

State of California  
 The Resources Agency  
 Department of Fish and Game  
 WILDLIFE CONSERVATION BOARD

Minutes, Meeting of October 25, 1974

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Minutes of Meeting, Wildlife Conservation Board  
 State of California  
 The Resources Agency  
 Department of Fish and Game  
 WILDLIFE CONSERVATION BOARD

Pete Weiser  
 Dick Smith  
 United Water Conservation District  
 Manager  
 Minutes, Meeting of October 25, 1974  
 Recreation Director

3. Approval of Minutes

Pursuant to the call of the Chairman, the Wildlife Conservation Board met in Room 4202 of the State Capitol Building, Sacramento, California, on October 25, 1974. The meeting was called to order by Chairman Peter Fletcher at 10:05 a.m.

1. Roll Call

- |                        |                             |  |
|------------------------|-----------------------------|--|
| <b>PRESENT:</b>        | Peter T. Fletcher           | Chairman   |
|                        | G. Ray Arnett               | Member   |
|                        | Edward M. Fryer             | Member, vice Verne Orr                             |
|                        | Senator John A. Nejedly     | Joint Interim Committee                            |
|                        | Assemblyman Walter Powers   | " " "  |
|                        | Chester M. Hart             | Executive Officer                                  |
|                        | Alvin G. Rutsch             | Assistant Executive Officer                        |
|                        | John Wentzel                | Field Agent  |
|                        | Jim Sarro                   | Land Agent   |
|                        | Alma Koyasako               | Secretary  |
|                        | Bella Applebaum             | Accountant   |
| <b>ABSENT:</b>         | Senator Dennis E. Carpenter | Joint Interim Committee                            |
|                        | Senator Lawrence E. Walsh   |  |
|                        | Assemblywoman Pauline Davis |  |
|                        | Assemblyman Barry Keene     |  |
| <b>OTHERS PRESENT:</b> |                             |  |
|                        | Richard Brann               | Supervisor, Solano County                          |
|                        | Milton Goldinger            | Solano County Counsel                              |
|                        | John M. Parrish             | Dept. of Fish and Game                             |
|                        | E. G. Hunt                  | " " " "  |
|                        | D. E. Beauchamp             | " " " "  |
|                        | Mary Chessher               | Wildlife Conservation Board                        |
|                        | Keith Steele                | U.S. Corps of Engineers                            |
|                        | Joe Sheehan                 | Dept. of Fish and Game                             |
|                        | A. E. McCollam              | State Reclamation Board                            |
|                        | Allan Wendroff              | " " " "  |
|                        | Joel Nossoff                | Senate Committee on Natural Resources and Wildlife |
|                        | William L. Smith            | Solano County                                      |
|                        | Francis C. Lindsay          | Suisun Resource Conservation Dist.                 |
|                        | Daniel Chapin               | Calif. Waterfowl Association                       |
|                        | Bob Testa                   | Senate Committee on Natural Resources and Wildlife |

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Pete Weiser S.F. Chronicle  
 Dick Smith United Water Conservation District,  
 Manager  
 Bill Tiernan Stanislaus Co. Recreation Director

2. Approval of Minutes

IT WAS MOVED BY MR. ARNETT, SECONDED BY MR. FRYER, AS A JOINT MOTION, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE MINUTES OF THE AUGUST 20, 1974, MEETING.

PASSED UNANIMOUSLY.

3. Status of Funds

Mr. Chester M. Hart, Executive Officer, gave the following report on the Wildlife Conservation Board fund status as of the date of this meeting.

Unallocated balance at start of August 20, 1974 meeting . . . . .	\$844,315.65
Plus recovery of funds . . . . .	41,558.75
Less allocations . . . . .	<u>674,500.00</u>
Unallocated balance as of October 25, 1974, meeting . . . . .	\$211,374.40

4. Lake Piru Fishing Access, Ventura County - Augmentation \$18,215.00

Mr. Hart reviewed that on November 13, 1972, the Board approved the expansion of this previously developed WCB project and allocated funds to construct an upper and a lower level boat ramp. The original ramp constructed by WCB in 1968 did not extend to the higher and lower levels of water fluctuation.

Under contract with WCB, the United Water Conservation District has completed the high level ramp and parking area, but because of reservoir operations which are largely governed by water release commitments and rainfall, the lower ramp could not be constructed until this fall.

A total of \$54,000 out of the \$89,600 allocation has been expended on the higher level ramp contract. With the development only approximately half completed, an augmentation will be required to carry out the project as planned. The scope or standards of development have not been changed. The need for additional funding is a reflection of construction cost increase over the last two years.

Bids for the lower level ramp construction were opened on October 22, 1974, by the United Water Conservation District, and a low bid of \$45,923 was received. With the addition of 15% contingencies for engineering and for construction, \$18,215 is needed to augment the balance remaining from the

original allocation to complete the job in accordance with the approved plans. It was Mr. Hart's recommendation that the Board approve the augmentation of \$18,215 in order to complete the Lake Piru Fishing Access project substantially as planned.

Mr. Fryer asked if the construction could be completed during low water stage of the reservoir, and Mr. Hart advised that as soon as the United Water Conservation District is advised of the allocation of funds, they can award the contract and construction could begin within 30 days, and construction completed during low water stage.

