

WILDLIFE CONSERVATION BOARD  
STATE OF CALIFORNIA  
MINUTES, MEETING OF MARCH 31, 1953

C O N T E N T S

<u>Item No.</u>		<u>Page No.</u>
1.	Approval of Minutes . . . . .	1-2
2.	Discussion Regarding San Gabriel Hatchery . . . . .	2
3.	Status of Funds and Unobligated Balances as of March 31, 1953 . . . . .	2-3
4.	Imperial Valley Waterfowl Management Area. . . . .	3-7
	Present Use of Lands Proposed for Purchase . . . . .	4
	Available Water . . . . .	5
	Estimated Cost . . . . .	5
	Suggested Source of Funds . . . . .	5-7
5.	State Chamber of Commerce Proposal for Access to Recreational Waters . . . . .	7-8
6.	Grey Lodge Waterfowl Refuge . . . . .	8-10
7.	Date for Next Meeting . . . . .	10

WILDLIFE CONSERVATION BOARD  
STATE OF CALIFORNIA  
MINUTES, MEETING OF MARCH 31, 1953

Pursuant to the call of the Chairman, the Wildlife Conservation Board met in Room 435, State Capitol, Sacramento, California, on March 31, 1953. The meeting was called to order by Chairman William J. Silva at 3:45 p.m.; Mr. Silva having been elected President of the Fish and Game Commission on January 30, 1953, and in accordance with Board policy automatically assumed the Chairmanship.

PRESENT: William J. Silva	Chairman
James S. Dean	Member
Seth Gordon	"
Senator Charles Brown	Joint Interim Committee
Senator George J. Hatfield	" " "
Senator Ben Hulse	" " "
Assemblyman Thomas M. Erwin	" " "
Assemblyman Lloyd W. Lowrey	" " "
Assemblyman Frank P. Belotti	" " "
Everett E. Horn	Wildlife Projects Coordinator

Others Present:

Walter T. Shannon	Department of Fish and Game
Ben Glading	" " "
E. L. Daggett	" " "
Ralph Scott	Deputy Attorney General
Charles L. King	Attorney, Oroville
V. M. Moir	State Chamber of Commerce
George D. Difani	President, Organized Sportsmen of California
E. E. Hatch	Farmer, Gridley
Henry K. Mauldin	State Chamber of Commerce
A. R. Sitton	Monte Rio Recreation District
Sen. Paul L. Byrne	Chico
W. W. Neubarth	Biggs-West Gridley Irrigation District

Also present were members of the Imperial Valley Farm Bureau and the Imperial Valley Fish and Game Commission; landowners in the Colusa area and interested sportsmen and civic leaders of Colusa County; representatives of the North Coast District, State Chamber of Commerce, and several interested citizens from the vicinity of Clear Lake and Monte Rio.

1. Approval of Minutes

Mr. Gordon referred to Page 2 of the August 24, 1952 Minutes regarding San Gabriel Hatchery. Mr. Gordon stated he wanted to correct any impression that he was opposed to the proposed San Gabriel Hatchery and to go on record as favoring the expansion of the hatchery system in Southern California.

Further, that members of the Wildlife Conservation Board and Department of Fish and Game staffs are presently looking for a suitable site for a hatchery.

IT WAS REGULARLY MOVED AND SECONDED THAT READING OF THE MINUTES OF THE WILDLIFE CONSERVATION BOARD MEETING OF AUGUST 24, 1952 BE DISPENSED WITH AND SAID MINUTES BE APPROVED WITH THE EXPLANATION MADE BY MR. GORDON.

PASSED UNANIMOUSLY.

## 2. Discussion Regarding San Gabriel Hatchery

Discussion followed concerning San Gabriel (formerly Whittier) Hatchery. Assemblyman Erwin inquired regarding the status of a bill and appropriation made by the Legislature in 1945 for Whittier, Kern, Stony Creek and other hatcheries. Mr. Gordon stated these items were contained in Item 245 of the 1947-1948 Budget Act; and that certain of these items were transferred to the Wildlife Conservation Board November 28, 1947, March 19, 1949 and December 19, 1949. Senator Hatfield explained that the Board allocated funds for the items which had been carried over from Item 245 of the 1947 Budget Act.

