

WILDLIFE CONSERVATION BOARD
STATE OF CALIFORNIA
MINUTES, MEETING OF DECEMBER 13, 1949

C O N T E N T S

<u>Item No.</u>		<u>Page No.</u>
1.	Approval of Minutes of Board Meeting of August 25, 1949.	1
2.	Commission Approval of Board's Project Allocations	1
3.	Balances in Tentative Reserves	2
4.	Agenda to Be Mailed to Members in Advance of Meetings.	2
5.	Consultant's Interim Report.	2-5
6.	Waterfowl Program, Discussion re	5-6
7.	Upper Butte Creek Waterfowl Management Area Held in Abeyance 60 Days .	6-7
8.	Lower Butte Creek Waterfowl Management Area, Recommendation re	7-8
9.	Southern California Projects Deferred to Next Board Meeting.	8
10.	Policy, Questions of	8
11.	Lower Klamath Waterfowl Refuge, Resolution re.	8-9
12.	Project Recommendations.	9
	a. Hatchery Program	
	1. Mojave River Hatchery, Additional Allocation for	9-12
	2. Whittier Hatchery, Allocation for.	9-12
	b. Screen and Ladder Projects	
	1. Glenn-Colusa Canal Screen, Allocation for.	12-13
	2. Smaller Fish Screens, Ladders; Spawning Bed Improvements . . .	13-15
	a. Battle Creek Screen, Allocation for	14-15
	b. Mill Creek Screens, and Spawning Bed and Stream Improvements on the Tuolumne, Stanislaus and Merced Rivers, Joint Interim Committee's Recommendation re.	15-16
	c. Canyon Creek Fish Ladder, Allocation for	16-17
13.	Maintenance Fund, Consideration Deferred.	17-18
14.	Assemblyman S. L. Heisinger, Resolutions Regarding the Death of	18
15.	Consultant's Contract Extended	18-19
16.	Date for Next Board Meeting	19
17.	Retiring Chairman's Appreciation.	19

WILDLIFE CONSERVATION BOARD
STATE OF CALIFORNIA
MINUTES, MEETING OF DECEMBER 13, 1949

Pursuant to the call of the Chairman, the Wildlife Conservation Board met in Room 531 of the Library and Courts Building, Sacramento, on December 13, 1949. The meeting was called to order by Chairman Silva at 2:20 P.M.

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

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

Hon. Louis G. Sutton	Member of the Senate
Hon. George Miller, Jr.	" " " "
General Warren T. Hannum	Director of Natural Resources
Ben Glading	Bureau of Game Conservation
R. E. Curtis	" " " "
D. H. Fry	Bureau of Marine Fisheries
R. E. Reedy	Administrative Assistant, Division of Fish and Game
Kramer Adams	Public Information Officer
C. S. Hulen	Gridley Farm Bureau
Seth Millington	Attorney, Gridley
Clay McGowan	President, Butte Creek Farmers Assn.
George Difani	Organized Sportsmen of California

Numerous representatives of the press, sportsmen's groups, and others, were also in attendance.

1. Approval of Minutes

It was regularly moved and seconded that the reading of the minutes of the Wildlife Conservation Board meeting of August 25, 1949, be dispensed with and said minutes approved as written. Passed unanimously.

2. Commission Approval of Board's Project Allocations

Mr. Gordon informed the Board for the record that the Fish and Game Commission has approved all project allocations made by the Board to date.

3. Balances in Tentative Reserves

The consultant further informed the Board that at the conclusion of the meeting of August 25, when the Board allocated a total of \$1,399,650, the balances remaining in the several Tentative Reserves were as follows:

- (a) Quail Habitat Development and Improvement None
- (b) Other Game Projects (Balance from Owens Valley Estimate). \$73,850
- (c) Flow Maintenance and Stream Improvement Projects. 384,000
- (d) Other Fish Projects, including warmwater fishes 199,000
- (e) Screen and Ladder Projects. 316,000
- (f) Reserve for all other projects, including operations. 220,500

TOTAL \$1,193,350

In reply to Assemblyman Lowrey's question, the consultant affirmed that the above was the total available for project allocations.

4. Agenda

Assemblyman Lowrey requested that the agenda be mailed to the members of the Board and the Joint Interim Committee in advance of meetings so that they might have an opportunity to study the various items to be considered. Chairman Silva agreed that this would be desirable and shall be done in the future.

Mr. Dean suggested that any items on the agenda which the members of the Board or Committee were not prepared to act on be deferred to the next meeting.

5. Consultant's Interim Report

Mr. Gordon presented an interim report covering the progress of the statewide study of wildlife needs. He stated that a complete report presenting the composite findings and recommendations of himself and the special consultants was being compiled.

The consultant advised the Board that due to the exigencies of the situation it was necessary to concentrate upon the most urgent needs first, and to make allocations on the basis of the best estimates available without waiting for engineering, architectural, and appraisal studies; an effort was made to select for recommendation only those projects deemed to be of statewide importance, with due consideration for fish and game needs in each section of the state.

