

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

Minutes, Meeting of April 16, 1979

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State of California
The Resources Agency
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WILDLIFE CONSERVATION BOARD

Minutes, Meeting of April 16, 1979

Pursuant to the call of the Chairman, the Wildlife Conservation Board met in Room 6031 of the State Capitol, Sacramento, California, on April 16, 1979. The meeting was called to order by Chairman Sherman Chickering at 3:00 p.m.

1. Roll Call

<u>PRESENT:</u>	Sherman Chickering	Chairman
	E. C. Fullerton	Member
	Roy M. Bell	Member
	Senator Barry Keene	Joint Interim Committee
<u>ABSENT:</u>	Senator John A. Nejedly	Joint Interim Committee
	Assemblyman Dan Boatwright	" " "

STAFF PRESENT:

Chester M. Hart	Executive Officer
Alvin G. Rutsch	Assistant Executive Officer
John Wentzel	Field Agent
W. John Schmidt	Land Agent
Jim Sarro	Land Agent
Bella Applebaum	Accountant
Alma Koyasako	Secretary

OTHERS PRESENT:

Leroy Bennett	Senator Nimmo's office
Don Dimitratos	Marin County
Brian Wittenkeller	Marin County
Melinda Estes	Tahoe City Public Utility District
Paul Jensen	Dept. of Fish and Game
Bruce Browning	" " "
Sandora Smith	Wildlife Conservation Board
Joe Sheehan	Dept. of Fish and Game
Rose Takata	" " "
Henry J. Mello	Assemblyman, 28th District

2. Approval of Minutes

Mr. Chester Hart, Executive Officer, reported that minutes of the February 7, 1979, meeting have been published and distributed and recommended approval.

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IT WAS REGULARLY MOVED AND SECONDED THAT THE MINUTES OF THE
FEBRUARY 7, 1979, MEETING OF THE WILDLIFE CONSERVATION BOARD
BE APPROVED.

PASSED UNANIMOUSLY.

3. Status of Funds

Although the Status of Funds was not included in the agenda as an item, Mr. Hart felt it important to include this information for the benefit of the Board members. He advised that the unallocated balance of the Wildlife Restoration Fund after the February 7, 1979, meeting was \$598,359.41. With addition of \$424,000 scheduled for recovery in the following item, he noted there would be available for allocation \$1,022,359.41.

4. Recovery of Funds

The Ellwood Pier proposal in Santa Barbara County has been abandoned by the County as infeasible. Other plans are proceeding for the pier. Staff recommended cancellation of the Ellwood Pier project and recovery of \$424,000, the amount allocated for its construction. Mr. Hart mentioned that this agenda includes an alternate fishing pier project in Santa Barbara County at Goleta.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL, THAT THE WILD-LIFE CONSERVATION BOARD CANCEL THE ELLWOOD FISHING PIER PROPOSAL, SANTA BARBARA COUNTY, AND RECOVER THE \$424,000 PREVIOUSLY ALLOCATED THEREFOR.

PASSED UNANIMOUSLY.

5. Lake Tahoe Public Access Improvements, Placer County
(Change in scope)

The improvements to the Lake Tahoe Public Access at Lake Forest near Tahoe that were authorized by the WCB on April 24, 1978, have been completed. This work consisted primarily of repaving and other improvements to the parking area.

There were significant savings due to a favorable bid and to the adjoining U.S. Coast Guard Station handling paving of the entrance road, so that a balance of approximately \$10,508 remains from the \$49,100 allocation.

However, installation of loading floats for the launching ramp at this project as approved by the Board on June 21, 1977, has not been completed, primarily due to delays in obtaining the required permits. The \$3,800 allocation for purchase of the floats and for steel mats for launching at low water levels was expended fully for these purposes and the account closed.

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Since the Board approved these improvements, further evaluation has indicated that the planned system for holding the floats in place, consisting of cables and anchors, will not work satisfactorily in the strong wave action that is fairly prevalent at this site. Installation of two pilings to hold the floats in position is now recommended. Estimated costs are \$1,500.

This could be accomplished by the Board expanding the scope of the April 24, 1978, authorization to include purchase and installation of the piling, and authorizing \$1,500 of the remaining funds in this project to be utilized for these purposes. It is planned that the balance of the remaining funds will be recommended for recovery after final accounting is completed.

It is expected that this project will receive continued heavy use, in part due to the continuing low level of Lake Tahoe and the attendant difficulty in launching boats in many locations on the lake. This is the only public launching facility in the northwesterly part of Lake Tahoe.

Staff of the Tahoe Public Utility District, which operates and maintains the project, has given assurances that the District will make every effort to complete these improvements before the main boating season this summer. This includes removal of large rocks in the launching area to keep the ramp and loading floats useable and reasonably free of damaging obstructions to boaters.

Mr. Hart recommended the Board approve broadening the scope of the project as authorized on April 24, 1978, to include piling for float anchoring, and authorize expenditures of up to \$1,500 from existing funding for the Lake Tahoe project for such purposes.

Miss Melinda Estes, Administrative Assistant for the Tahoe City PUD, testified that the engineers have re-evaluated the cost of installing the half circle collars that go on the floating dock itself which will add \$200 to the cost of the improvement. Therefore, the total amount required for the proposal would be \$1,700, rather than the \$1,500 noted in the agenda. Mr. Hart stated it was an oversight that the new figure was not included and believed the \$200 additional for this work was reasonable.

IT WAS MOVED BY MR. BELL, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE BROADENING THE SCOPE OF THE PREVIOUSLY AUTHORIZED LAKE TAHOE PUBLIC ACCESS IMPROVEMENTS PROJECT, PLACER COUNTY, AS PROPOSED, TO INCLUDE PILING FOR FLOAT ANCHORING, AND AUTHORIZE EXPENDITURES OF UP TO \$1,700.00 FROM EXISTING FUNDING FOR THE PROJECT.