IT WAS MOVED BY MR. ARNETT, SECONDED BY MR. FRYER, THAT THE WILDLIFE CONSERVATION BOARD ALLOCATE AN ADDITIONAL \$18,215 TO COVER THE LOW BID RECEIVED FOR THE LAKE PIRU FISHING ACCESS, VENTURA COUNTY, AND AUTHORIZE THE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

#### RECREATION AND FISH AND WILDLIFE ENHANCEMENT BOND FUND PROJECTS

5. Aqueduct Fishing Access, Stanislaus County  
Orestimba Fishing Access \$15,000.00

The County of Stanislaus has requested the development of a fishing access site at the Orestimba Creek Siphon on the California Aqueduct. By resolution the County has agreed to maintain the area open and free to the public after completion. The County has operated another WCB aqueduct access site in the northern end of the County since 1970. Funding is available for this project from the Fish and Wildlife Enhancement Bond Act of 1970.

The Department of Fish and Game indicates that both catfish and striped bass are present at the project site, as well as other species.

Orestimba Creek is located a short distance off the Interstate 5 freeway, immediately adjacent to one of the largest stands of sycamore trees along the highway. There is easy access to the freeway, and fishermen from nearby counties as well as Interstate 5 travelers would be expected to use the area. Fishing opportunities on the west side of the San Joaquin Valley are relatively scarce.

Development would consist of paved berms or walkways along the aqueduct, parking area, fencing, steps, and sanitary facilities. The WCB's proprietary interest would be obtained through a permit from the Department of Water Resources. DWR would furnish and install necessary safety devices and would again carry out the actual construction.

An environmental assessment has revealed there will be no significant adverse effects caused from project construction or operation. The project is not subject to CEQA regulations.

The cost estimate furnished by DWR and reviewed by staff is as follows:

Parking Area	\$2,500
Berm and Fencing	6,500
Site Improvement - Water Supply	2,700
Sanitary facilities and trash cans	2,000
Signs and contingencies	1,300
<b>TOTAL</b>	<b>\$15,000</b>

Mr. Hart recommended that the Board approve the Orestimba Fishing Access project, allocate \$15,000 for the site from the Recreation and Fish and Wildlife Enhancement Bond Act of 1970, and authorize staff to proceed with the project substantially as planned.

Senator Nejedly asked if there has been any consideration given to parking and landscaping at these sites for there are no cool places, benches, nor facilities to have lunch during the day. In order to utilize these areas to their fullest, he believed these accommodations should be considered as part of the development and provided at these sites. Mr. Arnett stated that the aqueduct fishing program is aimed primarily at providing a safe place to fish in a state water project and has been established in cooperation with the Department of Water Resources to make some utilization of the aqueduct fishing potential. He believed it would be difficult to develop these park-like facilities and make them compatible with maintenance of the aqueduct by Department of Water Resources staff. He agreed with Senator Nejedly that a more park-like facility would be desirable, but felt that the Department of Water Resources would find it more difficult to maintain their water transport facility.

Assemblyman Powers, a member of the Joint Interim Committee, entered at this time and was introduced by the Chairman.

Senator Nejedly commented that in order to have a more meaningful program for utilization of these fishing waters more than minimal facilities should be considered, and Mr. Arnett suggested that the Executive Officer look into this possibility with the Department of Water Resources.

Mr. Hart stated that the Department of Water Resources has proposed that trees be planted at this site. He also commented that the operation and maintenance agreements with the counties enable them to add picnic tables. He said the WCB as a matter of policy has had to limit development of projects to those features which are basic and essential to the public needs for fishing access, and ancillary improvements may be added by the cooperating maintaining agencies.

There was discussion of the types of fishing access facilities constructed and safety devices provided to prevent drownings in the aqueduct. It was brought out that with construction of these fishing access sites, people would be encouraged to use these areas where such safety features are provided and to discourage use where this is not feasible.

IT WAS MOVED BY MR. FRYER, SECONDED BY MR. ARNETT, THAT THE WILDLIFE CONSERVATION BOARD APPROVE DEVELOPMENT OF THE ORESTIMBA FISHING ACCESS, STANISLAUS COUNTY; ALLOCATE \$15,000 FROM THE FISH AND WILDLIFE ENHANCEMENT BOND FUNDS BUDGETED FOR THIS PURPOSE (Item 326(c), Chapter 156/72) FOR CONSTRUCTION THEREOF; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

6. Aqueduct Fishing Access, Kings County  
Avenal Cut-Off Fishing Access \$1,000.00

On November 13, 1972, the Board allocated funds for development of Avenal Cut-Off and Kettleman City Fishing Access sites on the California Aqueduct. Both sites were opened to the public in January, 1974.

The parking area at Kettleman City was treated with penetration oil and a seal coat. The Avenal Cut-Off parking area was not sealed, and both dust and rainy weather parking have been problems at this location.

Kings County, which operates and maintains the projects, has requested WCB funds to complete the Avenal parking area to the same standards as the Kettleman City site. The County has agreed to handle the work with County forces and estimates that the cost would not be in excess of \$1,000.00. Funds are available from 1970 Bond Act monies.

Mr. Hart recommended that the Board approve the parking area paving at the Avenal Cut-Off Fishing Access, Kings County, allocate \$1,000.00 from the Recreation and Fish and Wildlife Enhancement Bond Act of 1970 and authorize staff to proceed with the project substantially as planned.

In response to Mr. Fryer's question, Mr. John Wentzel, Field Agent, responded that this project was a \$15,000 facility, which is a minimum cost for aqueduct fishing access projects.

Assemblyman Powers recommended approval of the allocation.

