

Memorandum

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Date: December 2, 2013

To: Sonke Mastrup
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Agenda Item for the December 11, 2013 Fish and Game Commission meeting re: Fee Title acquisition for the Lake Earl Wildlife Area**

The Department is seeking Commission approval under Fish and Game Code section 1525(b) to approve the transfer of approximately 150 lots of the Pacific Shores subdivision from the Border Coast Regional Airport Authority (the JPA that operates the Del Norte County Airport) to the Department as an addition to the Lake Earl Wildlife Area. The Del Norte County Airport (Airport) is expanding, and under the coastal development permit issued by the Coastal Commission, the Airport is required to purchase mitigation properties within the Pacific Shores subdivision and protect them in perpetuity by transferring them to the Department by April of 2014.

Fish and Game Code section 1525(b) authorizes the Commission to approve the Department of Fish and Wildlife's (Department) acquisition of property suitable for game farms, wildlife management areas, or public shooting grounds. The Department and Commission have not used this procedure recently, but instead have been relying on the Wildlife Conservation Board's (WCB) authority to approve the Department's acquisition of real property under Fish and Game Code section 1348.

The Department desires to own these properties and to manage them as part of the Lake Earl Wildlife Area, but given Department land acquisition procedures through WCB, this timeline is infeasible. The Department proposes a Commission authorization under section 1525 to satisfy the conditions of the Coastal Commission permit.

Approval by the Commission under section 1525 is requested because (1) it can occur in a timely manner to move the mitigation acquisition forward, (2) it indicates that the Department is willing and able to move forward with the acquisitions and gives WCB the time it needs to complete the real estate transactions, and

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(3) the properties will be owned by the Department and managed as part of the Lake Earl Wildlife Area, which is consistent with Commission approval of Department land acquisitions under section 1525(b).

Should you have further questions, please contact Thomas Gibson, our General Counsel at (916) 654-5295 or at Thomas.gibson@wildlife.ca.gov.

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