ 19,500
J. SHOVEL CREEK, PHASE II, SISKIYOU COUNTY	\$ 20,000
K. TEN MILE CREEK, FRESNO COUNTY	\$ 18,100
L. WHITE RIVER/POSO CREEK, TULARE COUNTY	\$ 11,955
M. WILDCAT CREEK BANK STABILIZATION, CONTRA COSTA CO.	\$ 30,000
N. WEST WALKER RIVER FISH LADDER, MONO COUNTY	\$ 50,000

ADMINISTRATIVE CONTRACT CHARGES	\$ 900
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MOTION CARRIED.

29. Upper Butte Sink Wildlife Area, Expansion #3, Glenn County \$2,590,000.00

Mr. Schmidt reported this proposal was to consider the acquisition of 1,325+ acres of land, as an addition to the present Upper Butte Sink WLA, for the preservation, restoration and enhancement of interior wetlands habitat, and habitat for threatened and endangered species. Mr. Schmidt reported this was a very important project as 500 acres of this purchase represents the first project being proposed under the new Inland Wetlands Conservation Program which was put into the Wildlife Conservation Board effective January 1, 1991. The property is located approximately 15 miles northwest of the town of Gridley. More specifically, it lies adjacent to and on the west side of Butte Creek (Glenn County), and is bordered on the south by State Highway 162 and the State's WLA, and on the west and north by other agricultural lands. Mr. Giordano explained the overall project including the portions that may be put into the wetland conservation area.

This proposed purchase includes most of the remaining northern half of the original McGowan Ranch and consists of approximately 1,241+ acres on the north side of Highway 162 plus an 84+ acre parcel lying south of Highway 162. A 21+ acre portion on the north side containing substantial improvements, is not being considered for acquisition. The property being considered for acquisition contains no improvements. The previous acquisition from this ownership, containing 1,930+ acres, was completed pursuant to February 15, 1990, Board approval.



The subject property is level and has historically been in rice production and has been leased for hunting during waterfowl season. Altogether, nearly 100 percent of the property is either historic, existing or restorable wetlands. According to the Department of Fish and Game, portions of the property are intermittently used by threatened and endangered species. The latter includes use by the threatened Greater sandhill crane and the endangered Bald eagle, Peregrine falcon, and the Aleutian Canada goose. There is also suitable habitat for the threatened Giant garter snake and the California hibiscus, currently listed as threatened by the Native Plant Society.

In addition to the above noted threatened and endangered species, white-faced ibis, merlin, willow flycatcher, double-crested cormorant, northern harrier, osprey, burrowing owl, long-eared owl, short-eared owl, purple martin, yellow warbler, yellow-breasted chat, sharp-shinned hawk, Cooper's hawk, golden eagle and prairie falcon are birds of special concern that would benefit by habitat protection and restoration. Like the first acquisition, this parcel also receives very heavy use by ducks and geese, which can only be expected to increase as wetland restoration measures are taken.

The proposed acquisition is located within the area identified within the Central Valley Habitat Joint Venture (CVHJV) component of the North American Waterfowl Management Plan. This plan calls for both protecting existing waterfowl habitat as well as creating new wetland habitat. State acquisition could allow for conversion of nearly the entire rice area into new wetlands. This is certainly in compliance with the CVHJV as well as SCR-28 (79-Keene) which calls for increasing California's wetlands by 50% by the year 2000.

Of the area proposed for acquisition, approximately 500 acres will be used as specified in AB 4325 which created the Inland Wetlands Conservation Program within the Wildlife Conservation Board. Basically, this program mandates that the Board acquire property in fee, by conservation easement, or lease inland areas to preserve, restore or enhance wetlands. Furthermore, it provides the Board with a mechanism to lease, exchange or sell lands or make grants or loans for wetlands development or restoration purposes. The overall goal and purpose of this measure is to help carry out the program of the Central Valley Habitat Joint Venture of the North American Waterfowl Management Plan.

Funding in the amount of \$1,000,000 will be provided by funds (through Proposition 117) allocated for this program to help purchase the total area. The acreage, as designated by the Department, is intended to be used pursuant to the mandates of this new program. It is anticipated that a portion of the property will be leased out for continued agricultural use with flooding periods being set forth in the lease. Any income derived from these lands will be returned to the program.