PASSED UNANIMOUSLY.

6. Marine Fisheries Aircraft

\$145,000.00

This project proposed replacement of the twin-engine Cessna Skymaster the Department has been using for marine fisheries work and taking it out of service because it is reaching the stage where corrosion makes it imperative to move it to non-salt air environment for continued life of the airplane.

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The estimated cost of this new airplane fully equipped is \$145,000. Mr. Hart reported that after consideration of this proposal at the February 7, 1979, meeting, the Board directed that the Department of Fish and Game follow Section 28 budgetary procedures for this item.

In attempting to comply, further evaluation by the Department of Fish and Game and Department of Finance resulted in conclusions that Section 28 procedures did not fit the circumstance and were inappropriate. This procedure applies primarily to an item that had already been budgeted which requires an augmentation of funds. This item had not been budgeted. Therefore, the item has been scheduled on this agenda for further consideration by the Board. The purchase is specifically authorized by Section 1353 of the Fish and Game Code.

Mr. Bell commented that he had originally proposed going through the fiscal committee first, but after discussion with Chairman Boatwright of the Assembly Ways and Means Committee (also member of the WCB legislative committee), he is now recommending that the Board approve the item for financing out of the Wildlife Restoration Fund in the amount of \$145,000.

There were no comments from the public in response to Chairman Chickering's request. He then advised that a letter was received from Richard May, President of California Trout, which objected to purchases of this type from the Wildlife Restoration Fund.

IT WAS MOVED BY MR. BELL, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE PURCHASE OF A TWIN-ENGINE AIRPLANE FOR USE BY THE DEPARTMENT OF FISH AND GAME IN MARINE FISHERIES WORK AND ALLOCATE \$145,000.00 FROM THE WILDLIFE RESTORATION FUND FOR ITS PURCHASE.

PASSED UNANIMOUSLY.

7. Westgate Landing Public Access, San Joaquin County Expansion in Scope

This project, the culmination of many years of effort by Lodi-Stockton area sportsmen, San Joaquin County through its parks department, and the WCB, to provide access to the Terminous area of the South Fork Mokelumne River, was approved by the WCB in 1971, and funds in the amount of \$90,500 allocated therefor.

On 6/21/77 a reduced project scope (elimination of ramp over the levee) and a funding augmentation of \$50,150 was approved by the Board in order to get this long delayed project underway. Various problems with site conditions on the property acquired by the County for the cooperative project and increased development costs related thereto caused a delay of several years.

However, updated cost estimates by the County reflecting the continuing rise in construction costs now indicate that the increased funding by WCB is still inadequate to cover project costs, despite efforts to scale down facilities and reduce expenses where feasible.

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It now appears that the best solution to the financing problem is to obtain additional federal funding for the project from the LWCF program. This can be done by expanding the WCB project scope to include separate but directly related facilities that the County had agreed to fund, primarily the access road and drainage facilities. This would make Westgate Landing a cost-sharing project, with WCB providing \$140,150 and the County \$54,000.

For such cost sharing projects with local government, such as new fishing piers and the Whittier Narrows Fishing Lakes with Los Angeles County, usual WCB procedures have been to submit the overall project for federal reimbursement under the LWCF program. The reimbursement has then been shared with local government on the same basis as the original cost sharing.

Mr. Hart recommended that the Board authorize expanding the scope of this project to include directly related project costs funded by San Joaquin County, and sharing with the County any federal reimbursement received under the LWCF program. This would not require additional State or local funding, but would allow \$27,000 in federal funds out of this year's WCB allocation of LWCF to be put into the project to cover cost increases.

Senator Barry Keene who had just come in to the meeting was introduced.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL, THAT THE WILDLIFE CONSERVATION BOARD AUTHORIZE EXPANDING THE SCOPE OF THE WESTGATE LANDING PUBLIC ACCESS PROJECT, SAN JOAQUIN COUNTY, TO INCLUDE DIRECTLY RELATED PROJECT COSTS FUNDED BY SAN JOAQUIN COUNTY IN THE LAND AND WATER CONSERVATION FUND PROJECT APPLICATION, AND SHARING WITH THE COUNTY OF SAN JOAQUIN ANY FEDERAL REIMBURSEMENT RECEIVED UNDER THE LWCF PROGRAM.

PASSED UNANIMOUSLY.

8. Wild Trout, Steelhead and Salmon Habitat Acquisition Project
Cantara Loop, Siskiyou County \$5,500.00

At its meeting of February 7, 1979, the Board approved the purchase of two parcels of land in Siskiyou County under the Board's Wild Trout, Steelhead and Salmon Habitat Acquisition Program.

Further review of the appraisal has led the appraiser to adjust his estimate of value on one of the parcels from \$60,000.00 upward to a total of \$65,500.00. The basis of this adjustment was the appraiser's reconsideration of previously overlooked market comparisons. This reappraisal is being reviewed by the Department of General Services.

Staff agrees with the reconsideration and recommends the Board allocate \$5,500.00 to add to the previously approved amount of \$60,000.00 for purchase of the subject property, conditioned on approval of the reappraisal by the Department of General Services.

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Mr. Hart mentioned that the landowner has indicated willingness to sell for this additional amount. No increase is expected in related acquisition expenses.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL THAT THE WILDLIFE CONSERVATION BOARD ALLOCATE AN ADDITIONAL \$5,500.00 TO COVER THE REAPPRAISAL VALUE FOR THE CANTARA LOOP ACQUISITION PROJECT, SISKIYOU COUNTY, FROM THE 1974 STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT FUNDS BUDGETED FOR WILD TROUT, STEELHEAD AND SALMON HABITAT ACQUISITION PROJECT, SUBJECT TO APPROVAL OF THE REAPPRAISAL BY THE DEPARTMENT OF GENERAL SERVICES.