The consultant cited numerous questions of policy, and suggested the Board consider them and make determinations so that final planning may be patterned accordingly.

He reported that one of the biggest difficulties encountered was to find worthy projects in southern California, largely because of the dearth of water supplies suitable for the purpose. Only recently additional projects were received from that region.

The consultant presented the following information with regard to the hatchery program: When new installations as recommended are completed capacity production of catchable trout will be boosted from 4,652,000 to almost 15,000,000 annually, while production of fingerlings will be reduced from 22,000,000 to 10,454,000. Total weight of both catchable fish and fingerlings will be jumped from 429,000 lbs. to an estimated 1,165,000 lbs. On the basis of 1947-48 figures, maximum production operating costs for the 21 hatcheries under the new program are estimated to be about \$827,000, an increase of approximately \$445,000 above present expenditures.

He informed the Board that some of the special consultants questioned the wisdom of expanding hatchery facilities to a point where there might not be sufficient funds to operate them at capacity. They pointed out that if the same funds were expended for extensive habitat improvements, such as flow maintenance dams, screens, fishways, etc., the overall long-term benefits would be greater for the money invested. (The belief was expressed that the Dingell Bill, recently vetoed by the President, will later succeed in passage and provide funds for continued habitat work.) They also felt that if anglers insist upon enjoying "put-and-take" fishing it may later be necessary to set aside special streams and lakes for heavy stocking and collect a daily use fee to help defray the cost.

Mr. Gordon stated that overcrowding is the ever-present threat to success at most fish hatcheries, that food constitutes the largest single item of expenditure, and, if it should develop that funds are not available to operate all proposed fish hatcheries at optimum capacity, the plants can be operated efficiently on whatever level funds may permit. He held that it is good business to construct properly located plants of sufficient size now to meet the demands in the foreseeable future, rather than to undertake this expansion program on a piecemeal basis.

He expressed the hope that the Legislature may see fit to continue appropriations from the Pari-Mutuel Fund for fish and game purposes, and especially to provide sustaining or operating funds to help assure maximum results from the capital investments made through the present appropriations.

With regard to the waterfowl program, the consultant reported the sentiments expressed at the Board's December 1 hearing clearly indicate that the public is generally in favor of the authorized program, the opposition apparently centering around the proposed Upper Butte Creek unit. On the basis of testimony presented at the hearing it is apparent that the land originally selected might cost considerably more than the State could justify, and that where it can possibly be avoided people should not be seriously discommoded.

Mr. Gordon stated the entire study was approached in an impartial, impersonal manner, to develop a long-range program that would accomplish the desired objectives. He emphasized the fact that the Lea Act, on which the Federal and State cooperative program to relieve crop depredations, as well as provide public hunting and benefit waterfowl, was based, had been strongly supported by farm leaders. The key units of the Board's waterfowl program were carefully studied as to soils, assessed values, and water availability by the representatives of the cooperating agencies before being recommended to the Board.

The consultant explained that very little of the 163,000 acres dedicated to public waterfowl units in California is under State management, and very

little of that acreage is of value for feeding purposes.

Attention was drawn to the fact that various statements made at the December 1 hearing by opponents of the Upper Butte Project were not sustained by County Court House records, which show that the assessed value of improvements actually existing within the boundaries of the proposed Upper Butte unit aggregate only \$2,480, and that there is actually one regularly occupied home within said boundaries, which with outbuildings is assessed at \$1,280. A later question from Chairman Silva brought out the fact that a nearby rice drier is not on lands assessed to the owners of the land desired for the project.

The consultant advised that other sections of the state are clamoring for the funds allocated for Upper Butte, and if the citizens in that region don't want the project the funds could be spent on smaller Group I projects throughout the state.

In view of the testimony presented, he recommended that the funds set up for the Upper Butte Creek Project (\$710,000 for land, buildings, equipment, etc.) be left standing for the present; that the State Public Works Board be requested to withhold action on the lands designated; and that full advantage be taken of the offer of interested landowners, sportsmen and others to aid in locating an alternate area which would serve the purpose equally well, and save funds.

The Board was informed that the improved boundaries for the expansion of the Gray Lodge Refuge (Lower Butte Creek Project), as already agreed upon, are believed to be the minimum that can be justified in that location. Should it later be found that establishment of a management unit in the Upper Butte region must be abandoned for reasons beyond the Board's control, then it may become essential to increase the size of the Lower Butte Project to a larger acreage than planned.

The consultant reported that in the case of the Los Banos Project (Lower San Joaquin), further studies indicate that it would be wise to utilize lands adjacent to the present refuge, lying west of Salt Slough, most undeveloped, rather than to pay the high prices required to obtain conditioned lands in the location originally selected. He stated this can be handled in the manner approved at a previous meeting.

No change was recommended in the area originally suggested for the Madera Project. However, actual purchases there should be delayed until the Los Banos unit is assured.