Assemblyman Lowrey stated the Board had not allocated funds for the Glenn-Colusa Hatchery (Stony Creek), originally occurring in Item 245.

FOLLOWING THIS DISCUSSION IT WAS MOVED BY ASSEMBLYMAN ERWIN AND SECONDED BY SENATOR HATFIELD THAT THE JOINT INTERIM COMMITTEE RECOMMEND TO THE BOARD THAT THE COORDINATOR BE INSTRUCTED TO PREPARE A WRITTEN REPORT OF THE HISTORY AND STATUS OF WHITTIER AND STONY CREEK HATCHERIES, AND OF THE STATUS OF FUNDS THAT WERE ORIGINALLY APPROPRIATED AS ITEM 245 OF THE 1947-1948 BUDGET ACT.

PASSED UNANIMOUSLY.

Thereupon by motion duly made and seconded and unanimously adopted by the members of the Board, the Coordinator was instructed to prepare a written report of the history and status of Whittier (now San Gabriel) and Stony Creek Hatcheries, and of the status of the funds that were originally appropriated as Item 245 of the 1947-1948 Budget Act. Said report to be distributed by Mr. Horn to the members of the Board and Interim Committee.

## 3. Status of Funds and Unobligated Balances as of March 31, 1953

Mr. Horn reported that up to the opening of today's meeting the amount allocated to specific projects aggregated \$9,565,150, made up as follows:

a. Fish Hatchery and Stocking Projects (17) . . . . .	\$4,158,023
b. Warmwater and Other Fish Projects (9). . . . .	134,500
c. Flow Maintenance and Stream Improvement Projects (17). . .	404,953
d. Screen and Ladder Projects (13). . . . .	404,603
e. State Game Farm Projects (4) . . . . .	105,644
f. Other Upland Game Projects (4) . . . . .	441,077
g. Waterfowl Management Projects (11) . . . . .	3,806,310
h. General Projects (4) . . . . .	<u>110,040</u>

Total (79 Projects) . . . . . \$9,565,150



March 31, 1953  
WCB Minutes

In addition to the specific allocations above, \$15,000 remains in reserve from the Mendocino National Forest Stream Improvement and Flow Maintenance Program, and \$50,000 remains in reserve for the Colorado River Recreational Development. The unobligated balance is \$1,138,347.

Mr. Horn advised that recent developments concerning the condemnation suit for San Luis Island (Lower San Joaquin Waterfowl Management Area, Project No. 506, Merced County) and the probable need for additional funds to complete the Grey Lodge Expansion (Lower Butte Creek Waterfowl Management Area, Project No. 548, Butte County) make it necessary to hold an undetermined fund in reserve to meet these possible increased needs.

There is but little possibility of completing for some time the Butte Sink Waterfowl Management Area, Project No. 507 (for which \$710,000 was allocated on March 19, 1949) and Madera Waterfowl Management Area, Project No. 532 (for which \$621,000 was allocated on March 19, 1949). This fact suggests it might be wise to borrow funds from these two projects, without prejudice, to complete other necessary projects. This would release \$1,331,000, though it might be best to leave a small sum allocated to each project.

Mr. Lowrey inquired if any funds had been allocated for any warmwater fish projects in California north of San Francisco Bay. Mr. Horn advised no past allocations had been made but other items on the agenda for this meeting involved such projects.

Chairman Silva suggested, if there were no objections, the Board take up the items on the agenda for the benefit of people present who had traveled long distances to attend the meeting.

#### 4. Imperial Valley Waterfowl Management Area

Mr. Horn reported as follows: During the past two seasons waters flowing into Salton Sea in Imperial County has caused the level of the Sea to rise until it is now at about the -236 foot contour. Sea water now covers much of the land along the south and east sides, leased by the Department of Fish and Game from the Imperial Irrigation District for waterfowl management purposes. Only about 800 of the original 12,000 acres available to the State are now suitable for the production of waterfowl food. The balance is either flooded or the water table (brackish water) is so high that the land cannot be farmed.

The Federal Fish and Wildlife Service is somewhat more fortunate in that an estimated 2600 acres of its original 12,000 acres is still farmable; however, the total area suitable for production of waterfowl food is not sufficient to provide a measure of safety in protecting commercial crops from depredations. The state's public shooting areas have also been reduced or rendered far less desirable as managed shooting grounds.