PASSED UNANIMOUSLY.

9. Paradise Beach Fishing Pier, Marin County \$162,800.00

Paradise Beach Pier, formerly a part of a naval net repair depot on the Tiburon peninsula in southern Marin County, was converted to a fishing pier by the WCB in 1962 in cooperation with the County.

A proposal by the County to reconstruct the pier was presented to the Board at the March 6, 1978, meeting and \$21,000 was allocated, matched with County funds, for engineering and design work.

At the time this was presented to the Board last year, it was pointed out that the pier underpinnings had never been replaced, and the structure could not be considered safe for public use for many more months. As a consistently popular fishing spot for striped bass, jacksmelt, starry flounders, and various perch species of the bay, the loss of this pier to public use would be keenly felt by the citizens of Marin County as well as the greater Bay area population.

Pursuant to the Board's approval, an agreement was entered into with the County, and soils investigations, preliminary design work and cost estimate for the work have now been completed.

Mr. Al Rutsch, the Assistant Executive Officer, pointed out that the structure is to be of all concrete construction, except for the railings, and almost exactly the same size as the wooden pier which it replaces. Its stem is to be 302 feet long by 15 feet wide, and its tee 194 feet long by 22 feet wide. He verified that the original reconstruction did not include pile replacement and the piling had reached its full life.

The County has developed extensive day use facilities onshore adjacent to the pier, consisting of access roads and parking, as well as restrooms and picnic facilities, all extensively landscaped. No improvements other than the pier reconstruction are needed at this time.

The cost estimate as prepared by the County Public Works Department, and reviewed by staff, is as follows:

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Move in and out	\$52,500.00	
Piling, furnish and drive	70,300.00	
Pile caps	45,700.00	
Double tees	42,300.00	
Concrete decking and curb	41,100.00	
Railing	21,500.00	
Expansion joint	7,800.00	
Appurtenances - waterline, drinking fountains, benches, fish cleaning sink	<u>12,800.00</u>	
	SUBTOTAL	\$294,000.00
Contingencies		<u>31,600.00</u>
Total Est. Construction Cost	\$325,600.00	325,600
WCB Cost, 50% of construction cost	<u>\$162,800.00</u>	31,500
County Cost, 50% of construction cost	\$162,800.00	357,100
Demolition of existing pier	<u>31,500.00</u>	
Total County Costs	\$194,300.00	

The County, as lead agency, has filed a Categorical Exemption for this project under Sections 5100, 5101 (Class 1-d), and 5102 of the State Guidelines (replacement or reconstruction of existing structures). The County Department of Public Works will complete final construction drawings, provide contract administration, and supervise the construction. The County has agreed to extend the term of the State's lease for a twenty-five year period, and to continue the operation and maintenance of the project for this term.

Application will be made for 50% reimbursement for the County and WCB costs under the federal LWCF program.

Mr. Hart noted that Don Dimitratos and Brian Wittenkeller from Marin County were present and have provided a copy of a resolution from Marin County Board of Supervisors agreeing to County operation and maintenance and 50% funding for this project.

Mr. Don Dimitratos commented that he has worked with Mr. Hart and Mr. Rutsch for a couple of years on this project and put together the funding as presented and hoped the Board will give its approval.

Mr. Hart recommended the Board, with consideration of the Categorical Exemption, approve the Paradise Beach Pier Project as proposed, allocate \$162,800 therefor from the Wildlife Restoration Fund, and authorize staff and the Department of Fish and Game to proceed with the project substantially as planned, including sharing with the County any federal LWCF reimbursements received for the total construction and demolition costs.

Senator Barry Keene recommended approval of the project as presented.

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IT WAS MOVED BY MR. BELL, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE RECONSTRUCTION OF THE PARADISE BEACH FISHING PIER, MARIN COUNTY; ALLOCATE \$162,800.00 THEREFOR FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED, INCLUDING SHARING WITH THE COUNTY ANY FEDERAL LAND AND WATER CONSERVATION FUND REIMBURSEMENTS RECEIVED FOR THE TOTAL CONSTRUCTION AND DEMOLITION COSTS.

PASSED UNANIMOUSLY.

10. Goleta Fishing Pier, Santa Barbara County \$476,500.00

Mr. Hart mentioned that this is an alternate for the Ellwood Pier which the Board today cancelled and on which project the WCB has worked with the County for nearly 8 years in an attempt to provide improved pier fishing opportunities in the area. The County finally abandoned efforts on Ellwood Pier due to practically insurmountable problems, and this facility is continuing to be used for purposes related to offshore oil drilling and production.

Mr. Rutsch explained that the handout being passed out to the Board members shows the 800 ft. long addition to the existing 630 ft. long structure. The first 400 feet is to be 20 feet wide and the outer 400 feet to be 16 feet in width. The existing structure has been investigated by a consulting firm for the County, and they have determined that it is sound and there is very little work that needs to be done on the existing 630 foot long pier. Because of sand movements along the coast, the depths have become shallower, and for better fishing, it is desirable to extend the pier into the deeper waters. In response to Mr. Fullerton's question, Mr. Rutsch indicated the structure is near the U.C. Santa Barbara campus, also near the airport, about 10 miles north of the City.

A restroom is also planned to be constructed near the foot of the pier as part of this project, since the nearest such facilities are located nearly 1,000 feet from the pier.

Presently there is a small boat rental building on the beach, and skiff launching is provided on the pier which would be redeveloped in the proposed project. In past years, party boats docked at the end of the pier for fishing excursions to the offshore islands. However, accumulating sand along the beach has reduced water depths, precluding continued party boat operations.

