

WILDLIFE CONSERVATION BOARD LEGISLATIVE INTERIM COMMITTEE  
Executive Session

July 16, 1970

The following members attended a meeting of the joint legislative committee of the Wildlife Conservation Board: Senator Robert Lagomarsino, Senator Fred Marler, and Assemblyman Frank Belotti; later joined by Assemblywoman Pauline Davis and Assemblyman Earle Crandall. Staff was represented by Ray Nesbit.

1. Hawes claim on island at Anderson, California

Senator Marler said that he had read the Attorney General's resume of the Hawes claim against the State. It was his recommendation that plaintiffs' depositions be taken as suggested by the Attorney General and that a decision be made when all facts are made available.

2. Report of Land and Water Conservation Fund Program

It was disclosed by Mr. Nesbit that procedural problems encountered in processing Land and Water Conservation Fund projects through the Department of Parks and Recreation have now been corrected.

3. Gray Lodge Enlargement

Mr. Nesbit explained that the Brady Ranch, contiguous to the Gray Lodge Wildlife Area, had been offered for sale at \$900 an acre two years ago and this year was offered to the Department at \$600 per acre with the seller retaining one-half the mineral rights. Mr. Nesbit has negotiated for purchase of the property and has taken an option which amounts to \$525 for the 760 acre parcel with the State retaining all mineral and surface rights. This was merely a preview of the proposed purchase which will be presented for Board

consideration at the August meeting. This will be a \$400,000 project, but Mr. Nesbit advised that the Department will be able to secure reimbursement of 3/4 of the amount as this project qualifies as a P-R project. The Board members concurred that this was a worthwhile acquisition.

4. Department of Navigation and Ocean Development program for coastal zone

Mr. Nesbit asked if there is new statute or legislation which would affect the planning and development of coastal areas. He expressed concern that there is a possibility projects approved by the Board must have final concurrence or approval by another agency. He mentioned that staff has been getting numerous requests for information about WCB plans for development along the coast and asked how he should proceed in regard to these requests.

Senator Lagomarsino suggested that Mr. Nesbit talk to Assemblyman Wilson who has introduced legislation in regard to coastal development. (Assemblywoman Davis also asked Mr. Nesbit to look into AB 2131 by Assemblyman Wilson and mentioned that the City of Eureka is against it.)

The suggestion was made that if staff gets requests for real basic information to be turned over to N.O.D. or committees, that the staff should take the position that this is a policy matter and that it must be taken to the Board for their approval.

5. Whale Rock Reservoir

Mr. Nesbit gave a brief history of Whale Rock Reservoir, the Whale Rock Commission, and the Fish and Game Commission ruling in regard to opening the reservoir to fishing. It was the consensus that this proposal, in order to be considered as a WCB project, must meet all of the requirements and

criteria for any fishing access project, i.e., the State must secure a long-term lease of the area on which developments are constructed, there must be an agency to undertake operation and maintenance after construction, etc.

in this manner  
Mr. Nesbit stated he planned to respond/to the Whale Rock Commission's demand for a grant of funds on an experimental or trial basis. The Joint Interim Committee also concurred that this would be the stand they would take.

6. Senator Coombs' bill re State Water Project recreation funds

Coombs' bill (SB 1268) limits expenditures under this bond act to recreational developments at State Water Projects as defined in the Burns-Porter Act. Mr. Nesbit felt the definition was restrictive and does not, for instance, allow for developments downstream from a reservoir which is a State Water Project. This stream has been enhanced by virtue of the dam construction, but a fishing access project would not be a legitimate expenditure of funds as defined in the bill. It must be amended to allow for enlargement of hatcheries to provide fish for all the reservoirs developed as a result of the State Water Project. He also pointed out that the bill, as it now stands, requires that the WCB projects be budgeted. He believed that the small projects of the WCB would get better legislative review through the Board rather than through the various committees of the legislature. The small staff would not be able to attend the numerous committee hearings to follow each project through the budgetary process.

The projects to be considered under this Bond Act, Assemblyman Belotti said, should be handled independently from the budgetary procedures, and he did not believe that Senator Coombs had given consideration to the fact that the WCB could not operate under these circumstances. Assemblywoman Davis suggested he be contacted immediately inasmuch as the bill would be heard the following day in the Senate Water Resources Committee.

It was the consensus of the Board that this bill must be amended to exclude the \$5 million apportioned to the WCB under this Bond Act so that projects could be considered under the usual Board procedures and that the definition of "State Water Project" be enlarged.