In order to meet the requirements set up in the State waterfowl management program and to assure a greater degree of crop protection, the Imperial Valley Fish and Game Conservation Association, the Imperial Valley Farm Bureau, and the California Farm Bureau Federation passed resolutions asking the Department of Fish and Game and the Wildlife Conservation Board to secure, by negotiated purchase, additional acreage and develop it for waterfowl management purposes.



Areas along the Alamo and New Rivers were examined. Scattered parcels along these streams would be very costly to operate and it would be very difficult, if not impossible, to prevent the ducks from going out from such small scattered parcels to feed upon adjacent crops.

Areas on the east mesa, below the Coachella branch of the All-American Canal, were examined. These are all undeveloped lands for which water is not presently available. Officials of the Imperial Irrigation District do not feel that water will be available on these lands in the immediate future. Some experimental development of similar land in the southern portion of the valley has been done and as high as 56' of water per acre has been required to produce crops, according to available reports.

A parcel of approximately 5600 acres was located on the east side of Salton Sea, extending from Highway No. 111 westward to the Salton Sea Reserve. Approximately 1800 acres in the Salton Sea Reserve are above water and are now set aside, under existing agreement, for lease from the Irrigation District for use by the Fish and Wildlife Service. It is highly desirable that this portion of the Reserve, known as Unit III, be made available to the State if the private lands are purchased. The Regional Director, Fish and Wildlife Service at Portland, Oregon, in a letter dated January 9, 1953, states that the Service is willing to exchange Unit III for the State's Unit B farther south.

Unit III land could be leased from the Irrigation District, and while it would not be wise to develop it for farming, it could be ponded for public shooting areas.

Nearly all, if not all, of the private lands are above the -220 contour, which the engineers of the Imperial Irrigation District feel is in all probability the highest level the Sea will ever reach. The land slope is such that only a small acreage of this proposed purchase would be flooded if the Sea reached the -220 foot contour. This elevation is the very highest the engineers state would ever be reached because the evaporation from the surface at this level would equal the maximum calculated inflow. While no one can positively state that there is no danger of these proposed lands ever being flooded, the best advice from those who have studied the problem indicates there is but little danger of losing these lands by further rise of the level of the Sea. All of the private lands considered for purchase have been offered as a willing sale, subject to negotiation by the Department of Public Works.

#### Present Use of Lands Proposed for Purchase

About 1300 acres of the parcel are raw, undeveloped lands. The balance has been leveled and about 3000 acres were in crops, principally barley, alfalfa, cane and Sudan Grass in late November. Some of the land would require further leveling and leaching. The crops, when last inspected during November, looked good, there being few blank spots in the newly planted barley and alfalfa.

The soil, while not the best in the valley, is being developed by leveling and leaching and is producing far better crops than have been possible on any land heretofore available to the Department in Imperial Valley.

### Available Water

Ample water would be available from canals of the Imperial Irrigation District, according to officials of that District. According to these same District officials, water from the drainage canals leading to the Unit III District Reserve lands could be used for flooding of these district lands.

### Estimated Cost

For the purpose of obligating funds for this project, the purchase of the lands, together with equipment for proper development and operation, would require approximately \$1,064,000. This includes estimates for housing for personnel, other necessary buildings, tractors and farming machinery. Equipment already owned by the Department and used in the operation of the existing management area has been considered in making this estimate. No land appraisals were available, that being left strictly for the Department of Public Works.

### Suggested Source of Funds

The owners of the lands considered for Wildlife Conservation Board Project No. 507, Butte Sink Waterfowl Management Area, withdrew their offer of willing sale. This was reported to the Board at the June 27, 1952 meeting, with a suggestion that no alternate area be sought at this time.

Action on the acquisition of lands for Project No. 532, Madera Waterfowl Management Area, has been held in abeyance. The possibility of finding a better site and more advantageous purchase and operation make it desirable to withhold action on this San Joaquin Valley project until a later date.

Funds for these two projects have been idle since they were allocated on March 19, 1949.

It is recommended that \$705,000 be borrowed from Project No. 507, and \$358,000 from Project No. 532, without prejudice to either project, and allotted to the Imperial Valley Waterfowl Management Area for the purposes set forth.