While providing for the increase in wetlands, habitat management goals could also provide for preservation, enhancement, development and expansion of the riparian areas and wetlands. A portion of the rice lands could be maintained in rice for use as a foraging area for geese and sandhill cranes. Leaving some areas in cultivated rice would be very valuable to many wildlife species, especially those native species that evolved with this upland-wetland habitat mix which is becoming so rare in California. Species that could benefit from this type of management would include Yellow-billed cuckoos, Swainson's hawks, sandhill cranes, Giant garter snakes and the California hibiscus. Some species historically found in this area could possibly be reintroduced. These could include the endangered Least Bell's vireo, the threatened Valley elderberry longhorn beetle and the threatened black rail. Of course, waterfowl would be a major benefactor of the proposed wetlands management scenario for this area. Compatible wildlife-oriented public uses could include waterfowl and pheasant hunting, fishing, nature studies, hiking, natural resource education, wildlife viewing and photography.

Research reveals there is sufficient water available for use in development and maintenance of this area as suggested. The primary source of water is through the Western Canal District while secondary sources include Butte Creek, existing deep wells and drain water. The availability and reliability of the quality and quantity of this water is excellent.

It was estimated that the development costs of the property will not be excessive as most development could occur naturally in time. The Department has indicated there are funds currently available to begin improvement of this property. The area would be managed as a unit of the Department's Gray Lodge Wildlife Area.

As part of the negotiations, the grantors have requested the opportunity to lease-back the property for rice production for a period of up to two years at the fair market value as approved by the State Department of General Services. Grantors would reserve no other rights and state public uses would not be delayed or unreasonably limited by reason of this lease. The public could have full use, as Department's plans may allow, during normal waterfowl and upland game seasons. As a condition of the lease, lessee would provide water and water management on the area.

At the time of the meeting, the Department of General Services had not completed their review of the lease values. However, their review is expected in a couple of weeks.

The property has been appraised at the fair market value of \$2,570,806.25. As required, this appraisal has been reviewed and approved by the Department of General Services. Review costs, appraisal, survey, and closing expenses are expected to be about \$19,200. The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes.

Mr. Schmidt reported that 500 acres would be part of the Inland Wetlands Conservation Program (AB 4325) and it was proposed to lease the property at this time with prescribed flooding at certain times of the year under the terms of the lease. Eventually the property could be sold, subject to a conservation easement, which would also contain certain prescriptions about how it's managed. Any proceeds from either a lease, exchange or sales would be returned to the fund to carry out future projects.

Staff recommended that the Board approve the purchase of this property as proposed, including the lease-back at the approved amount; allocate a total of \$2,590,000.00 to complete the purchase from the funds and in the amounts as follows:

- (1) \$940,000.00 from the Habitat Conservation Fund (P-117);
- (2) \$1,000,000.00 from the Inland Wetlands Conservation Fund (AB 4325);
- (3) \$650,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Wetlands Portion, Section 5907 (c)(1)(B).

Staff also recommended that the Board 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 U.S. Fish and Wildlife Service, the Trust for Public Land, Ducks Unlimited, The Nature Conservancy, California Waterfowl Association, Defenders of Wildlife and the Mountain Lion Preservation Foundation.

Mr. Stancell asked if the Department of General Services had completed their review of the lease values. Mr. Giordano responded that until the water situation is known and the federal program for subsidies is finalized the owners cannot commit to any program. Also, a condition of the lease is for water management which is subject to the availability of water.

Mr. Bontadelli clarified that finalizing the lease at this point, without having a firm water supply sufficient to grow rice, is something the party in the lease is not prepared to enter into until they know they have the water. Mr. Bontadelli further stated that since the obligation is the management of water pursuant to the terms and conditions on the lease, which is the amount of funds that would be recoverable pursuant to the Inland Wetlands Conservation Program for future projects. The concept of approving \$1,000,000.00 towards this portion of the acquisition of approximately 500 acres which is set aside for lease and reinvestment is something the Board can move forward on. The terms and conditions of the lease will need to be reported in writing back to the Board.

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

IT WAS MOVED BY MR. BONTADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE UPPER BUTTE SINK WILDLIFE AREA, EXPANSION #3, GLENN COUNTY, INCLUDING A LEASE-BACK AT THE APPROVED AMOUNT, AS PROPOSED; ALLOCATE A TOTAL OF \$2,590,000.00 TO COVER THE PURCHASE PRICE AND RELATED COSTS FROM THE FUNDS AND IN THE AMOUNTS AS FOLLOWS:

- (1) \$ 940,000.00 FROM THE HABITAT CONSERVATION FUND (P-117);
- (2) \$1,000,000.00 FROM THE INLAND WETLANDS CONSERVATION FUND (AB 4325);
- (3) \$ 650,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (c)(1)(B).