It is the County's plan that provisions be made for continuing both boating concessions on the extended pier. Past experience has shown these facilities to be popular with the fishing public. The only other place to launch skiffs or similar small boats in this general area is in the City of Santa Barbara harbor, which is about 10 miles away from the local fishing grounds. The party boat facility before it had to be discontinued was used by about 4,000 people each season -- many of these being retired senior citizens or others who cannot afford a boat. The concessions are also an important consideration for the County to generate the necessary revenue to help defray the pier operation and maintenance costs.

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The Department of Fish and Game has indicated that good fishing is now available for about 20 species of fish. The extension would provide a significantly expanded catch, including several varieties of rockfish, white and barred sea bass, bonito, and yellowtail. A sewer outfall now parallels the proposed outer 400 feet of pier and the rock covering would, in effect, serve as an artificial reef. The Department feels that usage would at least double with the pier extension.

A cost estimate and plans have been prepared by the County and found to be adequate by staff review. The County plans to request bids on several alternatives and, in consultation with WCB staff, to proceed on the best alternative within funding.

Cost estimate is as follows:

Pier structure	\$763,000
Party boat landing facility	36,000
Small boat launching	6,000
Restroom building	18,000
Plumbing, sewer and water	70,000
Electrical systems	60,000
TOTAL	<u>\$953,000</u>

WCB Cost 50% \$476,500

Most of the required share for the WCB would be available from the \$424,000 previously allocated for Ellwood Pier and recovered at this meeting. The project should qualify for 50% reimbursement of most of the costs under the LWCF program, and it is planned to apply for and share these costs with the County as has been the WCB practice for such cost-sharing projects.

The County, acting as lead agency, has completed a Negative Declaration and filed a Notice of Determination in compliance with CEQA. The County is also securing all necessary permits, has agreed to operate the area for a 25-year period, and will provide a free lease of the project area for this term to meet proprietary interest requirements for WCB projects. The County has also agreed to deposit all revenues derived from concession operations in a fund to be used exclusively for pier maintenance.

As indicated in a memo to all Board members, Mr. Hart pointed out that this proposed pier project includes a sportfishing boat landing for partyboat operations. There was considerable Board discussion of WCB funding involved in a similar sportfishing boat landing on Imperial Beach Pier, San Diego County, at WCB meetings on November 11, 1975, and January 13, 1976.

Senators Nejedly and Keene were particularly concerned that State funds not be expended for a commercial enterprise that should be undertaken by the private sector. Agreement was reached for WCB participation in the development, primarily on the bases that (1) the landing would be a facility owned and controlled by public agencies; (2) the sportfishing boat

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operator was a concessionaire providing fishing opportunity and services for the public, similar to any concession arrangement in conjunction with a public area or facility; and, (3) project revenues from the concessionaire were entirely devoted to operation and maintenance of the public fishing pier project. However, opinion was expressed that the Board should be careful to weigh the public interest in any future proposals involving commercial operations.

Mr. Hart felt that public interests in this proposal are paramount, similar to the situation at Imperial Beach Pier.

Staff concurred that all such proposals warrant careful evaluation. However, in the wake of Proposition 13, it is believed there is merit to the Board's having a more liberal policy toward participating in funding basic structures that are an integral part of the project and that will provide services to the public that are directly or closely related to project purposes, through concessionaire arrangements.

Local governmental agencies are increasingly hard-pressed for funds to operate and maintain such projects. Mr. Hart believed that revenues from public service concessionaires to help offset such costs are highly preferable to having to impose some form of direct user fees to keep such facilities open to the public.

Mr. Fullerton was fearful that a party boat landing facility at the pier would create the same problem as at Imperial Beach, requiring additional WCB funding for reconstruction. Mr. Hart pointed out that at Imperial Beach the problem was considered due to an original faulty design which did not provide for the dolphins to withstand adequately the pressures of the landing operation. He indicated there should be good review of the final engineering to ensure that the design is adequate at Goleta.

There was consensus that the contract with the county be structured to provide for revenues from the concessionaire be put into a special fund for operation and maintenance of the overall public fishing pier project, so that replacement of any of the facilities would be from revenues generated therefrom. Mr. Hart stated there would be two things covered in the contract with the County - first that there be State approval of the fees charged and secondly that replacement of facilities be funded from revenues from concession contracts.

Mr. Hart also pointed out that in the discussions relative to Imperial Beach it was brought out that these landings do provide for emergency landings for private boats. However, most private boat operators are not experienced with this type of landing so that regular use must be restricted to the boat landing concessionaire.

Senator Keene reiterated his concerns that if there is going to be some private operation which produces profits and revenues for government, there should be some provision to, if not recoup the funds put forth by government on the project, at least have any moneys received as a result of the operation set aside for maintenance and repair, so that we would not be

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obligated to come up with additional costs in the future. If that were provided in one of the contracts, either with the County or concessionaire, he believed it would be consistent with his concerns.

Mr. Bell believed that these concerns could be taken care of by requiring that such revenues would be earmarked for operation and maintenance of the facility and not used for other county purposes. Mr. Hart mentioned that Mr. Pahos from Santa Barbara County Parks was scheduled to be at this meeting to speak for the County but has not shown up as yet. He believed that Mr. Pahos would agree that all of these conditions would be acceptable to Santa Barbara County.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL, THAT THE WILDLIFE CONSERVATION BOARD, WITH CONSIDERATION OF THE NEGATIVE DECLARATION, APPROVE THE GOLETA FISHING PIER, SANTA BARBARA COUNTY; ALLOCATE \$476,500.00 FOR ITS CONSTRUCTION FROM THE WILDLIFE RESTORATION FUND, TO BE MATCHED BY THE COUNTY; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED, INCLUDING SHARING OF FEDERALLY REIMBURSED PROJECT COSTS WITH THE COUNTY ON A PROPORTIONATE BASIS.