No change was recommended in the lines of the Tupman Unit (Upper San Joaquin).

It was recommended that the Public Works Board be urged to proceed as rapidly as possible to complete the purchase of the Delta Project (Grizzly Island), to which no objections have arisen.

The hope was expressed that the purchase of the essential lands for the basic program agreed upon may be pursued to a successful conclusion with the funds now available. The Board was advised that it would be unwise to eliminate any considerable portion of the program in the hope that it might later be undertaken on a comparable scale of effectiveness; and that postponing action will merely cause more grief later.

In closing, the consultant drew attention to the success of the Cooperative Hunting Plan inaugurated this year, in the development of which members of the Board's staff collaborated with the Fish and Game Commission and the organized sportsmen. He predicted that the acreage involved would soon double and the number of happy and cooperative landowners and hunters increased accordingly.

6. Discussion re Waterfowl Program

Mr. C. S. Hulen, Gridley Farm Bureau, asked if the appraised value of the Upper Butte Creek Project as mentioned in the consultant's report was based on the re-appraisals made in Butte County. In reply to Chairman Silva's question, he stated the County was still in the process of making re-appraisals. Mr. Gordon advised that the estimates were made on a conservative basis, largely on the knowledge of people who had been doing that work for many years.

Mr. Seth Millington, attorney of Gridley, asked what the sale price of land in that area had been the last three years, and Mr. Gordon replied sales were reported from \$40-50 to \$150-200, depending on the quality of the land. Mr. Millington stated one of his clients, a sheep man, had spring and early summer range on the land to be included in the project, and if this were taken his other land would be valueless. He claimed that while the valuable rice drier is not within the portion to be used for the project, it had been built for the 2000 acres of rice the McGowan's now have and would be of little value on the balance of their ranch.

Mr. Dean interposed, stating the Board had devoted an entire day to hearing the arguments on this subject and was meeting today to take action. For the benefit of those not present at the hearing he reiterated that the Public Works Board, of which he is Chairman, had already concluded without appraisals that the amount set up for the Upper Butte project was inadequate, and recommended that their Board not pursue the matter further. He stated that when this Board is ready to buy a particular property the Public Works Board will employ adequate appraisers.

He further called attention to the fact that the Public Works Board had also been requested to acquire certain areas for the Los Banos (Lower San Joaquin) Project, and thought both projects should be taken back until the Wildlife Board had reached decisions as to alternates. The funds allocated for these projects would be held until it was evident that the problem could not be solved to the mutual agreement and benefit of the people involved. In that event, Mr. Dean stated he would move that the funds be used for something else.

With reference to the Los Banos Project, Mr. Gordon drew the Board's attention to action taken at the June 3 meeting authorizing representatives of the Public Works Board, Wildlife Conservation Board, and the Fish and Game Commission to collaborate in determining the exact lines of areas to be acquired for various approved projects, and to make such changes as may be necessary, expedient, and in the public interest, thereby assuring a reasonable amount of flexibility in the boundaries of the units to be acquired.

Mr. Dean stated it might still be necessary in some instances for the Wildlife Board to determine exact areas to be acquired before the Public Works Board

could take action. Mr. Gordon explained that preliminary appraisals had been requested to determine whether some of the lands selected would be unreasonably high, and expressed the belief that this problem could be solved by adjusting boundaries as found necessary.

The Board concurred that it was unnecessary to take further action in order to revise the boundaries of the Los Banos Project (Lower San Joaquin), and that action heretofore taken would stand.

With regard to the Upper Butte Creek Project, Mr. Horn reported that at the invitation of Mr. Weibel, Editor of the Chico Enterprise, he met with a group interested in this project on November 29. When asked if they desired to have the money allocated elsewhere, it was an almost unanimous feeling that they wanted to find a substitute area for this project. The Board of Supervisors, Chico Chamber of Commerce, and some farmers present offered assistance in finding another unit.

Mr. George Difani, speaking for the Organized Sportsmen of California, stated there were indications from sportsmen in the Gridley and Chico area that other lands could be found. He recommended that the money be left allocated to the project and that a substitute area be located.

Assemblyman Erwin recommended that, in view of the information presented by Mr. Horn, a time limit of 30 or 60 days be set in which to locate a substitute area.

In reply to Senator Hatfield's question as to whether 60 days would be sufficient, Mr. Gordon stated if a suitable substitute could not be found within 60 days the Board should re-allocate the funds set up for the Upper Butte Project. He also quoted action taken March 19 with regard to the waterfowl program to clarify the status of funds.

7. Action re Upper Butte Creek Waterfowl Management Area, Project No. 507

It was moved by Senator Swing, seconded by Assemblyman Lowrey, that the members of the Joint Interim Committee rescind their previous recommendation to the Board to proceed with the acquisition of the Upper Butte Creek Waterfowl Management Area as originally planned, and that the project be given further consideration. On polling the members of the Interim Committee the vote was as follows:

AYES: Senators Hatfield, Hulse, and Swing; Assemblymen
Erwin and Lowrey

NOES: None

Passed unanimously.