IT WAS MOVED BY MR. ARNETT, SECONDED BY MR. FRYER, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE PARKING AREA PAVING AT THE AVENAL CUT-OFF FISHING ACCESS SITE, KINGS COUNTY; ALLOCATE \$1,000 THEREFOR FROM THE FISH AND WILDLIFE ENHANCEMENT BOND FUNDS (Item 326(c), Chapter 156/72); AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

BAGLEY CONSERVATION FUND PROJECTS

7. Upper Tomales Bay - Lagunitas Creek Fishing Access, Marin County \$83,000.00

Lands purchased by the Wildlife Conservation Board in 1973, included 13.2 acres of Lagunitas (Papermill) Creek within the tidal influence of Tomales Bay. This site is known as White House Pool, and is a favorite and productive location for steelhead and silver salmon fishing. Marin County is planning development of fishing access facilities for WCB consideration at a future date, and has agreed to operate and maintain the project. Fishermen are using the property in its present undeveloped state.

In the immediate vicinity but on the opposite side of the creek, an 11.5 acre parcel with approximately .3 mile of stream frontage has become available. The property is adjacent to the town of Point Reyes Station and is accessible from Second and Third Streets of the town, as well as fronting on State Highway 1.

An evaluation of potential public fishing benefits of this site by the Department of Fish and Game included the following information:

"Public access to Papermill Creek is in short supply. Angling for steelhead trout and silver salmon during the fall/winter season is essentially limited to the existing WCB public access at White House Pool. Additional public access on the north side would provide relief from the crowded condition that frequently occurs at the White House Pool access site. This reach of Papermill Creek offers excellent angling sites. Providing additional public access should promote an increased harvest of the stream's underutilized steelhead and salmon resources."

Staff has obtained an option for purchase at the appraised fair market value of \$80,000.

Marin County Board of Supervisors by resolution has agreed to assume operation and maintenance responsibilities for the property as an expansion of the White House Pool fishing area.

From staff's initial assessment, WCB purchase of this property would not have a significant adverse effect on the environment and therefore is exempt from requirements of CEQA. The property in recent years has been used as a pasture and holding area for dairy cattle.

Funds are available for purchase from Bagley Conservation Fund monies appropriated to WCB for Tomales Bay acquisitions in the 1973/74 budget.

Mr. Hart recommended that the Board approve acquisition of the property under option, allocate \$83,000 for purchase and related costs from Bagley Conservation Fund monies, and authorize staff to proceed substantially as planned, including application for Land and Water Conservation Fund reimbursement.

A map indicating the previously acquired parcels and the proposed acquisition was displayed to graphically illustrate the relationships of the various parcels at Upper Tomales Bay.

Mr. Fryer asked about the source of the appraisal and was informed that the appraisal was done by an outside appraiser, Mr. Burl Howell, who had been hired previously by the Board for other appraisals in this area and whose appraisals have been approved by the Department of General Services.

Assemblyman Powers recommended approval of this acquisition on behalf of the joint legislative committee.

IT WAS MOVED BY MR. ARNETT, SECONDED BY MR. FRYER, THAT THE WILDLIFE CONSERVATION BOARD APPROVE ACQUISITION OF THE PROPERTY UNDER OPTION AT UPPER TOMALES BAY, MARIN COUNTY, FOR THE LAGUNITAS CREEK FISHING ACCESS; ALLOCATE \$83,000 FROM THE BAGLEY CONSERVATION FUNDS BUDGETED FOR THE 1973-74 FISCAL YEAR; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED, INCLUDING AUTHORIZATION TO APPLY FOR FEDERAL LAND AND WATER CONSERVATION FUNDS.

PASSED UNANIMOUSLY.

#### OTHER BUSINESS

#### 8. Suisun Marsh

Mr. Hart stated that this item was placed on the agenda for discussion as to the position the Board would desire to take with regard to recent legislation. The fact that Senator Nejedly is now a member of the Board's legislative committee and the key author of SB 1981 would provide the Board an opportunity to hear his comments. Mr. Hart further summarized the situation as follows:

Legislation that recently became effective includes SB 1981, which enacted the Suisun Marsh Preservation Act of 1974, and AB 3401, which contained funding for land acquisition for a Suisun Marsh project. Both bills involve WCB.

SB 1981 is a complex bill including both planning and acquisition elements, and involving a number of state and local agencies of government.

The WCB was designated as the acquisition authority in SB 1981, which also contained budget act provisions to appropriate \$4,000,000 to WCB for this purpose. However, these acquisition funds were deleted before the bill was signed.

AB 3401 as finally approved appropriates \$2,000,000 to the Department of Parks and Recreation for land acquisition for "Suisun Marsh project", provided the money is matched equally by the Wildlife Conservation Board. Several provisions of this bill conflict with those of SB 1981 or add restrictions on expenditure of the appropriated funds for acquisition.

Both bills are urgency statutes and went into effect immediately. Apparently both the Department of Fish and Game and San Francisco BCDC can proceed with their planning responsibilities as directed and funded by SB 1981.

Under present circumstances, however, acquisition with the \$2,000,000 appropriation in AB 3401 cannot proceed unless the WCB agrees to provide matching funding, and the key policies and mechanics of how such a matching program would be administered are worked out.

Senator Nejedly commented that the legislation will require amendment, particularly in light of the Governor's deletion of the specific appropriation of \$4,000,000. Supplemental legislation is already planned. The specific issue of interest to this Board, he continued, is the matter of requirements of action by the Board. Where historically the Board has been able to exercise independent judgment, the legislation mandates specific reactions by the Board. He has this in mind and if the Board has any specific direction that they feel the legislation should take, he was interested in knowing about it. He was particularly interested in knowing the sources of funding and the extent of acquisitions, particularly in light of priorities or time schedules in which the priorities should be met. In other words, how much time does the Board feel they have and where do they feel the acquisition funds should come from. There is need to move quickly in this area for the legislation will be an urgency measure. He stated he would like to introduce the bill in December so that the 30-day period can be running and the bill acted upon in the month of January. He was desirous of getting the Board's position prior to the first committee hearings so that there will be no conflicts at that time.