PASSED UNANIMOUSLY

11. Sacramento River Salmon Spawning Gravel Replenishment \$100,000.00
Shasta County

The Department of Fish and Game has proposed a Wildlife Conservation Board project to improve king salmon spawning areas in the Sacramento River, which have been reduced by the loss of gravel downstream from Keswick and Shasta Dams.

There is currently an opportunity to acquire old gold dredging gravels from a local construction firm which controls the nearest gravel source and is presently working in the area.

Rehabilitation of the Sacramento River spawning grounds is essential to maintain the river's historic salmon runs. A streambed under natural flow regime is dynamic with scouring action and sedimentation processes at high flows.

Although spawning beds shift locations, the overall spawning area under natural conditions usually remains fairly constant; gravel recruited from within the watershed replaces gravel lost during high flows. However, when a dam is built, the flow regime is altered. Upstream gravel recruitment is halted and downstream recruitment limited by reduced flows.

The loss of gravel is most obvious in the Redding area. Degradation of spawning riffles, especially between the ACID Dam in Redding and the mouth of Clear Creek, is considered to be one of the major causes of the declining salmon runs in the upper Sacramento River. This area was once one of the most intensively used king salmon spawning areas in the world. In

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looking at the reach between ACID Dam and Balls Ferry, the average annual fall spawning escapement from 1957 through 1969 was about 97,800 fish. The average from 1970 through 1976 was 29,800 fish, or a reduction of about 68,000 fish. Changes in spawning habitat appear to be one of the most logical causes for this reduction.

The Department of Fish and Game has completed three small scale gravel replacement projects in the Redding area during recent years, and in each case king salmon made good use of the gravels. The largest gravel replacement project was completed in April of 1978 when 2,300 cubic yards of gravel were graded, hauled, and placed at a cost of \$21,000.

The gravel presently available can be obtained, graded, washed, and placed in the river at an estimated cost of approximately \$4.00 per cubic yard which is considered to be a very economical price. A \$100,000 or 25,000 cubic yard project could provide additional high quality spawning area for as many as 3,214 female salmon. Since the gravel, if placed so that it can be used at 4,000 cfs flows and above, will be used twice a year -- once in the spring and once in the fall -- this figure can be doubled to 6,428 females. The ratio of females to males in the Sacramento River averages 1:1.5, so a total spawning population of 16,070 could be accommodated annually with 25,000 cubic yards of gravel.

Three sites in the Redding area that once provided good spawning for large numbers of fish were reviewed by specialists and the "Redding Riffle" has been selected for the gravel replacement. The "Redding Riffle" reportedly was created or improved by gravel accidentally dumped into the river during Shasta Dam construction. However, spawning conditions there have deteriorated over the years due to gravels being washed downstream and the lack of gravel recruitment as discussed above.

The proposal falls within Class one (1) of Categorical Exemptions from CEQA requirements, which includes maintaining stream channels to protect fish and wildlife. The Department will secure all necessary state and federal permits and schedule the work.

Salmon populations generally have been declining and certainly can use help in recovering from effects of the recent drought. Mr. Hart felt that this proposal has particular merit because of the present needs of the resource and the unusually favorable economics. He stated, however, that he had advised in a memo to Board members, that spawning gravel replenishment below dams now blocking natural gravel recruitment is a continuing, long-term and expensive problem which should be the responsibilities of the dam developers and primary project beneficiaries. He felt it would be advisable for the Board to take note of this fact, and that although it may fund some individual projects of this type, such actions by WCB should not be interpreted that it is assuming such responsibilities or intends to embark on a major program for which others are more properly responsible.

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Mr. Hart recommended that the Board approve the project as proposed, allocate \$100,000 therefor from the Wildlife Restoration Fund, and authorize staff and the Department to proceed substantially as planned. He noted that a letter from the Shasta-Cascade Wonderland Association supporting the project also pointed out the fact that future funding of gravel replenishment is a responsibility of the Federal Government, especially the Bureau of Reclamation, Central Valley Project.

Regardless of who is responsible and who should fund this type of project, Mr. Fullerton pointed out that with the situation of no fish and no place for the remaining fish to spawn, this is the best expenditure of funds that the Board could make. Senator Keene recommended approval of the project.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE SACRAMENTO RIVER SALMON SPAWNING GRAVEL REPLENISHMENT, SHASTA COUNTY, AS PROPOSED; ALLOCATE \$100,000.00 THEREFOR FROM THE WILDLIFE RESTORATION FUND; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

1974 and 1976 BOND ACT PROJECTS

12. Interior Wetlands and Riparian Habitat Project
Camp Cady Wildlife Area, San Bernardino County

\$995,300.00

This proposal is to acquire approximately 1,311 acres of primarily high quality riparian habitat along the Mojave River in San Bernardino County. The acquisition of this property has been given a high priority recommendation by the Department of Fish and Game.

Mr. John Schmidt, Senior Land Agent, pointed out on a map some key points relative to the acquisition which is located approximately 17 miles easterly of the City of Barstow, and is readily accessible from Harvard Road. This road, which is served by two Interstate freeways (I-40 is 7+ miles to the south and I-15 is 3+ miles to the north), provides convenient public access to this area.