It was further moved by Senator Swing, seconded by Assemblyman Lowrey, that the members of the Interim Committee recommend to the Board that the sum of \$710,000 heretofore allocated to the Fish and Game Commission from the Wildlife Restoration Fund to acquire lands, equipment and facilities for the Upper Butte Creek Waterfowl Management Area, and the authority to purchase necessary land granted to the Public Works Board, both be held in abeyance by the Wildlife Conservation Board for a period of

60 days, the intervening time to be devoted to locating a suitable substitute area which will be satisfactory to the people in the locality. On polling the members of the Interim Committee the vote was as follows:

AYES: Senators Swing, Hatfield and Hulse; Assemblymen
Lowrey and Erwin

NOES: None

Passed unanimously.

Thereupon, by motion regularly made, seconded and unanimously adopted by the members of the Board, the sum of \$710,000 previously allocated to the Fish and Game Commission from the Wildlife Restoration Fund to acquire lands, equipment and facilities for the Upper Butte Creek Waterfowl Management Area, and the purchase of the originally designated land by the Public Works Board, were both ordered held in abeyance for a period of 60 days, in the hope that a suitable substitute area can be found which is satisfactory to all concerned.

Assemblyman Lowrey requested that the people in the Butte Creek area be advised as to possible locations, and be given adequate notice before further action is taken by the Board. Chairman Silva assured Mr. Lowrey that this would be done.

Senator Hulse asked if the Board's attitude would be to force a project into an area where the people don't want it, when those elsewhere do want projects. Senator Swing replied that if some of these projects are not received favorably he would move they be sent down to their territory.

8. Recommendation re Lower Butte Creek Waterfowl Management Area, Project No. 548

Senator George Miller, Jr. took exception to the statement made in the consultant's report that the opposition apparently centers around one project only, Upper Butte Creek, stating that over half the people who testified at the December 1 hearing specifically mentioned and opposed the Lower Butte Creek Project. He maintained the problem on Lower Butte Creek was substantially the same as on Upper Butte, and in the interest of consistency the same action should be taken.

Mr. Millington stated he represented people in the Lower Butte area, and claimed that with present values it would be difficult to buy a suitable addition at the price proposed (\$537,036).

It was moved by Senator Swing, seconded by Assemblyman Lowrey, that the motion concerning the Upper Butte Creek Waterfowl Management Area be applied to the Lower Butte Creek Waterfowl Management Area, both as to acquiring it, allocation of funds, and the 60-day limit.

Senator Hatfield requested the consultant's views on this matter, and Mr. Gordon advised that if the Board withdrew from the Lower Butte area they might as well close the books on the waterfowl program and spend the money

elsewhere; and that expansion of both the present Gray Lodge and Los Banos Refuges is highly important.

Senator Swing then stated he would withdraw his motion; however, Assemblyman Lowrey, who seconded the motion, would not consent to its withdrawal.

An effort was made to poll the members of the Joint Interim Committee, and during the confusion which ensued Senator Hatfield, recognized by the chair on a point of order, moved as a substitute that further consideration of Senator Swing's motion with reference to the Lower Butte Creek Waterfowl Management Area be suspended for a period of 60 days. Upon being polled, the members of the Interim Committee voted as follows:

AYES: Senators Hatfield, Hulse and Swing; Assemblymen
Lowrey and Erwin

NOES: None

Passed unanimously.

Thereupon, Senator Swing commented that this was merely the Interim Committee's recommendation. The Board took no further action on this matter.

9. Southern California Projects Deferred to Next Board Meeting

It was regularly moved and seconded that, in view of the fact it had originally been planned to hold the present meeting in Southern California and that interested parties were unable to attend, further consideration of the following projects be continued until the next Board meeting, and that such meeting be held in Southern California: Deep Creek Stream Improvement, Project No. 2, Parts I and II; San Bernardino National Forest Stream Improvement, Project No. 81; Dry Lake Level Maintenance, Project No. 82; and Lindo Lake Public Fishing Area, Project No. 77. Passed unanimously.

10. Questions of Policy

Since various Questions of Policy, such as access roads, trails, maintenance of small projects, etc., as outlined in the consultant's report, related to the projects listed above, it was agreed that consideration of this matter also be deferred until the next Board meeting.

11. Resolution re Federal Lower Klamath Waterfowl Refuge

A recommendation of the Sacramento Valley Council of the State Chamber of Commerce was presented, regarding the serious emergency in the Lower Klamath Basin resulting in an annual loss of migratory waterfowl of tremendous proportions, and urging the State Wildlife Board to allocate sufficient funds to carry out work on the Lower Klamath Lake Waterfowl Refuge to prevent future outbreaks of botulism in this area.

