

WILDLIFE CONSERVATION BOARD
STATE OF CALIFORNIA
MINUTES, MEETING OF NOVEMBER 28, 1951

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Pursuant to the call of the Chairman, the Wildlife Conservation Board met in Room 301 of the State Building, Los Angeles, on November 28, 1951. The meeting was called to order by Chairman Payne at 4:35 P.M.

PRESENT:	Lee F. Payne	Chairman
	James S. Dean	Member
	Seth Gordon*	Member
	Assemblyman Thomas M. Erwin	Joint Interim Committee
	Assemblyman Lloyd W. Lowrey	" " "
ABSENT:	Senator George J. Hatfield	Joint Interim Committee
	Senator Ben Hulse	" " "
	Senator Charles Brown	" " "
	Assemblyman Lester T. Davis	" " "

Others present:

Robert Beckus	Assembly Interim Comm. on Fish and Game
Ray Knight	Bureau of Game Conservation
E. L. Daggett	Public Information Office
Joe Wallace	Inland Council of Conservation Clubs
Alex Kerr	Southern Council of Conservation Clubs

Mr. Gordon reported that Senators Hatfield and Hulse and Assemblyman Davis had been contacted by telephone in advance of the meeting and had expressed their approval of the various items on the agenda mailed to them prior to the meeting. They also unanimously endorsed the suggested employment of a Wildlife Projects Coordinator (see Item 14).

1. Approval of Minutes

It was regularly moved and seconded that the reading of the minutes of the Wildlife Conservation Board meetings of June 6, 1951 and August 15, 1951 be dispensed with and said minutes approved as written. Passed unanimously.

2. R. E. Curtis Serving in Capacity of Field Agent

The Board was informed for the record that Mr. R. E. Curtis was transferred from the Bureau of Game Conservation to the Wildlife Conservation Board in the capacity of Field Agent, effective July 1, 1951, at the same rate of compensation he received in his former position (Supervising Game Manager).

Mr. Curtis had devoted the major part of his working hours during the past three years to assisting the Board with its waterfowl problems. In his new position he is continuing that work and has also assumed the responsibilities of the Board's heretofore exempt position of Field Agent. Mr. Curtis in this dual capacity retained his civil service status. (See Item 14.)

*Vice Col. E. L. Macaulay, formerly the member designated by the Fish and Game Commission. See Item 4, page 2.

3. Status of Funds as of August 15, 1951

The Board was informed that the amount allocated to specific projects up to the close of the meeting of August 15, 1951 aggregated \$8,765,299, made up as follows:

a. Fish Hatchery and Stocking Projects (16)	\$3,608,280
b. Warmwater and Other Fish Projects (7)	150,500
c. Flow Maintenance and Stream Improvement Projects (11)	382,752
d. Screen and Ladder Projects (11)	287,838
e. State Game Farm Projects (4)	106,000
f. Other Upland Game Projects (4)	443,117
g. Waterfowl Management Projects (9)	3,726,684
h. General Projects (3)	<u>60,128</u>

Total (65 projects) \$8,765,299

In addition to the specific allocations above, the following reserves have been established: (1) Mendocino National Forest Stream Improvement and Flow Maintenance Program - \$15,000, and (2) Colorado River Recreational Development - \$50,000. Operating expenses 47/48 F.Y. - 50/51 F.Y. totaled \$129,152.

Effective September 22, 1951, an additional \$1,000,000 was appropriated to the Wildlife Restoration Fund (Ch. 1401, Stats. 1951), increasing the total accountability to \$10,000,000. Operating expenses budgeted for the 1951/52 F.Y. total \$50,017. The unobligated balance available for expenditure is \$990,532.

4. Revision of Consultant's Contract to Cover Only Period from June 6, 1951 to September 21, 1951, Inclusive

It was moved by Mr. Dean, seconded by Mr. Payne, that the Board adopt the following resolution:

WHEREAS, The contract between the Wildlife Conservation Board and Seth Gordon as consultant for the period beginning June 6, 1951, as authorized by the Board at its meeting of that date, had not yet been approved by the Department of Finance when the contractor was appointed and qualified as Director of the Department of Fish and Game, effective September 22, 1951; and

WHEREAS, Upon said appointment Mr. Gordon became a member of the Board, thus making further service as consultant incompatible;

NOW, THEREFORE, BE IT RESOLVED, That the contract as originally drafted to cover the period from June 6, 1951 to June 30, 1952, inclusive, be revised and approved to cover only the period from June 6, 1951 to September 21, 1951, inclusive; and be it further

RESOLVED, That the provisions of said contract providing for: (a) cancellation by either party upon giving 60 days written notice, (b) requiring further written reports, and (c) fixing

the maximum number of days for which the contractor might be compensated during the period originally stated be eliminated from the revised contract hereby approved.