The Chairman confirmed that the Board has concern of its historical acquisition procedures, and he suggested it might be appropriate that the Board indicate what funds should be used or its ability or willingness to provide additional funds at this time. The Board staff, he continued, has had communication with the members on the various approaches the Board could take with regard to this problem and that the staff had recommended option No. 5 as outlined by the Executive Officer in his October 17 letter.

Senator Nejedly then assumed that the Board would be in support of the supplemental legislation if the requirements of the bill would accommodate the provisions of option Number 5.

There was consensus that the Board adopt recommendation No. 5 as set forth in the October 17 communication, which is that the WCB declare its intent to provide matching funds up to \$2,000,000 if needed and to administer the acquisition program, provided that the proposed WCB 1975-76 budget for 1974 bond act funds is approved, and further provided that the AB 3401 funds are reappropriated to WCB in accordance with acquisition provisions of SB 1981. It was further decided that there be a meeting of the Board after introduction of the bill and prior to the first committee hearing on the bill to be introduced by Senator Nejedly.

Senator Nejedly expressed the hope that this legislation provides a sense of direction in terms of priorities for acquisition of wetlands. The

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Chairman acknowledged that it does and indicated that the main thrust of the Bond program of the Board was on this type of wetlands acquisition.

The Chairman advised that there were people in the audience who were interested in the Suisun Marsh item and indicated that they were permitted to speak.

Mr. Dan Chapin, representing the California Waterfowl Association, commented that this Association supports the legislation and the intent of SB 1981 and believed it encouraging to note that the Board shares their concern.

Mr. Francis Lindsay, representing the Suisun Resource Conservation District, remarked that the District started actively a year ago and was very pleased with the action taken.

Mr. Dick Brann, Supervisor, Solano County, pointed out that the County believes this is a complex piece of legislation and was unnecessary in the first place since the county has historically tried to preserve the marsh. Now that we do have this legislation it was his hope that development rights can be acquired with the funds appropriated so that they do not have a problem of inverse condemnation. He stated that there are lands there that have been frozen by the bill and as the bill now stands there is no one to buy the development rights and he felt it is a gross injustice to Solano County.

Mr. Milton Goldinger, County Counsel, Solano County, voiced his support of Supervisor Brann's stand.

Mr. William Smith, rancher in Solano County and owner of 3,000 acres within the buffer zone, expressed appreciation for the work and effort put into the bill. He was unenthusiastic about the bill until he saw what the intent of this legislation was and learned that there was to be compensation for anything taken from property owners. He supported the bill and was pleased to see it implemented.

The Chairman announced that on or before the first of the year the Board will again meet with regard to the proposed legislation for the Suisun Marsh.

9. 1974 Bond Act Program \$6,075,000.00

The Chairman reported that WCB Legislative Advisory Committee member Assemblyman Keene had corresponded with Board members with regard to the Bond Act Program, the main thrust of which the Assemblyman felt should be towards wetlands acquisitions. Mr. Fletcher noted that the proposed program in the agenda includes \$4,500,000 for wetlands as compared to \$1,500,000 for non-wetlands, or a 3 to 1 weight on wetlands appropriation. He wondered if the Assemblyman were aware of this fact at the time he wrote the letter. He asked the Executive Officer to respond to Assemblyman Keene's letter and provide him with the figures and to give consideration to his proposals.

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Mr. Hart reported that at its meeting of August 20, 1974, staff was directed to prepare a Bond Act program of priority projects to be considered by the Board for inclusion in the 1975-76 budget.

In summary, the State Beach, Park, Recreational and Historical Facilities Bond Act of 1974 provides \$10,000,000 in supplemental funding for the WCB program, for land acquisition or development in accordance with the Board's long-standing statutory authority, the Wildlife Conservation Law of 1947. The Act further provides that the funds are to be appropriated by the legislature through the budgetary process.

Two previous bond acts in 1964 and 1970 have provided \$11,000,000 in supplemental funding for the WCB program. Most of these monies were expended to modernize and expand the State's fish hatchery system to meet increasing fisheries management and fishing recreational demands. Current and foreseeable priority needs for such developments have been largely met from these funding sources.

In reviewing possible priority uses of the 1974 Bond Act funds, staff concluded that the \$10,000,000 available will fall far short of funding all desirable, major projects within the scope of the WCB program. However, the Board can attain maximum accomplishments through its normal procedures of carefully selecting the highest priority projects that will produce greatest benefits from expenditure of state funds, utilizing direct acquisition methods for land purchases, and where appropriate, obtaining matching funds or other participation by cooperating governmental agencies.

For a 1974 Bond Act program, staff recommends that highest priority be given to implementing major land acquisition projects that exceed the normal financial resources of the WCB. Only about 6 percent of the previous bond funds were expended for land acquisition.

Presented below are four major acquisition projects which staff is recommending as a balanced, initial program to meet priority wildlife conservation needs. Although emphasis is on protecting key areas of threatened wildlife habitat, many of the wetlands and riparian acquisitions will also help preserve fisheries and other aquatic life. Most acquisitions would also provide public use opportunities, such as fishing, hunting, nature study, and other wildlife related recreation.

The initial program proposed recommends appropriating \$6,075,000 of the Bond Act funds in the 1975-76 budget. This would leave \$3,925,000 in reserve for other major projects the WCB may approve in future budget years, or for supplementing the initial projects as actual experience indicates is desirable.