The consultant recommended against the favorable consideration of the above recommendation, stating that since Lower Klamath was a Federal refuge this situation should be corrected with Federal funds. He suggested, however, since the seriousness and urgency of this matter was recognized, that the Board might desire to consider a resolution recommending that Congress make an appropriation in the amount of \$600,000 to cover the required levee work at the Lower Klamath Federal Refuge.

Thereupon, by motion regularly made and seconded, the following resolution was unanimously adopted by the members of the Board and the Joint Interim Committee:

RESOLVED, That the California Wildlife Conservation Board and the Joint Interim Committee hereby urgently petitions Congress to provide the sum of \$600,000 in the budget of the Department of the Interior for the construction of levees and other works at the Lower Klamath National Wildlife Refuge, for the purpose of preventing and controlling any future outbreaks of botulism, which have caused the needless waste and pitiful destruction of thousands of ducks annually.

12. Project Recommendations

The consultant recommended that the Board approve specific allocations from the balances in the tentative reserves (listed in Item 3 of these minutes) as below indicated.

a. Hatchery Program

- (1) Mojave River Hatchery - Project No. 39: San Bernardino County \$20,000 (d)

The consultant informed the Board that the sum of \$42,700 was allocated for this project March 19, 1949, to be used for 15 additional pond dams, pipelines, a new pump, and the construction of two houses. An estimate recently received from the Division of Architecture indicates the pond work alone will cost \$35,000. The pump and pipeline will utilize the balance of the money previously allocated.

It was, therefore, recommended that an additional \$20,000 be allocated to construct the two houses as originally planned, and that this item be charged against the balance in Item (d) of the Tentative Reserves, Other Fish Projects, including warmwater fishes.

- (2) Whittier Hatchery - Project No. 40: Los Angeles County, probably on land owned by the City of Whittier \$227,000 (c) & (d)

The consultant stated that recommendations for this project had not been made previously due to

uncertainty as to location of the Whittier Narrows Flood Control Dam.

The 1943 Legislature appropriated \$75,000 for the construction of a hatchery in Los Angeles County. In 1944 temporary experimental ponds were put into operation on the lands of the City of Whittier, adjacent to the San Gabriel River. In 1945 six more-permanent ponds were constructed, and have been in operation on a production basis. No other permanent construction was undertaken, awaiting the U. S. Army Engineers plans for the Whittier Narrows dam. The exact site for the dam was only recently determined, the appropriation for the hatchery having lapsed in the meantime.

The Army Engineers have indicated that they will supply the Division of Fish and Game with a site downstream from the dam where wells of similar temperature (61°) and large flow exist. Ample supplies of water are available.

The Whittier site, eighteen miles from the Los Angeles City Hall, is well situated geographically to serve Los Angeles, San Diego, Orange, and portions of Riverside and San Bernardino, Counties with trout. It also is advantageously located for warmwater fish rescue and distribution work in the same area.

Mr. Gordon advised the Board that recent studies show that the southern nine counties have more trout anglers than any other region in the State. While they spread north to a considerable extent into the Mt. Whitney and San Joaquin districts, the southern district is second only to Mt. Whitney in the number of trout taken. Due to the extreme shortage of suitable trout waters in relation to the demand for trout fishing it is necessary to plant catchable fish throughout the season.

The southern district is now served by the Fillmore Hatchery with 30 rearing ponds and a production of 80,000 to 100,000 pounds of trout annually. Ten ponds at Mojave River Hatchery and an additional ten to be constructed will provide another 40,000 pounds, but this will not meet the requirements.

The following facilities are planned: 24 earth bank rearing ponds 12' x 100' each with concrete gates and cross channels; 1 food preparation, refrigeration and storage building; 1 garage and shop building to handle 6 pickups and 3 trucks; 1 net room and drying shed, for fish rescue; 1 office building for the Assistant Supervisor, the District Biologist, and assistants in Southern California; and 4 two-bedroom cottages.

It is estimated that Operating and Maintenance costs will amount to \$63,000 annually, an increase of \$49,000 over the present temporary Whittier plant.

The consultant recommended that \$227,000 be allocated for this project, \$200,000 to be charged against Item (c) of the Tentative Reserves, Flow Maintenance and Stream Improvement Projects, and \$27,000 against Item (d), Other Fish Projects.

It was moved by Assemblyman Erwin, seconded by Senator Swing, that the Joint Interim Committee recommend to the Board that funds be allocated to the Fish and Game Commission from the Wildlife Restoration Fund for recommended projects as follows:

Mojave River Hatchery, Project No. 39 - \$20,000; and Whittier Hatchery, Project No. 40 - \$227,000, involving a total of \$247,000; and that the State Public Works Board proceed to acquire any property needed. Upon polling the members of the Interim Committee the vote was as follows:

AYES: Senators Hatfield, Hulse and Swing; Assemblymen Erwin and Lowrey

NOES: None

Passed unanimously.