IT WAS ALSO MOVED THAT THE BOARD AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

30. Yolo Bypass Wildlife Area, Yolo County \$4,750,000.00

Mr. Schmidt reported this was a proposal to acquire 3,150+ acres of land for the preservation, restoration and enhancement of historic interior wetlands and waterfowl habitat. The property, which is located 4+ miles west of the City of Sacramento, lies just south of and is highly visible from Interstate Highway 80 (I-80). It is bordered on the east by the community of West Sacramento and to the west, about 8 miles, is the City of Davis. The proposed acquisition is within the Yolo Causeway, bordered by levees, with other agricultural lands located to the north and south. Mr. Giordano explained the proposal and its location.

The terrain of the subject property is relatively flat with the elevation ranging from approximately 15 feet to less than 10 feet above sea level. The land has been leveled for field and row crop production. Access is via I-80 then over about one mile of graveled levee road. Numerous dirt roads permit seasonal internal access over the subject area.

The proposed acquisition is presently operated as a diversified row crop farm with developed canals, ponds, water control structures, and pumps. The ranch, known as the Mace Ranch, contains 6,400+ acres lying both within and outside of the bypass. The acreage outside the bypass (westerly) is either proposed for subdivision or has been subdivided. This portion consists of 1,800 acres and is not being considered for acquisition. The remainder of the property, consisting of approximately 4,600 acres contains the subject 3,150+ acres which includes the historic drainage of the Putah Creek Sinks, a significant waterfowl area. There are no improvements other than irrigation facilities located on this property. It is currently restricted by flowage easements with Sacramento and San Joaquin Drainage Districts permitting flooding of the property at any time. On the average, this occurs one out of every three years, usually in late winter.



The main purpose of this proposal is for wetland development and enhancement for waterfowl as compatible with other wildlife species. One study prepared by the Department of Fish and Game indicates that during flood periods the bypass accommodates in excess of 500,000 waterfowl. However, the property also contains habitat, or could be developed into habitat, suitable for threatened and endangered species. These include the threatened Greater sandhill crane and the endangered Bald eagle and Peregrine falcon. The riparian area, along the toe drain, is important for migratory bird passage and breeding by species including the threatened Swainson's hawk and the endangered Yellow-billed cuckoo. There is also suitable habitat for the threatened Giant garter snake and the California hibiscus, currently listed as threatened by the Native Plant Society. Some species historically found in this area could possibly be reintroduced. These could include the threatened Valley elderberry longhorn beetle and the threatened Black rail. Of course, waterfowl would be a major benefactor of the proposed wetlands management scenario for this area.

In addition to the above noted threatened and endangered species, white-faced ibis, merlin, double-crested cormorant, northern harrier, long-eared owl, short-eared owl, purple martin, yellow-breasted chat, sharp-shinned hawk, Cooper's hawk, golden eagle and prairie falcon are birds of special concern that would benefit by habitat protection. The area also provides significant habitat for a wide range of valley fish and wildlife species which include deer, red and gray fox, coyote, river otters, beaver, muskrat, assorted small rodents, several species of raptors, amphibians, reptiles, and several species of warmwater fish (in Putah Creek and the toe drain). It should also be noted that this land provides habitat for an excellent upland game population including pheasants, quail, dove and rabbits.

The property, being located near a large population source, is thought to have great potential use by the public. Wildlife-oriented public uses could include waterfowl and pheasant hunting, fishing, nature studies, hiking, natural resource education, wildlife viewing and photography.

Development of the subject is highly feasible in a short period of time due to funds that are available through the Department of Fish and Game and that could be made available, on a 25:75 matching basis, through the U.S. Army Corps of Engineers.

Adequate water for development is also readily available with three sources of irrigation water on the property. The main source is the toe drain of the Sacramento River. The second source is Putah Creek in years in which it is running. This source has been unavailable the past several years due to a drought. The third source is 6 wells drilled in the late 1970's but rarely needed.

The proposed acquisition is located within the area identified within the Central Valley Habitat Joint Venture (CVHJV) component of the North American Waterfowl Management plan. As noted in agenda Item #29, this plan calls for both protecting existing waterfowl habitat as well as creating new wetland



habitat. State acquisition could allow for conversion of nearly the entire area into new wetlands. This is in compliance with the CVHJV as well as SCR-28 (79-Keene) which calls for increasing California's wetlands by 50 percent by the year 2000.

The entire Mace Ranch has recently been owned by the Prudential Insurance. At the time of this writing, Pacific Gas and Electric properties have the ownership under contract for sale. They have agreed to sell the 3,150+ acres to the State subject to their escrow closing with Prudential. This escrow is currently scheduled to close prior to February 10, 1991.