At Mr. Dean's request, lands that had been abandoned were pointed out on a wall map. Mr. Dean asked what thought had been given to the building of levees to hold the Salton Sea off from existing lands.

Mr. Horn discussed dykes built on both the State and Federal areas in past years that failed and are now under water. Discussion with engineers of the Imperial Irrigation District gave no promise of success by dyking until it was definitely known where the Sea will stabilize.

Mr. Bob Jefferson of the Imperial Valley sportsmen spoke, outlining the need for these lands as a waterfowl management area, and gave the sportsmen's recommendation for the project.

It was generally concluded that this project is of prime importance and that no other block of land of suitable size is available unless condemnation procedure is used and a higher price paid.

Senator Hulse explained that he had no personal interest in any of the lands in question. He wished to dispel the fear of the Valley being under water.



From studies made in the Imperial Valley he is convinced the Sea will never go above the -220 level, and in all probability will stabilize below that figure.

Mr. Greer then introduced himself as a long-time resident of the Imperial Valley, having arrived in 1916 and homesteaded near the Salton Sea. Mr. Greer guaranteed that the Salton Sea will not rise to flood the area proposed for purchase. He said the Sea could be stopped and that the rise in the Sea level is caused by water being wasted and allowed to flow into the Sea without control due to mismanagement on the part of the Coachella Valley Water District.

Mr. Maisson, another representative from the area, introduced himself as a former member of the Assembly and now a landowner in the Valley. He wanted to know the effect this purchase would have on adjoining landowners and whether we would be practicing false economy in delaying this purchase. Mr. Maisson expressed his desire to include his 145 acres, joining on the north, for sale if the state decides to acquire the lands under discussion.

Mr. Silva reminded the group that the state is losing some of its land and we have to protect the Imperial Valley farmers from depredations by waterfowl. We need to help manage waterfowl in that area. Mr. Silva then asked for the Board's desire.

Assemblyman Lowrey suggested that the money be put down there and leave the people in the north alone.

Senator Hatfield asked if it was his understanding that the Consultant recommends this. Mr. Horn answered by saying yes, with this reservation: "It must be appreciated that there is a risk of losing some of this land if the Sea ever reaches the -220 foot level."

Mr. George Difani, representing the sportsmen, asked where the money will come from for the maintenance of this area and the cost of operation. Chairman Silva called upon Mr. Glading of the Department of Fish and Game, who stated that the question that Mr. Difani asked depends upon the type of development of the area. If most of it is in ponds, the maintenance cost will be one figure; if border irrigation farming, the cost will be another figure. Mr. Glading used a tentative figure of \$50 per acre for operating the area. Annual cost and the annual maintenance can be determined from this base figure. Federal Aid Funds and the Department's money would be used.

Assemblyman Belotti asked if Mr. Difani's group were in opposition to this. Mr. Difani explained they were not; they were merely concerned over the budget.

Senator Hatfield stated that these projects are advocated by the sportsmen and asked if the sportsmen want us to abandon making investments from the outside. Mr. Difani answered that they were in favor of additional funds for the Wildlife Conservation Board and Senator Hatfield wondered whether we were getting the proper backing up. Mr. Difani thought the whole thing was a matter of proper control and he said the sportsmen are willing to pay additional fees for licenses to take care of unprecedented situations. He further stated that the sportsmen realize the dollar is inflated and our new reorganization will demonstrate better management and better production and this should convince the people that they should pay more for their licenses.

Mr. Lowrey was interested in knowing whether the \$1,064,000 suggested for this project would be the overall cost or whether it would be necessary to ask for additional money from time to time. Mr. Horn answered that the items cover purchase of land, purchase of equipment, water control headgates, and dwellings for the employees. There would not be additional requests for funds on this project, as far as we can see.

MOVED BY SENATOR HATFIELD, SECONDED BY ASSEMBLYMAN ERWIN, THAT THE LEGISLATIVE COMMITTEE RECOMMEND THAT THE VOTING MEMBERS OF THE BOARD APPROVE THE ACQUISITION OF THIS AREA.

AYES: SENATORS BROWN, HATFIELD AND HULSE  
ASSEMBLYMEN BELOTTI AND ERWIN

ASSEMBLYMAN LOWREY ASKED TO BE RECORDED AS NOT VOTING

MOTION CARRIED

Mr. Dean stated he concurred in the recommendation but desired to state the source of the funds to be used.