The proposed acquisition includes approximately three miles of river frontage, and is composed of areas within the river bottom, floodplain, and some adjacent uplands. The property provides a desert oasis setting, unique to this area. These circumstances are created by the surfacing of the Mojave River at this point and unique geological substrata formations which bring subsurface waters from nearby mountains. This combination of "spring" water and river water has created prime riparian habitat found nowhere else in this vicinity of the Mojave Desert. Three ponds have been created on the property by previous owners, using natural water flows, to enhance the existing fish and wildlife habitat.

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The overall habitat supports a variety of both game and nongame species. Resident and migratory waterfowl, as well as other water associated species, occur in these ponded areas. Numerous quail, doves, and other species of birds are present in the upland and wooded areas. Various hawks, owls, and other raptors use the tall trees as roosting and nesting areas while a variety of reptiles are found in the drier sandy wash areas. Bighorn sheep have been observed obtaining water from the easterly end of the property.

In addition to protecting this unique habitat from degradation by almost certain development, the acquisition of this area would provide the public with many compatible recreational opportunities, such as nature observation, hiking, fishing, hunting, horseback riding, picnicking, and primitive camping. The northeast end of the property contains the remnants of Camp Cady, an old army fort established in 1860. Because of the recreational benefits available over this property, it is felt that purchase will qualify for matching federal Land and Water Conservation Funds, and application therefor is planned.

It is planned that the area will be managed by the Department of Fish and Game with no significant development presently planned. However, part of the property would lend itself to possible future development as a cooperative public use project with local government or other agencies.

Mr. Hart stated that the property owner has offered to sell to the State and, in fact, brought it to our attention. He purchased it with the intention of farming it which would have destroyed the area. However, he ran into financial difficulties and stated that after he saw what he had, he preferred to see it preserved. He has other offers on the property. If the State does not buy it, he may have to go ahead with some other offer to turn it into a recreational vehicle park or something of that nature.

The proposed acquisition falls within Class 13 of Categorical Exemptions from CEQA requirements. Class 13 consists of the acquisition of lands for fish and wildlife conservation purposes, including preservation of fish and wildlife habitat, establishing ecological reserves under Fish and Game Code Section 1580, and preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition.

At the time of agenda preparation, final reviews and approval of the appraised fair market value (\$983,280.00) had not been completed by the Department of General Services. The acquisition area may vary in the final settlement, but any payment would be in accordance with the unit values set forth in the appraisal.

Mr. Hart recommended the Board approve the acquisition as proposed, subject to the approval of the appraisal, allocate \$995,300 from the 1974 and 1976 Bond Act funds available for such purposes for acquisition and related costs, and authorize staff and the Department to proceed substantially as planned.

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In response to Chairman Chickering's question about the operational cost to the Department of Fish and Game, Mr. Fullerton maintained that it would be very low, because it would be retained mainly as is, as riparian habitat, and would be paid for equally from license funds and general fund because of the joint use of the area.

In response to Mr. Bell's question relative to procedures where an acquisition is approved subject to a determination of proper value by the Department of General Services, Mr. Hart noted that the Board staff would proceed to acquire if the Department of General Services approves the appraised value. If General Services does not agree with the appraised value, it would not approve the appraisal report, because of lack of proper data. In order to have an approved appraisal, staff would have to get a new appraisal, or request the appraiser to consider General Services' points and come up with a new appraisal figure. If the re-appraisal is more than was approved by the Board, the acquisition proposal would be brought back before the Board.

Senator Keene asked about the responsibility of the Department of General Services in the appraisal process. Mr. Hart responded that it is a separate agency charged with the responsibility of providing a check and balance through an independent review of the appraisal report to see that the appraiser has properly considered all the factors that should be taken into account in making the appraisal. Mr. Schmidt verified that the staff cannot make an offer to a landowner until General Services has approved the appraisal report, usually with a field-inspection of the property.

Senator Keene recommended approval of this acquisition project.

IT WAS MOVED BY MR. BELL, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE CAMP CADY WILDLIFE AREA ACQUISITION, SAN BERNARDINO COUNTY; ALLOCATE \$995,300.00 FROM THE 1974 AND 1976 STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT FUNDS BUDGETED FOR INTERIOR WETLANDS AND RIPARIAN HABITAT PROJECTS; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

(AB 2133)

13. Elkhorn Slough Estuarine Sanctuary, Monterey County

Mr. Hart summarized background and staff comments on this item, preparatory to the Department of Fish and Game's recommendations being presented.

The preacquisition planning study for Elkhorn Slough that was authorized by the Wildlife Conservation Board on April 24, 1978, has been completed. The draft report prepared by the consultants has undergone a public review process, and responses made to the comments received in the review period.

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The next major step is for the WCB to receive and consider the report and DFG recommendations, and, if appropriate, authorize application to the federal government^{1/} under the Coastal Zone Management Act of 1972 for 50% matching grants for acquiring, developing, and operating the proposed estuarine sanctuary area.

There is a need for WCB consideration of the planning report and application at this time, due to federal requirements for early receipt of the application. The Office of Coastal Zone Management must process an Environmental Impact Statement on the proposal and take other action before the end of the federal fiscal year. The federal EIS process will include a local public hearing on the proposed project.

The area finally being proposed for the estuarine sanctuary is substantially as follows. Starting at the south end of Highway 1 bridge, the area would extend approximately $4\frac{1}{2}$ miles along the southerly and easterly sides of the slough. The lands involved would consist essentially of marsh and immediately adjoining lands up to the 10 foot contour, with some selected areas of adjacent uplands that have high wildlife values or are important for public access or support facilities.

Most of the upland area involved would be in the old Elkhorn Dairy Ranch, in the northeasterly portion of the proposed sanctuary. This is no longer an operating dairy, and to WCB staff's understanding, the property is in an estate being left to Stanford University.

Other than the old Elkhorn Dairy Ranch, the contemplated boundaries for the sanctuary would not include any residences, buildings, or other substantial developments.