The property has been appraised at the fair market value of \$1,500.00 per acre. While the property has not been surveyed, it is estimated to contain not more than 3,150+ for a total purchase of \$4,725,000. The owners have agreed to sell at the appraised value, subject to the confirmation of acreage. As required, this appraisal has been reviewed and approved by the Department of General Services. Review costs, appraisal, survey and closing expenses are expected to be about \$25,000. Potential State claims to the property by way of the State Lands Commission have been considered. The acquisition is exempt from CEQA under Section 15313 as an acquisition of land for wildlife conservation purposes.

Assemblyman Hannigan thanked the Board for accommodating his schedule and that he was pleased and honored to be present today to support this project and encouraged the Board to make funds available to acquire this acreage. He reported that the central valley's wildlife habitat and wetlands along the flyway are disappearing at a dramatic rate, and thinks this proposal in some small way may offset that tragic trend. He commended staff and the Department of Fish and Game and other local, federal and state agencies, including some private businesses and nonprofit organizations for efforts on behalf of this project. Some ground work was already done in the legislature in anticipation of this acquisition. Last year he and Senator Garamendi, along with assistance from Assemblyman Isenberg, requested and were successful in the allocation of \$150,000 in Tobacco Tax revenues that are now available for the planning and development needs of the project. This is in addition to Federal Corps of Engineers monies obtained through the efforts of Congressman Fazio. He also carried a bill last year requesting the transfer of 400 acres of land along the Yolo Causeway from CalTrans to the Department of Fish and Game. This land is intended to be developed as a wildlife area, complimenting the nearby 3100 acre proposal. He again urged approval of this acquisition and thanked the Board for the opportunity to speak.

Mr. Schmidt noted that as Assemblyman Hannigan indicated, there was funding available from the Corps of Engineers for development in the future and this would be on a Federal 75 percent basis. The project itself would add to increasing wetland habitat in the area, as well as providing some habitat for threatened and endangered species. Mr. Schmidt reported that since the agenda was prepared, staff has applied for possible Federal Land and Water Conservation funds available in the amount of \$374,788. Mr. Schmidt noted that letters of support had been received from the Yolo County Board of Supervisors, Central Valley Habitat Joint Venture, Waterfowl Habitat Owners Alliance, Davis Audubon Society, Yolo Basin Foundation, Putah Creek Council, City of Davis, Sierra Club and the Defenders of Wildlife.

Staff recommended that the Board approve this purchase as proposed and subject to the confirmation of the acreage; allocate \$4,750,000.00 from the California Wildlife, Coastal and Park Land Conservation Fund of 1988 (P-70), Section 5907 (c)(1)(B) for the purchase price and related costs; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Ms. Robin Kulakow was present representing the Yolo County Board of Supervisors and the Yolo Basin Foundation. Ms. Kulakow read a letter that was approved by the Yolo County Board of Supervisors regarding the proposed sale of land in the Yolo Bypass owned by PG&E properties to the State of California. The Board of Supervisors supports and urges the Board to approve the acquisition. Ms. Kulakow also spoke in support of the acquisition as the Executive Director of the Yolo Basin Foundation.

Mr. McCracken 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. BONIADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE ACQUISITION OF THE YOLO BYPASS WILDLIFE AREA, YOLO COUNTY, INCLUDING THE AUTHORIZATION TO APPLY FOR AND RECEIVE REIMBURSEMENTS FROM FEDERAL LAND AND WATER CONSERVATION FUNDS WHICH MAY BE AVAILABLE, AS PROPOSED, SUBJECT TO CONFIRMATION OF ACREAGE; ALLOCATE \$4,750,000.00 FROM THE CALIFORNIA WILDLIFE, COASTAL AND PARK LAND CONSERVATION FUND OF 1988 (P-70), SECTION 5907 (c)(1)(B), TO COVER THE PURCHASE PRICE AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

MOTION CARRIED.

31. Other Business

- a. Consent Items. Items #10, 11, 12, 14 and 15, which were placed on consent at the completion of agenda item #9, were considered as one consent item at this time.

IT WAS MOVED BY MR. BONIADELLI THAT THE WILDLIFE CONSERVATION BOARD APPROVE ITEMS #10, 11, 12, 14 & 15 AS PROPOSED IN THE INDIVIDUAL AGENDA EXPLANATIONS, INCLUDING FUNDING AS NOTED THEREIN.

MOTION CARRIED.

