

WILDLIFE CONSERVATION BOARD  
STATE OF CALIFORNIA  
MINUTES, MEETING OF APRIL 22, 1949

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Pursuant to the call of the Chairman, the Wildlife Conservation Board met in the Board Room of the Public Works Building, Sacramento, on April 22, 1949. The meeting was called to order by Chairman Silva at 10:45 A.M.

PRESENT:	Wm. J. Silva	Chairman
	James S. Dean	Member
	E. L. Macaulay	Member
	Senator George J. Hatfield	Joint Interim Committee
	Assemblyman Thomas M. Erwin	" " "
	Assemblyman Lloyd W. Lowrey	" " "
	Assemblyman S. L. Heisinger	" " "
	Seth Gordon	Consultant
	Everett E. Horn	Special Consultant
	C. R. Knight, Jr.	Field Agent
ABSENT:	Senator Ralph E. Swing	Joint Interim Committee
	Senator Ben Hulse	" " "

The following persons were present and participated in the deliberations as required:

General Warren T. Hannum	Director of Natural Resources
D. H. Blood	Deputy Director-Comptroller
Ralph W. Scott	Deputy Attorney General
Lloyd Henrikson	Department of Finance
Ben Glading	Bureau of Game Conservation
R. E. Curtis	" " " "
Fred P. Cronemiller	U. S. Forest Service
Everett A. Pesonen	U. S. Bureau of Reclamation
Virg Nover	Southern Council of Conservation Clubs
Rudy Hickey	Sacramento Bee

1. Amendment to Minutes

It was regularly moved and seconded by the Members of the Board that Item 10, Action re Waterfowl Projects, in the minutes of the Board meeting of March 19, 1949, be amended to add the words "Public Law 534" after the words "Lea Act" in line 11 of the third paragraph and line 10 of the fifth paragraph on page 8 of said minutes. Passed unanimously.

2. Approval of Minutes

Moved by Mr. Dean, seconded by Mr. Macaulay, that the minutes of the Wildlife Conservation Board meeting of March 19, 1949, be approved as amended. Passed unanimously.

3. Ratification of Action Taken March 19, 1949

Senator Hatfield suggested that, since it had been brought out by members of the Attorney General's and Legislative Counsel's staffs that only Members of the Board were empowered to originate and pass motions authorizing expenditures from the Wildlife Restoration Fund, the Members of the Board at this time pass motions ratifying, approving, and confirming all actions taken at the meeting of March 19, 1949.

Moved by Mr. Dean, seconded by Mr. Macaulay, that the Members of the Wildlife Conservation Board do hereby ratify, approve, and confirm all actions taken at the Board meeting of March 19, 1949. Passed unanimously.

4. Date for Field Trip to Inspect Sites for Fish Screens and Ladders

Saturday, May 7, 1949, was agreed upon as the date for a field trip for the Members of the Board and the Joint Interim Committee to inspect sites for some of the more important fish screen and ladder projects. Senator Hatfield requested that Senators Swing and Hulse be sent a notice advising them that this date had been set.

Assemblyman Erwin mentioned that there was legislation pending on fish screens and that they would have to be installed right at the river's entrance in order to gain approval.

5. Consultant's Progress Report

Mr. Gordon briefly reviewed recent actions of the Board, stating that allocations under the revised approval of Item 245 of the 1947-48 Budget Bill, totaling \$726,225, had materially improved and expanded the physical plant of the Fish and Game Commission. He said that many of the projects are practically completed and others will be finished in the near future. On those not yet underway, further studies, including clearance of planning and engineering details, are being advanced as rapidly as possible. He also summarized what had been accomplished at the major installations included in this item.

Other allocations approved by the Board at their meeting of March 19, were \$1,393,700 for an expanded and radically revamped fish hatchery system and \$2,380,436 for key waterfowl projects. These, together with the amount included in the revised approval of Item 245, make a grand total of \$4,500,361 so far allocated to specific projects.