MOVED BY MR. DEAN, SECONDED BY MR. GORDON, THAT THE BOARD APPROVE THE PROJECT AND THAT \$705,000 BE BORROWED FROM PROJECT NO. 507 (BUTTE SINK WATERFOWL MANAGEMENT AREA) AND \$358,000 FROM PROJECT NO. 532 (MADERA WATERFOWL MANAGEMENT AREA) WITHOUT PREJUDICE TO EITHER PROJECT, AND UTILIZE FOR THIS PROPOSED IMPERIAL VALLEY WATERFOWL MANAGEMENT AREA.

PASSED UNANIMOUSLY.

IT WAS MOVED BY SENATOR HATFIELD AND SECONDED BY ASSEMBLYMAN ERWIN THAT THE LEGISLATIVE COMMITTEE, UPON ADVICE OF THE VOTING MEMBERS OF THE BOARD, CONCUR IN THE ABOVE MOTION, STATING THE SOURCE OF THE FUNDS TO BE USED FOR THIS PROJECT.

PASSED UNANIMOUSLY.

#### 5. State Chamber of Commerce Proposal for Access to Recreational Waters

Mr. Horn stated that Mr. V. M. Moir, Manager of the North Coast District, State Chamber of Commerce, Santa Rosa, has been vitally interested, not only in the Coastal Angling Access Project, but also in providing access to other public waters, and requested an opportunity to present the views of his group to the Board.

On July 25, 1952 a memorandum was addressed to all Board members, together with a copy of a brochure prepared by the State Chamber of Commerce, setting forth the ideas of the Chamber.

Mr. Moir presented three projects to illustrate the need for access to salt water, a freshwater lake, and a major recreational river and its tributaries.



These were:

1. Clear Lake Project in Lake County, illustrating a problem in lake access.
2. Access to Recreational Waters at Monte Rio, showing the needs for river access.
3. The Sonoma Coast State Park, extending from Bodega Bay to inside the mouth of the Russian River in Sonoma County, as an example of coastal access.

Mr. Mauldin pointed out that on weekends and holidays the recreational areas in the vicinity of Clear Lake are crowded to a point of being ridiculous and if improvements are not gained now the necessary land will become more scarce and acquisition more difficult as time goes by. Mr. Moir considered the initial outlay would be a nominal figure and asked the Board to consider his presentation as a project to be started upon.

Mr. Sitton of Monte Rio pointed out that all of the river frontage from Guerneville to Jenner on the Russian River is privately owned. He said there was an average of 1,000 cars on Saturday and Sunday with families looking for a place to picnic and no way to get to the beaches.

Mr. Moir discussed the beach access problems.

These speakers gave a very clear picture of their problems and asked the Board to act upon these projects with the knowledge that the request is for the initial projects only and that maintenance and further improvement will be the responsibility of local authorities.

Senator Hatfield and Mr. Dean expressed the opinion that these proposals might more rightfully be considered as projects for the Division of Beaches and Parks since they were more concerned with general recreation rather than fish and game problems.

Mr. Moir explained that Beaches and Parks had refused these projects upon the grounds they were too small to be handled by Beaches and Parks Administration.

MOVED BY ASSEMBLYMAN LOWREY, SECONDED BY ASSEMBLYMAN ERWIN, THAT THE INTERIM COMMITTEE RECOMMEND TO THE BOARD THAT THE CONSULTANT INVESTIGATE THESE SUGGESTED PROJECTS AND MAKE A REPORT TO THE BOARD AT THE NEXT MEETING.

PASSED UNANIMOUSLY.

The Board agreed without formal motion and the Chairman instructed the Coordinator to prepare a report for the next meeting.

#### 6. Grey Lodge Waterfowl Refuge

Chairman Silva invited Senator Byrne to come forward and present his views

concerning the Grey Lodge Expansion acquisition. Senator Byrne reviewed the opposition which has developed to further acquisition of lands for waterfowl management purposes. Mr. W. W. Neubarth, representing the Reclamation District, used a map to show the area and explained that the portion in red is land already purchased by the Wildlife Board.