- b. Resolutions Honoring Robert Bryant and Assemblyman Norman Waters

Mr. Schmidt submitted and read the following resolutions for enactment by the Wildlife Conservation Board.

Robert Bryant

WHEREAS, Mr. Robert A. Bryant's term as Chairman of the Wildlife Conservation Board and President of the Fish and Game Commission expired on January 15, 1991; and

WHEREAS, Mr. Bryant, as a rancher, hunter and concerned conservationist showed a genuine concern for California's wildlife and their habitats and as such served the Board exceedingly well in his capacity as Chairman and as an interested and concerned citizen; and

WHEREAS, Mr. Bryant's sound judgment, coupled with his outdoor interests, have greatly helped the Board and staff in carrying out its duties and responsibilities and gained him the respect of those who have worked with him; and

WHEREAS, It is the desire of the Board to gratefully acknowledge his contributions to the work of the Board; now, therefore be it

RESOLVED, That we, the members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee, and the Board staff express our appreciation to Mr. Bryant for his leadership, guidance, and interest in the work of the Board during his term as Chairman; and be it further

RESOLVED, That this resolution be made a part of the official minutes of the Board and that a copy be furnished Mr. Bryant.

Assemblyman Norman Waters

WHEREAS, Assemblyman Norman S. Waters has left the State Assembly to return to his "private life" as a California rancher; and

WHEREAS, Assemblyman Waters has served with distinction as an active Member of the Joint Legislative Advisory Committee of the Wildlife Conservation Board; and

WHEREAS, through his knowledge and interest in wildlife matters he has furthered the objectives of the Wildlife Conservation Board and the welfare of the wildlife resources of the State; and

WHEREAS, Assemblyman "Norm" Waters' sound judgment, wise counsel, and leadership, drawn from a long career in the California State Assembly will be missed by the many people associated with the work of the Board; now, therefore, be it

RESOLVED, that we, the members of the Wildlife Conservation Board, the Joint Legislative Advisory Committee, and the Board staff convey to Assemblyman Waters our sincere appreciation for his noteworthy contributions to the Wildlife Conservation Board and extend to him our very best wishes for the future, and be it further

RESOLVED, that this resolution be made a part of the official minutes of this Board and that a copy of this resolution be furnished to Assemblyman Waters.

IT WAS MOVED BY MR. BONTADELLI THAT THE FOREGOING RESOLUTIONS BE ADOPTED BY THE WILDLIFE CONSERVATION BOARD AND THAT A SUITABLE COPY BE PROVIDED TO MR. BRYANT AND ASSEMBLYMAN NORMAN WATERS.

MOTION CARRIED.

There being no further business to consider, the meeting was adjourned at 11:50 a.m. by Chairman McCracken.

Respectfully submitted,



W. John Schmidt  
Executive Director

PROGRAM STATEMENT

At the close of the meeting on February 13, 1991, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947 totaled \$276,269,977.21. 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, Cigarette and Tobacco Products Surtax Fund of 1988, California Wildlife Protection Act of 1990 and the Wildlife Restoration Fund.

a.	Fish Hatchery and Stocking Projects .....	\$16,005,271.06
b.	Fish Habitat Preservation, Development & Improvement .....	12,029,493.21
	1. Reservoir Construction or Improvement .	\$3,063,613.05
	2. Stream Clearance and Improvement .....	6,128,691.97
	3. Stream Flow Maintenance Dams .....	467,219.86
	4. Marine Habitat .....	646,619.07
	5. Fish Screens, Ladders and Weir Projects	1,723,349.26
c.	Fishing Access Projects .....	33,014,287.32
	1. Coastal and Bay .....	\$3,073,799.25
	2. River and Aqueduct Access .....	7,088,741.47
	3. Lake and Reservoir Access .....	6,213,600.84
	4. Piers .....	16,638,145.76
d.	Game Farm Projects .....	146,894.49
e.	Wildlife Habitat Acq., Development & Improvement Projects ..	207,487,663.64
	1. Wildlife Areas (General) .....	\$139,067,893.54
	2. Miscellaneous Wildlife Habitat Dev. ...	3,457,841.55
	3. Wildlife Areas/EcoReserves, (Threatened, Endangered or Unique Habitat) .....	64,961,928.55
f.	Hunting Access Projects .....	533,743.57
g.	Miscellaneous Projects .....	6,258,012.87
h.	Special Project Allocations .....	311,995.42
i.	Miscellaneous Public Access Projects .....	482,615.63

Total Allocated to Projects ..... \$276,269,977.21



DEPARTMENT OF TRANSPORTATION

BOX 7310  
SAN FRANCISCO, CA 94120  
(415) 923-4444



February 11, 1991

RECEIVED BY  
Wildlife Conservation Board  
FEB 19 1991

Georgia L. Lipphardt  
Wildlife Conservation Board  
Department of Fish and Game  
1416 Ninth Street  
Sacramento, CA 95814

Dear Ms. Lipphardt:

The Department of Transportation has learned that your department along with four other agencies, are in the process of acquiring 131 acres of land from the Marathon US Realities, Inc. in Alameda County. This land lies west of the Southern Pacific Railroad property and east of the 150' wide parcel originally purchased by the City of Hayward for a future Route 61.