AYES: Messrs. Dean and Payne

NOT VOTING: Mr. Gordon

Motion carried.

5. Additional Funds for Lindo Lake Public Fishing Area - Project No. 77, San Diego County, off the San Diego River basin east of Lakeside, 20 miles NE of the City of San Diego \$8,000 (b)

The Board at its meeting of January 26, 1950 allocated \$11,000 for this warmwater fishing project. These funds were to be used for grading operations to deepen the lake and to drill a well and install a pump to restore water to the dry lakebed.

The allocation was turned over to the County of San Diego under service agreements, and construction of the project was undertaken in the early part of 1951. Instead of one well, the County had to drill three to secure sufficient water to restore and maintain the water level of the lake.

The three wells, however, entailed expenses that were not anticipated at the time funds were allocated for this project. The Board was advised that in order to satisfactorily complete this installation it would be necessary to provide an additional \$8,000 for the purchase of pumps and motors, power line, switching equipment, motor controls, pump houses, pipe, valves, and fittings.

In view of the project's excellent prospects for warmwater fishing in an area where this type of recreation is extremely important, and particularly since other projects proposed for this area have proved to be infeasible, it was recommended that an additional \$8,000 be allocated to permit its completion.

It was regularly moved and seconded that an additional \$8,000 be allocated to the Department of Fish and Game from the Wildlife Restoration Fund for the Lindo Lake Public Fishing Area, Project No. 77; and that the Department of Fish and Game is hereby authorized to proceed with the negotiation of the necessary agreements and purchase of such materials and equipment as may be essential to put this project into operation. Passed unanimously.

6. Biscar Reservoir Level Maintenance - Project No. 92, Lassen Co., on Snow Storm Creek, about 20 miles NE of Susanville \$3,000 (c)

The Board was advised that Biscar Reservoir is located on public domain lands and controlled by the State Department of Fish and Game. According to available information it was acquired in connection with the purchase of the Fleming Ranch and the establishment of the Honey Lake Waterfowl Refuge, and was intended to be

developed as a portion of that refuge. The planned development of the reservoir was not carried out by the Bureau of Game Conservation because it was of low priority in the waterfowl management program.

The reservoir was built in 1914 as an irrigation storage impoundment. It was formed by construction of a dam across Snow Storm Creek and originally had a surface area of 34 acres. In 1950 the area had been reduced to about $3\frac{1}{2}$ to 4 acres as a result of leakage through the dam around the outlet pipes. The maintenance and operation of the dam is under the jurisdiction of the State Division of Water Resources and ^{it} must be repaired if it is to remain in existence.

Biscar Reservoir is located in an area almost devoid of waters suitable for fish and fishing. If it could be restored to its former level and stocked with trout it would provide public fishing for anglers from Susanville and a large area of northeastern California. It would also continue to serve as a waterfowl resting area.

It is proposed to repair the face of the dam by sealing off the outlet pipes and the area surrounding them, thus creating a permanent, constant-level lake about 20 feet deep at the dam with an area of about 35 acres. It would also be necessary to repair the spillway by either back-filling the eroded channel and lining the filled channel with concrete or building a small concrete dam across the spillway to a height of the original level and lining the section below the small dam to prevent further erosion.

It was recommended that \$3,000 be allocated for engineering studies and the preparation of plans and specifications by Division of Water Resources engineers. If the engineer's survey proves the project is feasible an estimate of the total cost for a recommended construction project will be prepared and submitted to the Board for consideration.

It was regularly moved and seconded that \$3,000 be allocated to the Department of Fish and Game from the Wildlife Restoration Fund for engineering studies and the preparation of plans and specifications for Biscar Reservoir Level Maintenance, Project No. 92; and that the Department of Fish and Game is hereby authorized to make the necessary arrangements for said studies and the preparation of plans and specifications. Passed unanimously.

7. Woodbridge Fish Ladder - Project No. 95, San Joaquin County, on the Mokelumne River, 3 miles north of Lodi at the edge of the town of Woodbridge, on the dam belonging to the Woodbridge Irrigation District \$50,000 (d)

The Board was informed that the flood of 1950 destroyed the upper half of the Woodbridge Fish Ladder when the supporting portion of the levee collapsed. The lower half, which rests on piling, is still intact.

This ladder was planned and built by the Department of Public Works in 1947-48, and replaced an inadequate ladder built many years before. It is an unusual design in that it forks part way up. Salmon can still use the lower branch, but it functions only when all flash boards are removed.