The Fish and Game Commission was provided with certified excerpts of the minutes of this meeting and at its April 8 meeting adopted a policy of using the services of the State Public Works Board in the acquisition of lands for which funds may be provided by the Wildlife Conservation Board. The Commission also authorized the acquisition of land, erection of buildings and purchase of equipment for the waterfowl management project on Lower Butte Creek, for which the Board made available \$537,036. This project will be managed in conjunction with the existing Gray Lodge Refuge and will provide land for raising badly needed waterfowl food to relieve crop damage and also furnish desirable managed hunting grounds for the public.

Action of the Commission on other waterfowl projects was deferred, pending further conferences with U. S. Fish and Wildlife officials regarding which of certain alternate areas each agency shall acquire.

With regard to the possible effect of the 160-acre water limitation on State and Federal projects, Mr. Gordon quoted a letter written to the Executive Officer of the Fish and Game Commission by Mr. R. S. Calland, Acting Regional Director of the Bureau of Reclamation at Sacramento, advising that it was the opinion of the Regional Counsel of the Bureau that "lands purchased by the State for refuge or management area purposes are not lands in private ownership and therefore not covered by the excess land limitation provisions." (Senator Hatfield requested that Members of the Interim Committee be furnished with a copy of Mr. Calland's letter.)

Mr. Gordon stated that the wisdom of revamping the Mt. Shasta Hatchery had been questioned, especially since certain parasitic and disease problems are causing concern. Certain persons held that fingerlings needed for the high mountain lakes in the region might better be supplied by other new warmwater plants. However, special consultants who examined this installation agreed that the parasites could be eliminated by sterilization or by piping the water supply directly to the hatchery from the springs. They also agreed that the need for fingerlings in nearby high mountain waters justified the modernization of this plant. Fish culturists generally agree that trout fingerlings raised in comparatively warm water should not be stocked in the colder waters of high mountain lakes.

Mr. Gordon said that inquiry has been made as to whether an allocation of funds by the Board constitutes a mandate for the Fish and Game Commission to proceed with the acquisition of property and the construction of all projects for which funds have been provided. He stated that, according to decisions of the Attorney General, it is not mandatory that the Commission proceed with an installation unless it and its staff are satisfied that it would be a properly located, efficient plant, and essential to the long-term program. He further stated that an allocation of funds should not be construed as a mandate to the Commission, since it was probable that some projects recommended and funds allocated will upon further study be deemed impracticable for one reason or another, and in that event re-allocations would be recommended. An expression of opinion by the Board and Joint Interim Committee on this matter was requested.

*Funds allocation*

General discussion ensued regarding this question and it was decided that it should be considered further at the next meeting of the Board.

With reference to further studies underway, Mr. Gordon observed that at the January 24 meeting the Board approved completion of arrangements for a study of coastal angling problems to be made by some qualified person and reported that Dr. W. I. Follett of the California Academy of Sciences had tentatively agreed to make this study. The Consultant presented several maps showing sections of the coastline available to the public at all times, and those which provide good angling but are now unavailable or inaccessible except to a limited few.

He stated that Mr. Milo Bell of Westminster, B. C., Chief Engineer of the International Pacific Salmon Fisheries Commission, had agreed to make a

study of sites for proposed large diversion ditch screens and ladders late in May or early in June.

Special consultants are scheduled to return to complete their studies as follows: Dr. Arthur Einarsen (pheasants, quail, etc.) - approximately two or three weeks in May; Dr. D. I. Rasmussen (deer and other big game) - approximately two weeks in May; Dr. R. W. Eschmeyer (warmwater fishes) - the month of June; and Dr. A. S. Hazzard (trout) - approximately one month, beginning July 20.

Mr. Gordon drew the Board's attention to the fact that in the report submitted by Mr. Horn at the March meeting, conclusions were presented concerning a number of small projects upon which no action has been taken, and stated that it was felt that unless additional funds became available later, no waterfowl units of less than 2,000 acres should be included as part of the State's future program.