Studies are underway on the Route 61/880 Transportation Corridor. This Study is a demonstration project included in the 1987 Federal Surface Transportation Act. Attached for your information is a copy of the Notice of Preparation and invitation to the scoping meeting sent to your department and other affected agencies. The original Scoping meetings had been scheduled for October, 1989. Due to the earthquake, these meetings were rescheduled for February 8, 13, and 21 of 1990 in the cities of San Leandro, Fremont and Newark respectively.

The Route 61/880 Corridor study is to develop and evaluate alternatives to alleviate congestion of I-880 and to improve access to the Oakland Airport and Alameda Island. The study will extend from I-80 in Oakland to Route 237 in San Jose. The two corridors under consideration are the existing I-880 corridor and along the existing SPRR corridor between I-880 and the Bay.

The Corridor study will evaluate the need, type and multimodal interface needed for a transportation corridor in the region. This will be circulated in an environmental document. The determination of a route adoption or route improvement will enable long range planning and corridor protection for a critical regional transportation need.

We recognize that Hayward's 150' wide parcel purchased for Rte. 61 is in a wetlands area and is an important parcel for contiguous park development. It would be prudent planning from both departmental perspectives to utilize the 150' parcel for park development and to provide for a transportation corridor adjacent to the existing SPRR corridor on the east side of the Marathon property. This is the only undeveloped area between the park and the

Page 2  
Georgia Lipphardt  
February 11, 1991

heavily developed residential area, the airport and a golf course. The shaded area shown on the attached map would provide for transportation needs for the region and the city's proposed circulation improvement as well as some land for wetland preservation. The park use of the total Marathon property would preclude the potential use for transportation needs identified by the city and the state at this time.

We thank you for your consideration and look forward to working with you to fulfill the responsibilities that both of our departments have to the public.

Sincerely yours,

PRESTON W. KELLEY  
District Director

By

*for Irene Itamura*  
LINCOLN CHU  
Deputy District Director

Attachments

cc: Georgia Shirilla  
US Fish and Wildlife Service

Elizabeth Riddle  
California Coastal Conservancy

Robert Doyle  
East Bay Regional Park District

Dennis Fay  
Alameda County

Maxine Turner  
Hayward Area Shoreline  
Planning Agency

Ora Loma Sanitary District

James Christian  
Marathon US Realities, Inc.

Mayor Michael Sweeney  
City of Hayward

Irene Itamura  
Caltrans

John McCallum  
Metropolitan Transportation Commission

Hayward City Manager

## Memorandum


To : Mr. John Schmidt, Executive Officer  
Wildlife Conservation Board

Date : February 13, 1991

From : Department of Fish and Game

Subject: State Biological Opinion on Proposed Construction Project at Upper Butte Sink  
Wildlife Area

For your information, attached is the Biological Opinion resulting from the Department's internal consultation regarding construction activities at the Upper Butte Sink Wildlife Area. Additional consultation will be completed based on specific design features of future projects.

  
Pete Bontadelli  
Director

Attachment

## STATE BIOLOGICAL OPINION

February 10, 1991

## UPPER BUTTE SINK WILDLIFE AREA WATER DELIVERY SYSTEM

Summary

The Department of Fish and Game proposes to carry out construction activities at its Upper Butte Sink Wildlife Area, Butte Co., California pursuant to ongoing planning and management for the area. Because these activities pose potential impacts to several species listed as threatened or endangered by the California Fish and Game Commission and by the U. S. Fish and Wildlife Service, the Department is required to conduct an internal consultation and to coordinate with the appropriate federal agencies.

Attached to this Opinion is an analysis by the Fish and Wildlife Service regarding the potential impact of the proposed construction on federally listed species. Their conclusion is that the proposed development is not anticipated to result in any adverse effects to federally listed species. The following Biological Opinion addresses species listed as threatened or endangered by the Fish and Game Commission that may be impacted by the proposed project. This Opinion discusses potential impacts to three State listed threatened species, the Greater Sandhill Crane, Swainson's Hawk and Giant Garter Snake.