Mr. Hart recommended the following procedures as the most feasible process for implementing major land acquisition projects in accordance with the provisions of the Bond Act, the WCB statutory authority, and the Board's long-standing policy of direct acquisition on a willing sale basis:

1. That the Board approve major projects as presented below for budgetary processing and appropriation of funds;
2. That from such budgetary appropriations, the Board allocate funds for individual acquisitions that it approves within the scope of the overall project, following staff securing appraisals, options, and such other information as required for Board action;

3. That the appropriate general section of the budget act, normally Section 7, add WCB to the listed state agencies exempted from the provisions of the Property Acquisition Law for land acquisition with the appropriated funds;

4. That the individual budget act items for such WCB appropriations contain provisions that any reimbursements received from the Federal Land and Water Conservation Fund or other federal grant programs will be deposited to the credit of the item. This is a fiscal procedure which will prevent the federal reimbursements from going back into the bond funds thereby possibly becoming lost to the WCB. The federal program is intended to supplement rather than subsidize a program.

Mr. Fletcher asked how No. 3 would be accomplished, and Mr. Hart responded that it could be through a request that the WCB budget include language for this specific exemption. This would prevent such conflicts as in Senator Nejedly's bill for Suisun Marsh which provided for direct acquisitions by the Board but a section of the budget bill, generally Section 7, provides that agencies must acquire under the Property Acquisition Law, unless listed as an exemption. This puts the final acquisition authority in the Public Works Board rather than the Wildlife Conservation Board.

Senator Nejedly asked if this question had been referred to the Legislative Counsel. He felt it was necessary to determine whether provisions in SB 1981 providing for direct acquisition by the Board supersedes that in the budget bill, for it may require new legislation. Mr. Hart commented that in the Bond Act itself it is stated that the funds shall be available to the Board in accordance with the Wildlife Conservation Act of 1947 which provides for direct acquisitions by the Board. However, in the budget bill in Section 7, there is a provision that land acquisitions with budgeted funds must be in accordance with the Property Acquisition Law.

The Chairman instructed staff to secure legislative counsel's opinion relative to this question.

Mr. Hart then went into the program elements and recommended Board consideration and approval of the following projects for budget submission.

A. Bighorn Sheep Range Acquisition Project \$500,000.00

The bighorn sheep is a magnificent animal native to California that has long attracted special public attention. Concern for its status is reflected in part by the legislative prohibition on hunting of the species which dates back to 1873.

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I. That the Board approve major projects as presented below for budgetary processing and appropriation of funds;

Renewed interest in the preservation of bighorn sheep led to Senate Concurrent Resolution No. 43 and to SB 210 in the 1968 legislative session. These directed and funded investigations on current status of the bighorn and development of plans for the protection, preservation, and management of this species.

The Department of Fish and Game complied by its December, 1969, "Report on the Status of Bighorn Sheep in California," and by a related and continuing series of administrative reports.

The Department's current estimate of the State's bighorn sheep populations is approximately 3,750 animals, located mainly in desert and semi-desert ranges of Southern California. Major problems to preservation of the species have been identified by the Department as water shortage, competition with burros, and man usurping their habitat.

Approximately 20 percent of the total bighorns in the state are in the Santa Rosa and San Jacinto Mountains of southern Riverside County. The estimated 780 animals there are the rare peninsular bighorn, and make up approximately two-thirds of the remaining population of this sub-species. This area is better watered than most desert bighorn habitat and currently is devoid of burros.

This bighorn sheep range, however, is adjacent to Palm Springs, Palm Desert, Rancho Mirage, and other expanding desert communities, with critical habitat areas threatened by rapid residential encroachment.

Most of the land in the Santa Rosa Mountains is in a checkerboard pattern with alternating sections of Bureau of Land Management and private ownership. For a number of years the Department of Fish and Game and others interested in bighorn conservation have emphasized the need to block out in public ownership the key areas of bighorn habitat. Primary emphasis to date on such consolidation of public land ownership has been on land exchanges by BLM. Although some progress is being made, it is now apparent that purchases will be necessary to acquire many areas of critical bighorn range.

On the basis of previous acquisitions, appraisals, and preliminary negotiations, staff considers that a \$500,000 WCB project for this purpose would enable approximately 10 sections (6,400 acres) of such lands to be purchased. By carefully coordinating such WCB purchases with BLM exchanges and with other acquisitions by Riverside County, Nature Conservancy, and possibly other governmental or private organizations, a highly significant accomplishment for preservation of bighorn sheep can be made.

Although the main focus of this project is proposed for the Santa Rosa and San Jacinto Mountains, it is recommended that authorization allow flexibility for opportunity purchase of other high priority bighorn range parcels under urgency conditions.

It is anticipated that most bighorn range areas acquired by WCB under this proposed project would be managed by the Department of Fish and Game, and that such uses of these areas would be permitted as are compatible with the continued well being of the bighorn.

Senator Nejedly asked about the relationship between the San Jacinto State Park and the proposed purchases and was informed that the state park is mainly on the top or western slope of San Jacinto Mountains, while the lands to be acquired under this program are on the lower easterly slopes in the desert basin region of San Jacinto Mountains and the Santa Rosa Mountains. Therefore, a declaration of the state park as a wilderness area would not solve the bighorn sheep range needs.

**B. Deer Winter Range Acquisition Project \$1,000,000.00**

In recent history deer have been the most plentiful big game animal in California. The State's deer herds constitute an extremely valuable and desirable natural resource producing many public benefits.