The area generally described includes approximately 1,510 acres, with an estimated fair market value of \$2,775,000.

The proposed boundaries would be predicated largely upon the requirements for a viable estuarine sanctuary and its compatible relationship with a National Wildlife Refuge being established on Elkhorn Slough by the U.S. Fish and Wildlife Service. The federal refuge is planned primarily for protection of rare and endangered species habitat, and will include lands on the northerly, westerly, and northeasterly sides of the slough, together with Moss Landing Harbor District, and State Lands Commission lands and waters.

The estuarine sanctuary and federal refuge together will provide protection to the most important areas of the slough for preservation of its fish, wildlife and other natural values.

Management of the estuarine sanctuary would be by the Department of Fish and Game.

^{1/} Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, Department of Commerce.

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In addition to 50% matching funds for acquisition and related costs, the estuarine sanctuary program provides for up to \$50,000 per year in matching funds for three years for initial development and management purposes. It appears desirable to include requesting such federal funding in the applications to provide financial aid to the Department of Fish and Game for these purposes.

In summary, the proposed application would be based upon establishing an estuarine sanctuary of approximately 1,510 acres at Elkhorn Slough under management of the Department of Fish and Game, and obtaining eligibility for 50% federal funding of the following estimated costs:

Land acquisition (est. 1,510 acres*)	\$2,775,000
Related acquisition costs (appraisals, escrow, title reports, surveys, etc.)	<u>155,000</u>
Acquisition costs, estimated total	\$2,930,000
Initial development and management (3 yrs.)	300,000

*All acreages are estimates based on existing records and maps; in many instances, final acreages will be subject to surveys or other means of more accurate acreage determination.

The OCZM staff has indicated that there presently is approximately \$1,000,000 available for this project in federal 1978/79 fiscal year funds, but it appears possible that other uncommitted funds may become available near the end of this fiscal year, and that additional funding could be available next fiscal year.

The Board has available funding for the State's 50% of project acquisition costs in monies remaining from AB 2133 (Keene) appropriation of 1974 Bond Act funds. Elkhorn Slough was one of the areas designated in this bill as alternatives for use of these monies. If necessary, other WCB funding from 1974 or 1976 Bond Acts could be made available.

Designating a source for the \$150,000 in additional State funding, for 50% of initial development and management costs, would be difficult until more specific planning is done. However, it appears that for application purposes, this funding could be predicated upon Department budgeted funds and/or Wildlife Restoration Fund funding from the WCB as may be determined appropriate. In effect, this will be a second phase of the project, and probably not started until after a significant area of the estuarine sanctuary has been acquired.

Application for the federal grant will not necessarily delay WCB efforts for acquisition in the Elkhorn Slough area, which had previously been recommended by the Department as a priority area for protection under the coastal wetlands acquisition projects of the WCB.

Any areas acquired by WCB within the proposed estuarine sanctuary boundaries before the federal grant is finally approved can be used as credit for the State 50% share of total costs.

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Acquisitions under the project would be handled in the usual manner by the WCB, with staff negotiating for purchase on the basis of a willing sale and appraised fair market value, and each acquisition being presented to the Board for consideration and authorization.

Mr. Bruce Browning, the Department's representative who has been supervising a portion of this study, was requested to present the further comments for summary of the report and the Department's recommendations relative to this proposal.

It was Mr. Browning's understanding that the Board members have received a copy of the preacquisition study. However, he stated it was never summarized and not totally acceptable to the Department. Since the time the Department received the report they have now had an opportunity to analyze it and amend it. The amendment is essentially a scoping down of the acquisition from the ambitious recommendations that the consultants made, and the Department now has specific recommendations for the Board as follows:

1. Receive and consider the preacquisition study report as amended. (This revised take area was indicated on a map displayed at the meeting.)
2. Authorize application to OCZM for federal grants for acquiring, developing and operating the proposed estuarine sanctuary.
3. Authorize acquisition of 1,510 acres of land on the south and eastern sides of Elkhorn Slough to be dedicated to use as an estuarine sanctuary.

Assemblyman Mello expressed appreciation for the opportunity to come before the Board to indicate his support for the recommendation and to express the support of many persons in the Monterey Bay area for moving forward to put this into public ownership. He asked whether the entity that will be doing the acquisition would be given sufficient authority to not only negotiate willing sales, but would be permitted to acquire parcels from unwilling sellers so that all of the area could be put into public ownership. He did not wish to see the project held up if there were a few scattered unwilling sellers, urging that we look at the overall public interest.

Mr. Hart responded that the WCB does have legal authority to request the Public Works Board to take eminent domain action. The Board by policy has preferred to acquire by willing sale and normally operates under that policy.

Assemblyman Mello commented that this is a remarkable area along California's coastline which still remains in its fairly pristine manner that has a lot of marine and wildlife resources. We are now at the point where action taken by this Board would put it into public ownership, but if we delay too long the pressures of encroaching upon the estuarine sanctuary would be very great. If we miss this opportunity, others in the future will be hard to come by.

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Mr. Leroy Bennett, representing Senator Nimmo's office, asked if there are any unwilling sellers. Mr. Hart responded it is really not known. He indicated appraisals have not been made so we have not been able to make offers, although some people have indicated reluctance to sell.

Mr. Bell commented that he has read as much as he could of the documents presented and understood the procedures pretty well. He agreed with Assemblyman Mello that we should go ahead and acquire the property. However, the problem we have before us today is we are running out of time to get federal grant money. He suggested we take the following actions: (1) receive the preacquisition report as amended, and (2) authorize the application for the federal grant. It was his understanding that before the federal government gives us the grant it goes into the EIS process and into the public hearing process in the locale of the concerned. To that extent, it is probably better to have that done before we take the third recommendation of the Department which is to authorize acquisition of the property. He stated he would like to see the process proceed in what really is almost a requirement of the amended Allister McAllister eminent domain law. In his dealings with the Public Works Board, he stated he is careful to avoid any possibility of inverse condemnation dealings. We would avoid that by taking only the first two recommendations.