It is our opinion that the proposed construction project will not jeopardize the continued existence of any State-listed threatened or endangered species as long as certain conditions are met.

Project Description

The proposed project is designed to improve the gravity-flow water system (in the 100 Drain) of the Wildlife Area to allow winter-time water delivery without danger of excessive flooding. Currently, the system consists of a series of five flashboard dams. Specifically, the construction will:

- 1) Modify an existing check structure in the 100 Drain. A flashboard dam near the confluence of Little Dry Creek and the drain will be retrofitted with an upstream constant level radial gate. One foot in elevation will be added to the dam to increase flexibility for possible future water management improvements. Water levels in the ditch will be held about the same as in the past, but the expense of operation will be considerably reduced.
- 2) Increase the height and width on 4,400 feet of levee along the east side of the existing ditch by an average of three feet and four feet, respectively. This will allow

easier vehicular access to the ditch and will allow an increase in water level if future projects warrant. This levee was maintained free of riparian vegetation by past operations, and is presently covered with grass and weeds.

### Listed Species

State listed species that are known to, or may occur on the Upper Butte Sink Wildlife Area include: Western Yellow-billed Cuckoo (threatened), Willow Flycatcher (endangered), Bald Eagle (endangered), American Peregrine Falcon (endangered), Swainson's Hawk (threatened), California Black Rail (threatened), Greater Sandhill Crane (threatened) and Giant Garter Snake (threatened). Of these, only three listed species are potentially impacted by the proposed project.

#### Greater Sandhill Crane

Greater Sandhill Cranes (Grus canadensis tabida) nest in northeastern California and winter in the Central Valley. The Butte Sink is critical to the entire Pacific Flyway wintering population which is currently estimated at around 5,000 to 6,000 birds. The Upper Butte Sink Wildlife Area supports a large component of this population and its significance was a major factor in the area's acquisition. Control of water on the Wildlife Area will be important in developing and implementing a management plan for sandhill cranes and will enhance the ability to provide consistent water levels for roosting and irrigation for crane food crops.

Based on implementation of the following conditions, the Department does not anticipate that the proposed construction project will result in any incidental take of Greater Sandhill Cranes nor will it jeopardize the continued existence of this species.

- 1) Construction activities shall be carried out at a time of the year when Greater Sandhill Cranes are absent from the area. This timeframe shall be the same as that identified for the Giant Garter Snake (see below).
- 2) Maintenance activities associated with the project, including maintenance of the control gate after construction, shall be carried out in such a manner as to alleviate or effectively minimize any disturbance to cranes during the period that they utilize the area.

#### Swainson's Hawk

The Swainson's Hawk (Buteo swainsoni) breeds in the western United States and winters in South America. In California it has been reduced to a remnant of its historical range. Populations



currently center in the Central Valley and in the northeastern portion of the State. There is currently no known Swainson's Hawk nesting territory within over one-half mile of the project site. Effective control of water movement on the Wildlife Area will, over time, provide for enhancement of riparian habitat which will in turn, provide improved habitat conditions for the Swainson's Hawk.

Based on implementation of the following conditions, it is not anticipated that the proposed construction will result in any incidental take nor will it result in jeopardy to this species.

- 1) A survey shall be conducted prior to construction activity to determine whether a new breeding territory has been established within a one-half mile radius of the project site.
- 2) If it is determined that a territory has been established within a one-half mile radius, an analysis of the potential impact of the project on that territory shall be conducted by a biologist knowledgeable of Swainson's Hawk ecology, in consultation with Department headquarters staff. If this analysis determines that the territory will be jeopardized by construction activities, such activities shall be delayed until any young that have been produced have fledged or it has been determined that the nesting attempt has failed.

#### Giant Garter Snake

The Giant Garter Snake (Thamnophis couchi gigas) is a primarily aquatic snake known to occur on the Upper Butte Sink Wildlife Area. This species requires relatively stable water conditions with aquatic and associated terrestrial vegetation. Its primary periods of activity occur during the warmer months from spring to early fall. It hibernates during periods of cold weather and is especially vulnerable to earth moving activities at this time.

Better control of the water delivery system on the area will ultimately result in more stable and improved habitat conditions for the garter snake. Based on implementation of the following conditions, it is not anticipated that the proposed project will result in any incidental take of the Giant Garter Snake nor will it jeopardize the continued existence of the species.