In most areas of California, and throughout the West as well, deer numbers now are significantly below those of ten to twenty years ago. Not all of the reasons for the reduced deer populations are known, but there is no doubt that major causes are significant declines in both the quantity and quality of deer habitat.

The Department of Fish and Game estimates that more than 30,000 acres of deer habitat are lost annually in California to subdivisions, water impoundments, road, agriculture and other human land use needs. Since 1965, 155,000 acres of deer winter range have been lost to subdivisions in three of the top deer counties alone.

The Department of Fish and Game is developing a new deer management plan. Although the plan is not yet completed, a key element will place major emphasis on preserving remaining areas of important deer habitat, and managing these areas to maintain or improve quality of the habitat for deer.

It is no doubt a realistic statement that many deer herds will never be restored and others will continue to decline because of past or continuing encroachments on their ranges. This is particularly true where large, key areas of deer habitat are in private ownership, economic factors or opportunities dictate land uses incompatible to deer, and circumstances do not warrant public acquisition. It is not economically feasible to attempt to place all deer ranges in public ownership, nor would this necessarily be in the best overall public interest.

Some of the best opportunities for direct, feasible action to preserve threatened deer herds exist under the following circumstances: The majority of the deer range is already in public ownership, such as National Forests or National Parks, where land uses are, or can be made, favorable for deer. The threat is due to private ownership of a relatively

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small but important segment of deer range, which with incompatible use or development will result in a major reduction of the deer herd. Related circumstances make public acquisition of the private lands feasible and desirable.

The above conditions most frequently exist where key portions of deer winter range fall on private inholdings within public lands, or on private lands adjacent to public lands.

Although large-scale subdividing for recreational homesites in deer areas appears to be on the decline, the subdivision threat to deer herds has not gone away. Parcel sales or lot-splitting by individual landowners still goes on, and it takes an intrusion of only a few cabins with dogs and human disturbance to effectively destroy significant winter range values for deer.

The Department of Fish and Game has recommended WCB consideration of such a winter deer range acquisition project. The Department has identified approximately 11,600 acres in eight locations in central and northern California which warrant priority consideration. If all these lands were acquired, the estimated costs would exceed \$2,000,000.

It was anticipated by staff that the acreage and cost for proposed acquisitions will be reduced in the process of further priority review and in willing sale negotiations with landowners. A \$1,000,000 project was recommended.

Such an acquisition program also would be coordinated with acquisition or exchange efforts of other public agencies, with a potential of appreciably reducing WCB costs in this manner.

It is anticipated that the Department of Fish and Game would manage most of the lands acquired, directly or by cooperative agreement with BLM or USFS, and that other uses compatible with conservation of the deer herd would be permitted.

Mr. Hart commented that the projects recommended under the bond act have not been arranged in a 1, 2, 3, 4 priority -- they are all in essence number 1 priority.

Senator Nejedly asked if there was a proposal to put \$1,000,000 for big game land acquisition in the Fish and Game budget, and Mr. Arnett responded that there will be considerably more than that for study and management of big game, but not for land acquisition per se. This was corroborated by Mr. E. G. Hunt, Chief of the Wildlife Management Branch of the Department of Fish and Game who pointed out that 19% of Fish and Game's \$30 million budget is set aside for big game. Senator Nejedly suggested that funds for land acquisition be put into the Fish and Game budget specifically for this purpose. He further suggested that there may be other ways in which the State can retain deer populations without resorting to land acquisitions,

such as compensating someone who is willing to do what Fish and Game is proposing to do, i.e., providing water or supplementary feed, etc. Mr. Arnett stated that this proposal is included in the Department of Fish and Game's Big Game Policy and did not feel that this is something that can be accomplished by the WCB. Mr. Hart pointed out that the Board can acquire lands, rights in lands, water rights, easements or development rights as provided under the statutory authority of the Board and the interest in the lands need not be specifically fee interest.

It was the consensus of the Board that this budgeted item for land acquisition for big game recognizes the intent of the Board to provide for big game preservation.

(Assemblyman Powers left at this time.)

C. Coastal Wetlands Acquisition Project \$3,000,000.00

The coastal marshes and estuaries in California are some of the most naturally fertile and productive areas in the state, providing essential habitat for hundreds of fish and wildlife species.

Such wetland areas have been reduced about 70 percent since the turn of the century, with only approximately 105,000 acres of tidal marshes and mud flats remaining. Only 8,500 acres of coastal marshes and mud flats remain in Southern California, an area where nearly 90 percent of the original wetland acreage has been lost to a variety of developments.

To date the Wildlife Conservation Board has acquired approximately 9,321 acres of coastal wetlands at Grizzly Island in Suisun Marsh, Solano County; Upper Tomales Bay, Marin County; and Buena Vista Lagoon, San Diego County. Bond Act funding would enable a considerable increase in WCB acquisitions of this nature.

Coastal wetlands considered by the Department of Fish and Game and the U.S. Fish and Wildlife Service as warranting a high priority for public acquisition were identified in a cooperative report entitled "Acquisition Priorities for the Coastal Wetlands of California" published by these two agencies in April, 1974. The 25 priority areas listed were selected from 65 areas surveyed, primarily on the basis of their fish and wildlife values and threats to their continued existence as a natural resource.

The overall acquisition program outlined in this report certainly is beyond the financial resources of WCB. However, there are a number of federal, state, and local governmental agencies, as well as private conservation organizations, involved in acquiring or otherwise protecting many of these coastal areas or public rights and interests therein.