Thereupon, by motion regularly made, seconded and unanimously adopted by the members of the Board, it was agreed that funds be allocated to the Fish and Game Commission from the Wildlife Restoration Fund for recommended projects as follows: Mojave River Hatchery, Project No. 39 - \$20,000 (out of the balance in the tentative reserve for other fish projects, including warmwater fishes); and Whittier Hatchery, Project No. 40 - \$227,000 (\$200,000 out of the balance in the tentative reserve for flow maintenance and stream improvement projects, and \$27,000 out of the balance in the tentative reserve for other fish projects), involving a total of \$247,000; that the State Public Works Board is hereby authorized to acquire any property needed, and the Fish and Game Commission is authorized to proceed with the negotiation of any leases or other easements involved, the construction of such facilities as may be suitable therefor, and the purchase of such equipment as

may be essential to put these projects into operation.

Total, Additional Allocations for Hatchery
Projects \$247,000 (c) & (d)

b. Screen and Ladder Projects

- (1) Glenn-Colusa Canal Screen - Project No. 43:
Sacramento River, Glenn County \$100,000 (e)

The Board was advised that one of California's principal problems in maintaining runs of anadromous fishes is to keep the young from being diverted into irrigation ditches. The Glenn-Colusa Canal has been found to be one of the most destructive to such young fishes, principally King Salmon.

The consultant stated that a mechanical screen appears to be the only type that will operate satisfactorily to accomplish the desired objectives. Engineering and other studies are now being made of similar installations elsewhere which are functioning successfully.

As more young salmon apparently are lost through this irrigation ditch than any other in the Central Valley, it was recommended that this ditch be recognized as the Number One project of its kind and immediate action taken.

Senator Hatfield expressed the opinion that it might be well to get the results of the studies now being made before giving this matter consideration. Mr. Gordon explained that it would probably be a good many weeks before that would be available. He recommended that \$100,000 be allocated now, stating that, if necessary, the amount could later be increased or decreased; and that this amount be charged against the balance in Item (e), the tentative reserve for flow maintenance and stream improvement projects.

In reply to Assemblyman Lowrey's questions, the consultant stated the Superintendent of the Glenn-Colusa Irrigation District had been consulted and that the District favored the installation of a new screen due to the fact that they are being criticized because of the fish losses through the present very inadequate, flood damaged, installation.

Assemblyman Lowrey then asked if the maintenance of the screen would be a liability against the District or the Division of Fish and Game. Mr. Fry replied that since the new screen would replace an inadequate installation made by the District, with the approval

of the Division of Fish and Game, the entire cost of installation and maintenance must be borne by the State.

Assemblyman Lowrey stated he would not favor the project unless the question of maintenance were discussed with the District and they knew in advance what it would cost them. The consultant then suggested that the project be approved conditional upon a satisfactory operating agreement being worked out with the District.

It was moved by Assemblyman Lowrey, seconded by Senator Swing, that the Joint Interim Committee recommend to the Board that \$100,000 be allocated to the Fish and Game Commission from the Wildlife Restoration Fund for the Glenn-Colusa Canal Screen, Project No. 43, conditional upon a satisfactory operating agreement being worked out with the Glenn-Colusa Irrigation District; and that the State Public Works Board proceed to acquire any property that might be needed. Upon polling the members of the Committee the vote was as follows:

AYES: Senators Hatfield, Hulse and Swing;
Assemblymen Erwin and Lowrey

NOES: None

Passed unanimously.

Thereupon, by motion regularly made, seconded and unanimously adopted by the members of the Board, it was agreed that \$100,000 be allocated to the Fish and Game Commission from the Wildlife Restoration Fund (out of the balance in the tentative reserve for screen and ladder projects) for the Glenn-Colusa Canal Screen, Project No. 43, conditional upon a satisfactory operating agreement being worked out with the Glenn-Colusa Irrigation District; that the State Public Works Board is hereby authorized to acquire any property that might be needed; and the Fish and Game Commission is authorized to proceed with the negotiation of any leases or other easements involved, the construction of such facilities as may be suitable therefor, and the purchase of such equipment as may be essential to put this project into operation.

(2) Smaller Fish Screens, Ladders; Spawning Bed Improvements - Project No. 44

Mr. Gordon reviewed allocations made under this project at previous meetings which totaled \$84,000. He recommended that salmon spawning bed and other stream improvements be included as part of this project.

- (a) Battle Creek Screen - Unit 9 of Project No. 44:
Shasta County side of Battle Creek \$15,000 (e)

The Board was informed that the proposed site for this screen is about one-fourth mile below the Coleman Federal Hatchery. At present practically the entire production of young salmon and steelhead must pass by a presently unscreened intake to the irrigation ditch. This ditch is used primarily to irrigate pasture lands. Under the present law the landowners would be required to pay one-half of the cost of the above installation. When the screen has been installed and the portion above collected from the landowners involved, said amount can be restored to the fund for allocation elsewhere. The consultant recommended that \$15,000 be allocated for this project.