## 6. Additional Projects

### (a) Recommendations on Manner of Handling Fish Screen, Flow Maintenance and Other Projects Requiring Engineering Studies and Plans

The Consultant recommended that on the widely scattered fish screen, flow maintenance, and other similar projects requiring engineering studies and plans, the projects, after preliminary study, first be approved from the standpoint of feasibility, and that the engineering studies, plans, etc. be made later. He said that it was planned to bring in round estimates on flow maintenance projects by watersheds and by units in the National Forests. The Board concurred in this recommendation.

### (b) Recommended Cow Mountain Deer Range Project

Mr. Gordon presented for the consideration of the Board and Joint Interim Committee the first recommended big game project, entitled the Cow Mountain Deer Range Project. This would entail the acquisition of 50,000 acres of land in Lake, Sonoma and Mendocino Counties, now owned by the State Lands Commission, which could by special legislation be purchased for \$1 per acre, and three additional 160-acre parcels of privately owned access lands at an approximate price of \$12,000, making the total acquisition cost approximately \$62,000.

In response to questions as to operation of the project, Mr. Gordon stated that it was planned primarily as a public hunting ground, with no revenue whatsoever; that the maintenance would be very small, the only expenditures outside of acquisition costs being for policing and access roads.

General discussion followed regarding this project and it was agreed that it should be held over until the next Board meeting, which Senator Busch, Assemblymen Crowley and Way, officials of the counties concerned and local sportsmen, representatives of the State Lands Commission (whom Mr. Dean said he would invite personally), the press and other interested individuals would be invited to attend. Copies of the project are to be submitted to all concerned for advance study.

Mr. Silva requested that the Chairmen of the Senate and Assembly Fish and Game Committees be asked to explore satisfactory legislation for the \$1 per acre purchase price, and inform the Board of their findings at the next meeting.

(c) Recommended Key Waterfowl Area (No. 6)

Mr. Gordon next presented for consideration the sixth of the key waterfowl units recommended by Special Consultant Everett Horn and Roland Curtis of the Bureau of Game Conservation. He said that through rather fortuitous circumstances about 8600 acres of very desirable land have become available to the Board in the Delta Region, a chance of a lifetime which should not be passed up.

Mr. Horn then reported in detail on the recommended project. He stated that in his report submitted at the March meeting the need for an additional area in the Delta of the Sacramento-San Joaquin Rivers had been brought out. He thought that the soils of the area recommended were the best of any area so far proposed. It was also strategically located to replace some of the lost waterfowl habitat and to meet the three-way requirement of benefit to waterfowl, crop protection, and public shooting. The asking price for this property is \$1,000,000, which includes the irrigating system and other improvements thereon, and one-half of the mineral, gas and oil rights. The estimated cost of equipment and buildings would be \$148,000. Operating cost was estimated at \$40,000 to \$45,000 per year, and the minimum income from shooters (200 to 500) at \$16,000, the maximum, \$40,000 per year. Further annual revenue (\$4300) would be derived from half of the income from an oil company lease, plus half of the 15% royalty should any wells be sunk and gas or oil developed. Mr. Horn reiterated that this was the chance of a lifetime, and said that he felt the land was more apt to increase than decrease in price.

He also reported that the survey was continuing and that several other areas worthy of consideration had been found. One of these was along San Antonio Creek, Camp Cooke; another on Morro Bay, which would be useful in taking care of black brant; another takes in some of the rivers in that area; and another small parcel adjacent to the Suisun Refuge. It probably will not be possible to survey proposed areas in the northeastern part of the State until June 1.