Staff considers that the appropriate role for WCB in this overall effort would be primarily to aim at (1) acquiring those coastal wetland areas of highest fish and wildlife values that would best be managed or administered by the Department of Fish and Game, and (2) entering into cooperative acquisition and management projects with local governmental

agencies where the Board determines that protection of the State's fish and wildlife resources provided by the project warrant State participation.

By concentrating WCB efforts primarily within such an area of responsibility, but in coordination with other coastal acquisition or protection efforts, staff feels that the Board can make a highly significant contribution to preservation of the State's remaining coastal wetlands and the fish and wildlife resources dependent upon this habitat.

Although emphasis would be on habitat and resource preservation, such acquisitions would provide increased opportunity for public use and enjoyment, such as fishing, clamming, bird watching and other nature study, hunting, etc.

Staff considers that areas warranting early WCB consideration under the above criteria for such a coastal wetlands acquisition project would include but not necessarily be limited to, Suisun Marsh, Upper Newport Bay, and San Elijo Lagoon.

Mr. Hart favorably recommended this project and an initial appropriation of \$3,000,000 for implementation.

D. Interior Wetlands and Riparian Habitat Acquisition Project \$1,500,000.00

The WCB program has long placed major emphasis on acquisition to preserve or restore freshwater marsh and streambottom riparian habitat areas. Similar to coastal wetlands, these interior wetland areas provide essential habitat for a wide variety and great numbers of fish and wildlife.

All of the major wildlife areas of this type managed by the Department of Fish and Game have been purchased and developed by WCB or the Board has participated in expansion or development. These include Honey Lake, Gray Lodge, Los Banos, Mendota, and Imperial Valley Wildlife Area, which provide a highly important segment of the wintering habitat for the Pacific waterfowl flyway, as well as substantial benefits for other fish and wildlife and for related public use and enjoyment.

Two large areas of primarily riparian habitat have been acquired by WCB to date. One is the 800 acre Mojave River Wildlife Area managed by San Bernardino County. The Board also has undertaken phased acquisition of the 1300 acre Hidden Valley Wildlife Area on the Santa Ana River, to be managed by the County of Riverside.

In addition, a number of WCB acquisition primarily for fishing access or fisheries habitat on the Sacramento, Feather, Eel and other rivers have protected significant areas of riparian habitat. Conversely, purchase of riparian habitat areas frequently will provide fisheries related benefits.

Although significant accomplishments for protection have been made, losses of highly important wildlife habitat of this type continue at a rapid rate.

For example, recent estimates indicate 29 percent of the riparian wildlife habitat along the Sacramento River from Colusa to Redding has been lost primarily to agricultural and urban expansion in the last 20 years, with losses continuing at the rate of 500 acres or more per year. Most of the wildlife habitat of this type has already been practically eliminated along lower sections of the Sacramento River, and in San Joaquin Valley and Southern California areas.

WCB staff recommends including a major project of \$1,500,000 in the Bond Act budget to authorize and fund continuing priority acquisitions of interior wetlands and riparian areas. Staff considers such priority acquisitions would include completing purchase of the Hidden Valley Wildlife Area, acquiring key areas of riparian habitat along the upper Sacramento River and other threatened areas, and opportunity purchases to expand existing State wildlife areas of this type.

E. Project Planning

\$75,000.00

Consideration by the Board of additional Bond Act projects, as well as determining highest priority and most feasible elements for Board allocations within major approved projects may require preliminary surveys, studies and planning with costs that cannot be met within the normal WCB staff budget. A budgeted item for such Bond Act project purposes is recommended.

Mr. Hart summarized that \$4½ million has been suggested for wetlands acquisitions and \$1½ million for other types of land acquisitions, giving a 3 to 1 priority to wetland preservation. The remaining nearly \$4 million would be held in reserve to be used for supplementing these projects or for other major projects which the Board may desire to undertake.

Mr. Fryer stated that the proposed program is to commit \$6 million of the \$10 million allocated to the Board. He asked what projects not considered today as high priority remain for bond funding. Mr. Hart replied that the Bond Act requires that bond monies be expended for purposes of the State Environmental Goals and Policies Report in addition to the Wildlife Conservation Law. The only other major area of habitat preservation as listed in the goals and policy report would be spawning areas for salmon and steelhead. There are listed in the State Environmental Goals and Policies Report seven types of habitat of critical concern. Two of them are general and five are specific. Staff has covered 4 of the 5 types in this budget proposal, the fifth being the one for spawning areas for salmon and steelhead, and which may remain to be considered in the bond act program.

IT WAS MOVED BY MR. ARNETT, SECONDED BY MR. FRYER, THAT THE WILDLIFE CONSERVATION BOARD APPROVE FOR SUBMISSION IN THE 1975-76 BUDGET BILL UNDER THE STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT PROGRAM THE FOLLOWING PROJECTS:

Bighorn Sheep Range Acquisition Project	\$ 500,000
Deer Winter Range Acquisition Project	1,000,000
Coastal Wetlands Acquisition Project	3,000,000
Interior Wetlands and Riparian Habitat Acquisition Project	1,500,000
Project Planning	75,000

ALL ACQUISITIONS ARE TO BE ACCOMPLISHED THROUGH THE USUAL WCB ACQUISITION AUTHORITY AND PROCEDURES AND EXEMPTED BY BUDGET LANGUAGE FROM THE PROVISIONS OF THE PROPERTY ACQUISITION LAW. FEDERAL LAND AND WATER REIMBURSEMENT WILL BE SOUGHT FOR ANY APPROPRIATE PROJECTS AND ANY REIMBURSEMENT RECEIVED FROM THIS SOURCE OR OTHER FEDERAL GRANT PROGRAM WILL BE DEPOSITED TO THE CREDIT OF THE BUDGET ITEM. STAFF IS INSTRUCTED TO PROCEED WITH BUDGETARY PROCESSING OF THIS PROGRAM IN ACCORDANCE WITH THE ABOVE PROVISIONS, AND TO PREPARE ELEMENTS OF THESE PROJECTS FOR BOARD CONSIDERATION FOLLOWING BUDGETARY APPROPRIATIONS.