It was moved by Senator Swing, seconded by Senator Hatfield, that the Joint Interim Committee recommend to the Board that \$15,000 be allocated to the Fish and Game Commission from the Wildlife Restoration Fund for the Battle Creek Screen, Unit 9 of Project No. 44, with the understanding that the ditch owners would have to pay half of the original cost and maintenance, in accordance with Sections 540 and 541 of the Fish and Game Code; and that, when the screen has been installed and the portion above collected from the landowners involved, said amount be restored to the Wildlife Restoration Fund. Upon polling the members of the Committee the vote was as follows:

AYES: Senators Hatfield, Hulse, and Swing;
Assemblymen Erwin and Lowrey

NOES: None

Passed unanimously.

Thereupon, by motion regularly made, seconded and unanimously adopted by the members of the Board, it was agreed that \$15,000 be allocated to the Fish and Game Commission from the Wildlife Restoration Fund (out of the balance in the tentative reserve for screen and ladder projects) for the Battle Creek Screen, Unit 9 of Project No. 44, with the understanding that the ditch owners would have to pay half of the original cost and maintenance, in accordance with Sections 540 and 541 of the Fish and Game Code; that, when the screen has been installed and the portion above collected from the landowners involved, said amount be restored to the Wildlife Restoration Fund; and that the Fish and Game Commission is authorized to proceed with the negotiation of any leases or other easements involved, the construction of such facilities as may be suitable therefor, and

the purchase of such equipment as may be essential to put this project into operation.

(b) Joint Interim Committee's Recommendation re Mill Creek Screens, and Spawning Bed and Stream Improvements on the Tuolumne, Stanislaus and Merced Rivers

The consultant presented recommendations to the Board on the above projects as follows:

Mill Creek Screens - Unit 10 of Project No. 44: Tehama County \$4,000

There are now three poorly screened diversions on this stream, in one of which funds set up for experimental work will be used. The other two screens can be put into satisfactory condition for an estimated cost of \$4,000. It was recommended that said amount be allocated thereto.

Spawning Bed and Stream Improvements, Tuolumne and Stanislaus Rivers - Unit 11 of Project No. 44: Stanislaus, Tuolumne and Calaveras Counties \$5,000

The above sum was recommended for channel improvement, largely experimental, on the above streams to determine the benefits of such work. At present when the young fish, mostly salmon, some steelhead, are ready to move downstream the flow is so spread out that a very large percentage of them are lost by stranding. This work would consist largely of bulldozer channeling, wing dams, bank rip-rap, blocking side channels, etc.

Spawning Bed and Stream Improvements, Merced River - Unit 12 of Project No. 44: Merced County. \$5,000

The sum indicated was recommended for the above work. At present the principal difficulty is that during the summer there is insufficient flow to maintain low enough temperatures to assist the spring run of adult salmon, and at the same time the spring runs of the San Joaquin River salmon are to be diverted into the Merced. This would be an attempt to supplement the present low gravel dams with wooden structures which will better hold the water in the pools. This again would be largely an experimental undertaking.

Senator Hatfield expressed the belief that the above listed items do not come within the purview of the Wildlife Conservation Act, and should properly come out of the Fish and Game Preservation Fund. After general discussion the Joint Interim Committee agreed upon the following recommendation:

That the Fish and Game Commission be advised that the Joint Interim Committee of the Wildlife Conservation Board recommends that requests for funds for Mill Creek Screens, and Spawning Bed and Stream Improvements on the Tuolumne, Stanislaus and Merced Rivers, be placed in the 1950-51 Budget of the Division of Fish and Game and included in their application to the Department of Finance to amend that budget; and further, that evidence that the irrigation districts concerned had been consulted and apprised of any maintenance costs they may be liable for be presented to the Budget Committee at the time these items are submitted.

- (c) Canyon Creek Fish Ladder - Project No. 62: Trinity County,
about 4 miles above the junction of Canyon Creek and the
Trinity River \$10,000 (e)

Mr. Gordon stated the present wooden fish ladder has 15 pools which are much smaller than they should be, and make it difficult for a large steelhead or salmon to leap from one to another. In addition, the mouth of the ladder is situated too far downstream; the fish pass the entrance to the ladder and leap at the dam itself.

The sponsor of the project proposed the construction of a new concrete dam. However, the present log-crib dam, although old, appears sturdy enough to stand for many years. The project here recommended consists of the construction of a new concrete fishway to be built on the opposite side of the stream from the present ladder. The pools would be much larger and the entrance of the fishway located much nearer the dam at a spot where many fish have been seen leaping in past years.

The exact number of pools in the proposed ladder cannot be stated until an engineering survey is made, but there would be approximately 15 steps.

Operating and maintenance costs will be minor. Primarily, keeping the pools free of sand and gravel and regulating the flow of water.

The consultant recommended that \$10,000 be allocated for this project.

It was moved by Senator Hatfield, seconded by Assemblyman Lowrey, that the Joint Interim Committee recommend to the Board that \$10,000 be allocated to the Fish and Game Commission from the Wildlife Restoration Fund for the Canyon Creek Fish Ladder, Project No. 62; and that the State Public Works Board proceed to acquire any property needed. Upon polling the members of

the Committee the vote was as follows:

AYES: Senators Hatfield, Hulse and Swing;
 Assemblymen Erwin and Lowrey

NOES: None
 Passed unanimously.