Mr. Gordon, in summation, reminded the Board of studies being made in Kern County. He stated it would be more economical for the State to purchase well located lands in good condition, of known crop-producing capacity and water availability, which would require comparatively small capital outlays to condition them, than to purchase cheaper lands in the hope that they might eventually accomplish the desired objectives. He stated that the California waterfowl program has been entirely too long neglected, but is now being supported by the Federal Government in a way it has not been heretofore.

General discussion followed. Mr. Glading spoke on the subject of maintenance for projects and said that the Division of Fish and Game's operating costs had now reached a plateau. He said that if the proposed Delta Project were acquired it would eat up the balance of

maintenance funds available under the Pittman-Robertson Act, although there was a possibility that Congress might increase the present limitation on maintenance projects from 25 to 40%. Mr. Dean asked if taxes had been taken into consideration in figuring the operating costs of projects, and Mr. Glading replied that they had.

Senator Hatfield spoke on the lack of waterfowl areas in the San Joaquin Valley from the Los Banos Refuge in Merced County down to south of the Tehachapi Mountains. Assemblyman Heisinger concurred and suggested that perhaps some areas might be provided around Buena Vista or Tulare Lakes.

The Consultant pointed out that conditions in the south would probably be much improved this year with the joint development by the Division of Fish and Game and the U. S. Fish and Wildlife Service of the 24,000 acres in the Imperial Valley.

Assemblyman Erwin brought out the point that the food-producing potentialities of the recommended Delta Project were very good, and that because it had water it would be cheaper to maintain than projects lacking water. He suggested that perhaps one of the areas previously recommended could be cut out of the program in favor of this area. Mr. Gordon suggested that if the Board did not want to obligate itself for the Delta Project unless another area were traded off, the Upper Butte Creek project could be held in abeyance.

Mr. Dean asked the Consultant if the cost of the whole program was pretty well defined in his mind, and he replied that the maintenance cost of flow maintenance projects, quail guzzlers, etc. will not be very large. Also that remaining projects, outside of large screen installations, the central laboratory and in-service training camp, would not require large expenditures for capital outlay, and that he believed the balance of the important key projects could be pretty well taken care of with the remaining funds, but that many others of lesser importance would have to be deferred until additional funds become available for capital expenditures.

Mr. Virg Nover spoke as a representative of the Organized Sportsmen, stating that they viewed with alarm the pyramiding operating costs facing the Division of Fish and Game. He said that money in the Pittman-Robertson fund is derived from the sale of ammunition and that in poorer times the fund will be decreased. The only other source of revenue was from license sales, and increased maintenance would have to be met with increased fees. He concurred with Senator Hatfield and Assemblyman Heisinger that the waterfowl chain throughout the state should be completed, rather than efforts being concentrated in a few localities.

It was then agreed that this matter should be referred to the Fish and Game Commission for study and recommendations.

#### 7. Action Referring Question of Maintenance to Commission

Moved by Mr. Dean, seconded by Mr. Macaulay, that the Fish and Game Commission be requested to investigate the availability

and adequacy of maintenance funds for projects, recommending substitutions of key waterfowl areas if they deem this necessary, and report their findings and recommendations to the Board at the next meeting. Passed unanimously.

8. Public Works Board Authorized to Make Land Acquisitions

Mr. Dean questioned whether the Board had taken action to determine who would acquire the necessary land for projects and Mr. Gordon replied that this had been done at the March 19 meeting.

Senator Hatfield then suggested, in order that there be no question about it, that the Members of the Interim Committee recommend that the Board authorize the acquisition by the State Public Works Board of all properties for which allocations have been made. Members of the Interim Committee were polled and agreed unanimously with the recommendation.

Moved by Mr. Macaulay, seconded by Mr. Dean, that the Board does hereby authorize the State Public Works Board to acquire all properties for which the Board has previously allocated funds. Passed unanimously.

9. Date for Next Meeting

It was agreed to cancel the date of May 21, originally set at the January meeting for the next Board meeting, and to make the date of the next meeting subject to the call of the Chair.

There being no further business, meeting adjourned at 1:00 P.M.