In order to build up the salmon run in the Mokelumne it will be necessary to rebuild the upper half of the ladder so that fish can ascend when the dam is full, the usual condition during the fall run. By putting the new construction on piling it can be made to withstand a flood equal to the one of 1950, which was greater than any previously recorded. A preliminary estimate by the Division of Architecture indicates the cost of this project will be about \$50,000.

It was regularly moved and seconded that \$50,000 be allocated to the Department of Fish and Game from the Wildlife Restoration Fund for the Woodbridge Fish Ladder, Project No. 95; and that the Department of Fish and Game is hereby authorized to proceed with the negotiation of agreements for the required construction. Passed unanimously.

8. Clear Creek Fish Ladders - Project No. 96, Shasta County, 10 miles south of Redding, 6 miles above the mouth of Clear Creek, a west side tributary of the Sacramento River \$50,000 (d)

The Board was advised that a deep, steep channel exists for about 200 yards below the McCormick-Saeltzer Dam on Clear Creek. This gorge is impassable to upstream migrating salmon and steelhead except at maximum flood stage. Construction of a fish ladder here, and modernization of the obsolete ladder on the dam, would open about 30 miles of stream to salmon and steelhead spawning.

Submission of this project was delayed until a satisfactory type of ladder could be developed. It is believed that the project is now feasible. A preliminary estimate by the Division of Architecture places the cost of this project at \$50,000.

It was regularly moved and seconded that \$50,000 be allocated to the Department of Fish and Game from the Wildlife Restoration Fund for the Clear Creek Fish Ladders, Project No. 96; and that the Department of Fish and Game is hereby authorized to proceed with the negotiation of agreements for the required construction. Passed unanimously.

9. Additional Funds for Deer Creek Falls Fish Ladder - Project No. 9, Tehama County, on Deer Creek, 4 miles upstream from the first crossing of Highway 32 \$20,000 (d)

The Board allocated \$10,000 for this project at its meeting of August 25, 1949. At that time the project was intended to improve conditions for salmon spawning primarily.

When the Division of Architecture in October, 1951 submitted an estimate of \$30,000 as the probable cost of construction, further studies of the value of the ladder were made. These studies indicated that the project would be barely justifiable if salmon alone were considered. However, it was shown that the upper reaches of Deer Creek are potentially fine steelhead spawning grounds and the improvement of the stream for steelhead would be of very great value. In fact, it is felt that the project, even at its increased cost, would be more than justified on the basis of steelhead alone.

Taking into consideration the potential value to both salmon and steelhead, it was recommended that an additional \$20,000 be allocated for the construction of this project. It was pointed out that a tunnel-type ladder would be installed in order to preserve the natural beauty of the falls.

It was regularly moved and seconded that an additional \$20,000 be allocated to the Department of Fish and Game from the Wildlife Restoration Fund for the Deer Creek Falls Fish Ladder, Project No. 9; and that the Department of Fish and Game is hereby authorized to proceed with the negotiation of agreements for the required construction. Passed unanimously.

10. Lower Butte Waterfowl Management Area (Expansion of Gray Lodge Refuge).

The Board was informed that progress on this unit has been halted by court injunction secured by a group of local landowners, none of whom are involved in the acquisition. The case is being carried to the higher court by the Attorney General's office, and is scheduled to be heard on January 18, 1952, in Sacramento.

11. Lower San Joaquin Waterfowl Management Area (San Luis Island).

Appraisal of this tract has been completed, and Public Works Board representatives are in the process of negotiating for the property.

12. Coastal Angling Access Program - Project No. 1011 \$50,000(h)

Mr. Gordon stated that wide dissemination of the published report on this proposal has resulted in great interest and generally favorable reception all along the coast. All coast county Boards of Supervisors have been contacted by letter, some of them in person, in reference to suggested assumption by the counties of the operation and maintenance of proposed project units, because the Fish and Game Commission questioned the wisdom of having the Department assume the future expense and personnel requirements to maintain such units, or further to develop facilities for the use of the public.

The belief was expressed that the start of the program would be greatly expedited if the Board saw fit to allocate a substantial

sum dedicated to the acquisition and initial development of project units in such county or counties as may furnish assurance of adequate and continuing maintenance.

It was therefore recommended that the Board allocate not less than \$50,000 to initiate this program.

During the discussion, in which members of the Joint Interim Committee and representatives of sportsmen's groups present participated, Assemblyman Lowrey expressed the opinion that under legislation adopted at the 1951 session such access rights of way could not be obtained by condemnation.

It was brought out that according to the understanding of the members of the Board and others present the 1951 legislation (Ch. 1505, Stats. 1951) did not modify the statute under which the Public Works Board (which regularly handles all land purchases for the Wildlife Board) acquires property for the State, and that if it actually became necessary the required lands for coastal access rights of way could be acquired by condemnation.