Thereupon, by motion regularly made, seconded and unanimously adopted by the members of the Board, it was agreed that \$10,000 be allocated to the Fish and Game Commission from the Wildlife Restoration Fund (out of the balance in the tentative reserve for screen and ladder projects) for the Canyon Creek Fish Ladder, Project No. 62; that the State Public Works Board is hereby authorized to acquire any property needed; and the Fish and Game Commission is authorized to proceed with the negotiation of any leases or other easements involved, the construction of such facilities as may be suitable therefor, and the purchase of such equipment as may be essential to put this project into operation.

Total, Additional Allocations for Screen and Ladder Projects	\$125,000 (e)
GRAND TOTAL, Additional Allocations for Fish Projects	\$372,000 (c), (d) & (e)

13. Maintenance Fund

The consultant informed the Board that after the foregoing allocations had been made the total balances remaining in the tentative reservations of funds would be \$821,350, and recommended that \$400,000 be set up as a maintenance fund to assist the Division of Fish and Game in maintaining and operating at full capacity the various installations made with funds allocated by the Board. He suggested that this amount be accumulated as indicated in the following table, and that the balance of \$421,350 (last column) be reserved for additional allocations and operations expenses.

	<u>Balances Available</u>	<u>Maintenance Fund Reserve</u>	<u>Net Balance</u>
(a) Quail Habitat	None	-	-
(b) Game Projects	\$73,850	\$10,000	\$63,850
(c) Flow Maintenance, etc.	184,000	50,000	134,000
(d) Other Fish Projects	152,000	68,500	83,500
(e) Screens & Ladders	191,000	115,000	76,000
(f) Reserve for other projects, incl. oper.	220,500	156,500	64,000
Total	\$821,350	\$400,000	\$421,350

Mr. Gordon stated that in addition to the projects deferred to the next meeting, there are other very important projects on which cost estimates are not yet available, which should definitely be financed from the balances available. Among these are warmwater projects in the southern part of the state (such as the Coachella and Imperial Valley fish ponds and lakes), a few urgent coastal projects, etc.

The propriety of using Wildlife Restoration Fund monies for maintenance was questioned, and it was pointed out that the Wildlife Conservation Act had been amended at the last session of Legislature to make the money in the Wildlife Restoration Fund available for expenditure under any provision of Section 3.

Senator Swing expressed the belief that this \$400,000 might be needed for some worthy project.

It was informally agreed to defer further consideration of this matter to the next Board meeting.

14. Resolutions Regarding the Death of Assemblyman S. L. Heisinger

It was regularly moved and seconded that the following Resolutions be adopted:

WHEREAS, The Honorable SAMUEL L. HEISINGER passed away on September 21, 1949, in the County of Fresno; and

WHEREAS, This true sportsman and lover of the outdoors, throughout his long term of service in the State Legislature, worked patiently and courageously for legislation to benefit wildlife and sportsmen alike; and

WHEREAS, This able public servant served as a member of the Legislative Interim Committee of the Wildlife Conservation Board since its inception, in which capacity he offered much wise counsel to the Board for the advancement of the State's wildlife expansion program, and his presence among us is sorely missed;

NOW, THEREFORE, BE IT RESOLVED, That when the Wildlife Conservation Board adjourns this day it do so out of respect to the memory of Honorable SAMUEL L. HEISINGER; and be it further

RESOLVED, That these resolutions be made a part of the permanent record of the proceedings of this body, and a copy thereof be sent to Mrs. S. L. Heisinger.

Passed unanimously.

15. Consultant's Contract Extended

It was moved by Mr. Dean, seconded by Mr. Macaulay, that Mr. Seth Gordon's contract be extended for an additional two months, from January 1, 1950 to February 28, 1950, inclusive. Passed unanimously.

16. Date for Next Meeting

As the Fish and Game Commission is meeting in Los Angeles on January 27 and 28, it was tentatively agreed to set the date of the next Board meeting for Thursday, January 26, 1950, at 10:00 A.M., but Senator Hulse requested the Chairman to explore the possibility of holding the meeting the following Monday.

17. Retiring Chairman's Appreciation

Chairman Silva stated that since his "term of office" will expire prior to the next meeting he wished to extend his thanks to the members of the Joint Interim Committee and his co-members of the Board for their excellent assistance and cooperation. He also expressed his appreciation to the sportsmen, the press, and others interested in fish and game for their aid in the launching of the largest wildlife expansion program ever undertaken in one year in California or elsewhere. He stated that it was his hope that the program may continue to develop and expand in an orderly manner in the future, and be of much benefit to the fish and game resources as well as to the people of this state.

There being no further business, the meeting adjourned at 4:45 P.M. out of respect to the memory of Honorable S. L. Heisinger.