- 1) Surveys will be conducted between April 1 and May 1 to determine if Giant Garter Snakes occur on the project site.
- 2) If snakes are found, every attempt will be made to capture and move them to adjacent known habitat, preferably within the same watercourse. If capture is not feasible, then snakes will be provided opportunity, through coordination of construction actions, to escape the area prior to earthmoving activities.

3) Construction activities shall be limited to the period between May 1 and October 1 to avoid impact to hibernating snakes.

4) The levee on only one side of the 100 Drain will be improved at this time. Materials for widening and increasing the height of the levee will be taken from the field side and not the water side of the drain. In addition, the drain will not be entirely de-watered. This will minimize destruction of possible existing habitat and ensure nearby escape cover (see #2 above).

#### Conclusion

The Department has concluded that if the conditions of this Biological Opinion are implemented, the proposed construction project at the Upper Butte Sink Wildlife Area will not jeopardize any State-listed threatened or endangered species. If there are any changes in the current proposal or if, at any time a documented impact resulting directly from construction activities occurs, consultation under the California Endangered Species Act must be reinitiated.



Pete Bontadelli  
Director



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Fish and Wildlife Enhancement  
Sacramento Field Office  
2800 Cottage Way, Room Z-1803  
Sacramento, California 95823-1846

In Reply Refer To:  
1-1-91-1-244

February 4, 1991

### Memorandum

To: Assistant Regional Director, Refuges and Wildlife Resources  
Portland, Oregon (ARW) Attn: Dick Bauer

From: Field Supervisor, Sacramento Field Office  
Sacramento, California (SFO)

Subject: Mitchell Bill Funding - Traction Tract, Mendota Wildlife Area,  
and Butte Sink, California

This responds to Mr. Dick Bauer's February 1, 1991, request for concerns regarding federally listed species potentially found in two areas for which funding is being sought for wetland restoration/creation work. We understand that this is a new effort and that your office is attempting to expedite processing of the two applications addressed in this response to insure that they will be funded. You, therefore, requested that my office assist you by identifying listed species concerns. The intra-Service consultation procedures established in the Regional Director's April 5, 1989, memorandum will be followed to address listed and proposed species issues when processing future applications.

### Butte Sink Site

#### Potential Species:

Aleutian Canada goose, *Branta canadensis leucoparsia* (T)  
bald eagle, *Haliaeetus leucocephalus* (E)  
American peregrine falcon, *Falco peregrinus anatum* (E)  
valley elderberry longhorn beetle, *Desmoceris californicus dimorphus* (T)

We do not anticipate any adverse affects to listed species from wetland restoration work done at the Butte Sink site. This area is currently in rice production and, therefore, does not provide habitat for listed species permanently or seasonally found in the area. Efforts to restore native wetland values would benefit federally listed species including the bald eagle, the Aleutian Canada goose, and potentially the threatened valley elderberry longhorn beetle, if elderberries are incorporated into any future riparian planting plan.

Traction Tract

## Potential Species:

San Joaquin kit fox, *Vulpes macrotis mutica* (E)  
blunt-nosed leopard lizard, *Gambelia silus* (E)

We understand that this site was in best production until approximately 1 1/2 years ago. It was disced after harvesting and has lain fallow. An endangered San Joaquin kit fox was sighted in the vicinity. We anticipate that this species may utilize the approximately 375 acres of upland habitat established as part of this project. They may also inhabit the seasonally flooded areas after the water is drained in the spring. Habitat conditions in these restored area would provide greater benefits to San Joaquin kit fox, and potentially other listed species, than the best field.

However, we have some concerns about adverse impacts that could result during wetland habitat construction and subsequent management of the site. Fallow fields are frequently re-inhabited by kit fox and used for denning and foraging. We have been advised that because of the drought vegetation upon which rodents and insects, prey of the kit fox, are dependant, has not become well re-established. However, the potential remains for kit fox to be denning on the site. We, therefore, recommend that the site be surveyed for kit fox inhabited dens prior to any earth moving work occurring. We understand that the Mendota Wildlife Area Manager is willing to undertake this task. We further request that the Service have an opportunity to review the wetland management plan before it is implemented. The plan should include provisions to survey for kit fox, and other listed species that may re-inhabit the area, prior to seasonal flooding and future use of farm equipment for habitat management (discing, plowing, tilling, etc.). The plan should also address any measures for rodent control anticipated. We recommend against the use of any baits for rodent control except for zinc phosphide.

I hope that this information assists your office in completing the environmental documentation for this effort. For questions concerning this response, please contact Paggie Kohl at (FTS) 460-4866.

Way S. R. R.