It was regularly moved and seconded that \$50,000 be allocated to the Department of Fish and Game from the Wildlife Restoration Fund to initiate the Coastal Angling Access Program, Project No. 1011, in such county or counties where the Board of Supervisors or other properly constituted public agency shall agree in advance to assume the costs in connection with the maintenance and operation of project units under a proper agreement with the State Department of Fish and Game; and that the Public Works Board is hereby authorized to negotiate for and purchase such land as may be required; and that the Department of Fish and Game is hereby authorized to condition and/or fence the rights of way so acquired, provide parking facilities, etc. out of the funds allocated.

It was further agreed that in the launching of this program in any county the State should depend very largely upon the initiative of the local people.

Passed unanimously.

13. Northern California Marine Fisheries Laboratory

Discussion was had regarding the proposal to construct a new marine fisheries laboratory in San Mateo or Santa Clara County, preferably on or near the Stanford University campus, to replace the present cramped quarters in the basement of the Stanford Museum Building.

In view of the questions that were raised, including among others the desirability of various separate laboratories as against a consolidated unit as originally proposed, the placement of such laboratory facilities on university grounds, and the feasibility of constructing such facilities during the present emergency, it was informally agreed by the Board that this entire matter be more fully studied by the Department of Fish and Game and the findings brought before the Board at a later date for consideration.

Some of those present expressed the opinion that construction of such laboratory facilities should be handled through appropriations from the Fish and

Game Preservation Fund rather than from the Board's funds, but this question was left open for consideration at a later date.

Inquiry was also made concerning the need for expending the suggested sum (\$68,000) to provide better facilities when for some years this work has been handled in the present quarters.

14. Coordinator of Wildlife Projects Employed

Mr. Gordon reported that in preliminary discussions with members of the Board and of the Joint Interim Committee it was the consensus that in addition to Mr. Curtis, who has been doing an excellent job in his present capacity, a person of recognized ability should be employed as a Wildlife Projects Coordinator (rather than to contract for the services of a consultant as was done in the past) who would be responsible for generally supervising and administering the Board's operations. It was further agreed that such responsibilities would not be compatible with the duties of the Director of the Department of Fish and Game.

The matter was discussed at some length and general agreement reached before taking formal action.

It was moved by Mr. Gordon, seconded by Mr. Dean, that Everett E. Horn be employed by the Board, in its exempt position, as Wildlife Projects Coordinator in the salary bracket agreed upon to generally supervise and administer the operations of the Board; investigate proposed projects, and prepare written reports and recommendations for consideration of the Board; coordinate with other State and Federal agencies plans for and expedite completion of approved Board projects; and perform various other duties in connection therewith as outlined in the job specifications presented, said employment to become effective as soon as Mr. Horn can report for duty. It was further agreed that the employee filling the exempt position be granted vacation and sick leave rights commensurate with those granted civil service employees. Passed unanimously.

It was moved by Mr. Dean, seconded by Mr. Payne, that the Director of Fish and Game is hereby designated as the member of the Board who shall between meetings direct and supervise the work of the Wildlife Projects Coordinator. Passed unanimously.

15. Distribution of Special Consultants' Reports

Assemblyman Lowrey expressed a desire to have access to reports submitted by the various special consultants during the progress of the studies concerning the State's wildlife needs.

It was explained that practically all of the information contained in these reports had been included in the large report on CALIFORNIA'S FISH AND GAME PROGRAM, printed by the Senate in March, 1950.

After discussing the matter it was informally agreed that extra copies of the special reports would be prepared and forwarded to each of the members of the Joint Interim Committee as well as to members of the Board who have not heretofore received them.

16. Unobligated Balances and Status of Allocations as of November 28, 1951

With the foregoing actions the total unobligated balance in the Wildlife Restoration Fund is approximately \$809,532.

The total current allocations to various classifications of projects are as follows:

a. Fish Hatchery and Stocking Projects (16)	\$3,608,280
b. Warmwater and Other Fish Projects (7).	158,500
c. Flow Maintenance and Stream Improvement Projects (12). . .	385,752
d. Screen and Ladder Projects (13).	407,838
e. State Game Farm Projects (4)	106,000
f. Other Upland Game Projects (4)	443,117
g. Waterfowl Management Projects (9).	3,726,684
h. General Projects (4)	<u>110,128</u>

Total (69 projects). \$8,946,299

In addition to the specific allocations above, the following reserves have been established: (1) Mendocino National Forest Stream Improvement and Flow Maintenance Program - \$15,000, and (2) Colorado River Recreational Development - \$50,000.

17. Date for Next Meeting

It was agreed that the next meeting of the Board shall be held upon the call of the Chair.

There being no further business the
meeting adjourned at 5:50 P.M.