PASSED UNANIMOUSLY.

(Senator Nejedly was called out of the meeting at this time.)

10. Liberty Ship Artificial Reefs

Mr. Hart reported that this proposal was previously mentioned for Bond Act funding, but was not included in the above bond program. He thought it best to include this item for discussion. This project was of a nature that environmental documents were necessary to be processed pursuant to CEQA before the Board could actually approve the project.

The Department of Fish and Game has assumed lead agency responsibility for this project and is processing a negative declaration. This procedure was not completed in time for WCB consideration at this meeting.

The cost estimate for a pilot project to sink one liberty ship ranges from \$55,000 to \$0, depending on salvage value of various materials and equipment removed from the ship before sinking. One state actually netted money on a liberty ship reef project due to such salvage values.

At present it appears to staff that the most feasible way to ensure implementing this desirable pilot project without undue delay would be for WCB to consider funding from the Wildlife Restoration Fund at the next Board meeting after the negative declaration or EIR is finalized.

The pilot results would then provide a better basis for evaluating the feasibility and best funding sources of a larger scale project.

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Mr. Fletcher instructed staff to proceed with a pilot project and present it to the Board at its next meeting.

11. Resolution in Honor of Senator Fred W. Marler, Jr.

IT WAS MOVED BY MR. ARNETT, SECONDED BY MR. FRYER, THAT THE FOLLOWING RESOLUTION IN HONOR OF SENATOR FRED W. MARLER, JR., BE ADOPTED.

PASSED UNANIMOUSLY.

Resolution Honoring Fred W. Marler, Jr.

WHEREAS, Senator Fred W. Marler, Jr., has served as a member of the Joint Legislative Advisory Committee of the Wildlife Conservation Board since 1967; and

WHEREAS, He has given unstintingly of his time and ability to help formulate policies and further projects of the Board for the betterment and public enjoyment of our wildlife resources; and

WHEREAS, He has resigned from the Senate and as a member of the Board upon his appointment as Superior Court Judge on September 13, 1974; and

WHEREAS, He will be sorely missed by all who have had the privilege of working with him in his capacity as a member of the WCB and as a legislator; Now therefore be it

RESOLVED, That we, the members of the Wildlife Conservation Board, the Joint Legislative Committee, and the Board staff, convey to his Honor, Judge Fred W. Marler, Jr., our hearty congratulations on his appointment to Department 15, Sacramento Superior Court, and extend our best wishes for an exciting and successful career in the judiciary; and be it further

RESOLVED, That this resolution be made a part of the official minutes of this Board and that a copy of this resolution be furnished Judge Marler.

There being no further business, the meeting was adjourned by the Chairman at 11:15 a.m.

Respectfully submitted,

*Chester M. Hart*

Chester M. Hart  
Executive Officer

PROGRAM STATEMENT

At the close of the meeting on October 25, 1974, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947, totaled \$36,100,323.00. This total includes \$4,270,537.64 reimbursed by the Federal Government under the Accelerated Public Works Program completed in 1966, the Land and Water Conservation Fund Program, the Anadromous Fish Act Program, and the Pittman-Robertson Program.

The statement includes projects completed under the 1964 State Beach, Park, Recreational and Historical Facilities Bond Act. Projects funded under the 1970 Recreation and Fish and Wildlife Enhancement Bond Fund and the Bagley Conservation Fund will be included in this statement after completion of these programs.

a.	Fish Hatchery and Stocking Projects . . . . .	\$10,228,521.47
b.	Fish Habitat Development and Improvement Projects . . . . .	3,916,316.23
	1. Reservoir Construction or Improvement . . . . .	\$2,125,338.63
	2. Stream Clearance and Improvement . . . . .	243,013.03
	3. Stream Flow Maintenance Dams . . . . .	439,503.32
	4. Marine Habitat . . . . .	270,779.36
	5. Fish Screens, Ladders and Weir Projects . . . . .	837,681.89
c.	Fishing Access Projects . . . . .	10,912,112.97
	1. Coastal and Bay Access . . . . .	1,171,577.56
	2. River and Aqueduct Access . . . . .	2,963,451.38
	3. Lake and Reservoir Access . . . . .	2,783,053.25
	4. Piers . . . . .	3,994,030.78
d.	Game Farm Projects . . . . .	146,894.49
e.	Game Habitat Development and Improvement Projects . . . . .	9,989,118.72
	1. Wildlife Areas . . . . .	9,550,669.60
	2. Miscellaneous Game Habitat Development . . . . .	438,449.12
f.	Hunting Access . . . . .	472,436.81
g.	Miscellaneous Projects . . . . .	401,422.31
s.	Special Project Allocations . . . . .	33,500.00
	<b>Total Allocated to Projects . . . . .</b>	<b>36,100,323.00</b>

STATUS OF FUNDS

Wildlife Restoration Fund

Unallocated balance after 8/20/74 meeting . . . . .	\$211,374.40
Plus miscellaneous revenue . . . . .	+ 1,061.27
Less allocation made at 10/25/74 meeting . . . . .	<u>-18,215.00</u>

Unallocated balance at close of 10/25/74 meeting \$194,220.67

Respectfully submitted,

Chester M. Hart  
Executive Officer