Mr. Browning pointed out that the Department of Fish and Game and WCB already has an acquisition program in the slough. In authorizing the acquisition of 1,510 acres, we are actually endorsing the concept of dedicating that acquisition to the estuarine sanctuary program. He wondered if the recommendation by Mr. Bell would cloud the issue of our ongoing acquisition program.

Mr. Hart did not believe that would be the case. The Board has an already funded project under the Coastal Wetlands Acquisition Program and could proceed with acquisition. We have checked with the OCZM and if the State desires to proceed with any acquisition it may, and the value of the State-acquired lands would be the State's matching for part of the later federal funding. Certainly, the staff would recommend that if we proceeded in advance of the federal approval it would only be with willing sellers and for acquisition of lands that would have value for protection of the slough, regardless of whether the estuarine sanctuary should be approved or not. Perhaps it would be well to clarify that this step will allow the federal process to get underway for preparing the EIS, and holding a public hearing that would extend until September. At that time, if the federal government approves the grant, then the project could be brought back to the Board for acceptance of the grant.

Both Chairman Chickering and Mr. Bell agreed that only at that point when the federal grant is approved would the Board be permitted to spend the federal money under the Estuarine Sanctuary grant program.

Senator Keene requested staff to notify the offices of Senator Nimmo and Assemblyman Mello as soon as an unwilling seller is identified so that their offices would be aware of these facts and can take whatever appropriate action is called for.

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Assemblyman Mello commented that there have been public hearings before the California Coastal Commission and due process has been served. The problem is that many of the landowners are caught in the dilemma of not being able to do anything so that he hoped both the grant application process and the commitment to acquire could be handled simultaneously.

It was the consensus that inasmuch as federal commitment of funds could be made without State commitment of funds, the Board could proceed with authorization to acquire properties for the estuarine sanctuary contingent upon federal government grant application approval.

IT WAS MOVED BY MR. BELL, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD: (1) RECEIVE AND CONSIDER THE PREACQUISITION STUDY REPORT AS AMENDED; (2) AUTHORIZE APPLICATION TO OCZM FOR FEDERAL GRANTS FOR ACQUIRING, DEVELOPING, AND OPERATING THE PROPOSED ESTUARINE SANCTUARY; AND (3) CONTINGENT UPON FEDERAL GOVERNMENT APPROVAL OF THE GRANT APPLICATION, AUTHORIZE ACQUISITION OF 1,510 ACRES OF LANDS ON THE SOUTH AND EASTERN SIDES OF ELKHORN SLOUGH TO BE DEDICATED TO USE AS AN ESTUARINE SANCTUARY.

PASSED UNANIMOUSLY.

(Senator Keene was excused from the meeting at this time.)

14. Lagoon Valley Public Fishing Lake, Solano County

Mr. Hart requested the addition of this item which is simply a clarification of the cooperating agencies for this project.


When the Board approved the project on October 11, 1978, it was considered by staff to be a cooperative project with the County of Solano, with the City of Vacaville an interested party but not a direct participant. It has turned out after getting into the preliminary title reports and the agreements, that the City actually owns part of the land involved in the project and would be an official participant. The staff is bringing it back to the Board for recognition of this fact and authorization to include the City of Vacaville in the cooperative project. If this is not done, the legal review may conclude that the project is other than that which the Board previously approved.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL, THAT THE WCB APPROVE BROADENING SCOPE OF PROJECT TO INCLUDE PARTICIPATION BY CITY OF VACAVILLE IN THE LAGOON VALLEY PUBLIC FISHING LAKE, SOLANO COUNTY.

PASSED UNANIMOUSLY.

There being no further business, the meeting was adjourned at 4:05 p.m.

Respectfully submitted,



Chester M. Hart
Executive Officer

PROGRAM STATEMENT

At the close of the meeting on February 7, 1979, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947, totaled \$41,618,201.35. This total includes \$6,448,313.02 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, the Bagley Conservation Fund, and the 1974 and 1976 Bond Acts will be included in this statement after completion of these programs.

a. Fish Hatchery and Stocking Projects	\$10,284,887.54
b. Fish Habitat Development	4,671,096.79
1. Reservoir Construction or Improvement	\$2,673,619.19
2. Stream Clearance and Improvement	343,013.03
3. Stream Flow Maintenance Dams	439,503.32
4. Marine Habitat	377,279.36
5. Fish Screens, Ladders and Weir Projects	837,681.89
c. Fishing Access Projects	13,922,468.57
1. Coastal and Bay Access	1,417,789.61
2. River and Aqueduct Access	3,575,237.97
3. Lake and Reservoir Access	3,216,196.30
4. Piers	5,713,244.69
d. Game Farm Projects	146,894.49
e. Wildlife Habitat Development and Improvement Projects	11,515,494.84
1. Wildlife Areas	10,868,845.72
2. Miscellaneous Wildlife Habitat Development	646,649.12
f. Hunting Access	472,436.81
g. Miscellaneous Projects	546,422.31
s. Special Project Allocations	58,500.00
Total Allocated to Projects	\$41,618,201.35

STATUS OF FUND Wildlife Restoration Fund

Unallocated balance at beginning of 4/16/79 meeting	\$598,359.41
Plus recoveries	+ 424,000.00
Less allocations	- 884,300.00
Less Board of Control claim	- 249.90
Unallocated balance after 4/16/79 meeting	\$137,809.51