Mr. Neubarth pointed out the parcels of land now owned and occupied by farmers who do not wish to sell and in some cases owners who would sell but who have raised their price. Mr. Neubarth also brought the matter of condemnation before the group and said that after several meetings several years ago a resolution was passed against condemnation.

Chairman Silva could not recall the passing of this resolution and Assemblyman Lowrey confirmed that it was passed before he (Silva) was Chairman.

Mr. Charles L. King appeared in behalf of his clients and said that when these folks came to him he had made inquiry and was assured that it was the policy of the Board not to condemn property but to buy from willing sellers. Mr. King quoted from a letter written and signed by Harvey E. Hastain, dated May 25, 1950 and read as follows: "We are pleased to advise that the members of the Board again reiterated their desire to avoid any action that might be distasteful to those who have suitably located property for use in this connection. Members of the Board further stated that they are confident that should there be any difference between the asking price and the appraisals, which are regularly made by agents of the Public Works Board, such differences can be negotiated to the satisfaction of all concerned, and that if it is found such differences cannot be negotiated they would be unwilling to proceed further."

After reading the excerpt from the letter, Mr. King asked what authority the Department of Public Works had to go to these landowners with a "take it or leave it attitude". His clients were served with due process and did not take kindly to that kind of treatment. Mr. King asked the Board to reiterate its supposedly former stand so that he could go back to the farm folks and state that the Board is of the same opinion as it was when this matter started.

Senator Byrne asked the Board if they intended to move into lands outside the boundary as shown on the map and Senator Erwin asked for an explanation for the irregular shape of the boundary. Mr. Scott answered that this was due to the fact that owners of the property omitted were not willing sellers; that there was litigation over this project and that all of the individuals whose lands are being acquired were represented by counsel.

Mr. Ernie Hatch offered correction to this statement and named individuals not represented by counsel. Hatch again referred to the right of eminent domain, stating the people in the Colusa area felt strongly that eminent domain proceedings should not be invoked. Mr. Hatch further stated that in order to maintain some semblance of relations and good faith on the part of the Board that the Board should come out with some kind of policy to assure the people they will not be dispossessed. The existing Grey Lodge Refuge was started in 1931 and Mr. Hatch stated nothing had been done to develop it for crop production or public shooting. Hatch felt that purchasing property and not developing it is a "bold-faced waste of public funds".



After considerable more discussion regarding condemnation, Mr. Dean explained the function of the Public Works Board in acquiring land for the State under the Property Acquisition Act.

Assemblyman Lowrey discussed various steps encountered during the passage of the Wildlife Conservation Act.

Senator Hatfield gave the following resume of the enactment of the Act, stating that the original bill as passed by the Senate and sent to the Assembly gave the Wildlife Conservation Board power of condemnation. The Assembly objected to giving the Board power of eminent domain, insisting that it could only acquire by negotiated purchases. A committee on free conference agreed and returned the bill without power of eminent domain for the Board but authorized the Board to have the Public Works Board to make its land purchases. This change was approved by the Legislature.

Senator Byrne asked the Board to go on record stating condemnation proceedings would not be used to acquire any properties.

MR. LOWREY MADE A MOTION THAT THE INTERIM COMMITTEE OPPOSE THE WILDLIFE CONSERVATION BOARD EXERCISING THE POWER OF EMINENT DOMAIN TO PROCURE LANDS IN THE FUTURE. SECONDED BY ASSEMBLYMAN BELOTTI.

SENATOR HATFIELD PROPOSED A SUBSTITUTE MOTION TO SET THE MATTER OVER TO A SUBSEQUENT MEETING. SECONDED BY ASSEMBLYMAN ERWIN.

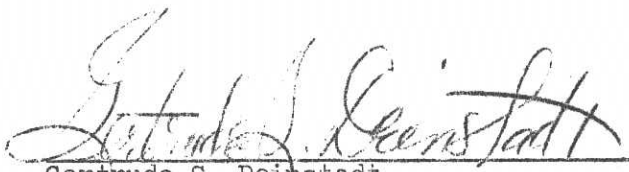
AYES: SENATORS BROWN, HATFIELD AND HULSE  
ASSEMBLYMEN BELOTTI AND ERWIN

NOES: ASSEMBLYMAN LOWREY

#### 7. Date for Next Meeting

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

The meeting adjourned at 6:30 p.m.

  
Gertrude S. DeinStadt  
Secretary