

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

Minutes, Meeting of June 22, 1979

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WILDLIFE CONSERVATION BOARD

Minutes, Meeting of June 22, 1979

Pursuant to the call of the Chairman, the Wildlife Conservation Board met in Room 6031 of the State Capitol, Sacramento, California, on June 22, 1979. The meeting was called to order at 2:25 p.m. by Chairman Sherman Chickering.

1. Roll Call

<u>PRESENT:</u>	Sherman Chickering	Chairman
	Roy M. Bell	Member
	E. C. Fullerton	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
John Schmidt	Land Agent
Jim Sarro	Land Agent
Alma Koyasako	Secretary
Bella Applebaum	Accountant

OTHERS PRESENT:

John Middleton	Dept. of Boating & Waterways
Sam Goepp	Suisun City Parks & Rec. Dept.
Michael D. Kaufman	Suisun City Planning Dept.
George Nokes	Dept. of Fish & Game
Robert L. Stanfield	Madera Irrigation District
Sandora T. Smith	Wildlife Conservation Board
Joe Sheehan	Dept. of Fish & Game
Vice Vandre	Dept. of Fish & Game

2. Approval of Minutes

The Executive Officer, Chester M. Hart, advised that minutes of the April 16, 1979, meeting of the Wildlife Conservation Board have been published and circulated, and recommended approval since there is no need for changes or additions.

IT WAS REGULARLY MOVED AND SECONDED THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE MINUTES OF THE APRIL 16, 1979, MEETING OF THE BOARD.

PASSED UNANIMOUSLY.

3. Wildlife Restoration Fund Status

Mr. Hart reported the fund status as follows:

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

Inasmuch as there are no items requiring allocation of funds from this source, the unallocated balance will remain the same after this meeting.

WILDLIFE RESTORATION FUND PROJECTS

4. Lake Cuyamaca Public Fishing Area, San Diego County

Mr. Hart stated that this is an information item to advise the Board members of a situation at Lake Cuyamaca requiring correction late this summer or fall.

This project was approved by the WCB in 1966 and construction of the original basic facilities was completed in 1968. Additional public use facilities on the north shore were approved by WCB and completed last year. Total WCB funding to date is approximately \$318,000.

This project provides a permanent 110 surface acre lake for public fishing, essentially as a sub-impoundment within the old Cuyamaca lake basin, utilizing the original dam and two dikes to contain the permanent lake.

Recently there has been a failure of part of the original State construction. During high water and wind-caused wave conditions, collapse of a bridge abutment and other erosion damages occurred. The bridge crosses the project spillway and provides access to the pumping plant for transfer of water from the upper basin to the permanent lake basin.

Preliminary engineering inspection and estimates have been made and the conclusion made that it would be better to wait until water has been drawn down to expose the damage and assess the extent of correction needed before coming up with a final estimate for the repair work. Preliminary estimates are in the order of \$100,000 for this work which include repairing the facilities and adding adequate riprap to prevent this happening in the future. Cost sharing arrangements with the Lake Cuyamaca Recreation and Park District will need to be explored, along with trying to locate a closer source for riprap material to try to reduce costs for the project.

Mr. Hart stated that it was staff's intention to alert the Board members of the situation at this time and that final recommendations for correction of the problem will be brought back to the Board at its next meeting in late summer or fall.

Chairman Chickering questioned the expenditure of such a large amount of money for repairing a facility which he believed was dry so much of the time. Mr. Hart stated that the upper basin may be dry, but that the Lake Cuyamaca project in question is a 110 surface acre lake which is kept full with transfer of water from the upper basin and through wells. The damage was caused by a combination of unusual conditions. The original design did not provide for these conditions and the preliminary estimate would be to repair the damage and put it into a protective state for these unusual high wind and wave conditions. Additional information and firm figures will be presented to the Board at the next meeting.

5. Madera Lake Public Fishing Area, Madera County - Disposal as Surplus

This is a proposal by staff and the Department of Fish and Game that this area be declared surplus and disposed of under the appropriate statutes.

This project was initiated by the WCB in 1957 to develop a warmwater fishing lake, about 11 miles northeast of Madera. A series of allocations were made to purchase the 1,092.5 acre site, construct a dam and dikes to impound a lake with a maximum surface area of 370 acres, and develop public use facilities consisting primarily of access roads, parking areas, and sanitary facilities with water supply. A pumping station was constructed to pump water from the Fresno River into the lake, but was later abandoned in favor of a gravity supply system. Total expenditures by WCB were \$337,433.58.

Madera County by cooperative agreement has operated and maintained the project, but the agreement has now terminated. Generally the County has indicated a lack of interest in continuing to manage the project unless reservoir seepage and water supply problems are corrected.

The project has not completely fulfilled the original objectives, largely because of the problems mentioned.

An important factor now is that the original need or justification for this fishing lake has largely disappeared because of the recent completion of Hidden and Buchanan Dams on the Fresno and Chowchilla Rivers in this vicinity. These reservoirs built by the U.S. Corps of Engineers now are providing significantly better fishing and other water-oriented recreation for this area than Madera Lake.

Because of the current lack of need and support for the project, staff feels that it would not be advisable for the WCB to invest additional funding to attempt to correct the problems mentioned.

After initial construction, there was significant seepage through an abutment area when the lake was filled, resulting in the Division of Dam Safety requiring that the water level be lowered five feet.

The lake was drained and attempts were made to seal the seepage area, but this was unsuccessful.

Water rights to fill the lake are limited to periods when natural flow in the Fresno River exceeds 400 cubic feet per second. During the recent drought period there were not adequate flows in the river to meet these rights, and the lake dried up.

Attempts have been made to provide additional water through an agreement with the Madera Irrigation District for use of the reservoir in its water storage and conveyance system. However, these have been unsuccessful, evidently in part due to the seepage problem and the unknown costs and success of correction, and to constraints on fluctuation of the reservoir that would be necessary to maintain a suitable fishery.

Staff and the Department have carefully reviewed the project and possible alternate uses for the area. Our conclusion has been that the area would not provide significant wildlife or wildlife-related recreational benefits appropriate for the WCB or DF&G programs.

Informal contacts with the State and Fresno County Departments of Parks and Recreation have indicated no interest in the property.

A letter was sent to the Madera County Board of Supervisors on March 16, 1979, to notify them of a tentative decision to proceed towards disposal and to provide opportunity for their comment or suggestions. No reply has been received.

Mr. Hart recommended that the Board concur with the proposal to declare the property surplus and proceed with disposal, on the basis that money received from sale of the property would be returned to the Wildlife Restoration Fund to be used for an alternate project or projects. On the basis of fair market value there could be on the order of \$1,000,000 returned to the WRF for use on other projects from which more benefits would be derived than attempting to work further with this project.

The Chairman introduced Mr. E. C. Fullerton, Director of the Department of Fish and Game and member of the Board, who had just arrived at the meeting. He also introduced Mr. Robert Stanfield of the Madera Irrigation District who had indicated he would like to make a statement.

Mr. Robert Stanfield stated he did not prepare formal testimony, but that he wanted it on record that the Madera Irrigation District would like to be considered as an interested agency. MID has been interested in the facility to place it to a conservation type use, and this interest was expressed to the County Board of Supervisors who directed its staff to contact the WCB staff to pursue some type of joint use on behalf of the County and MID. It was now his understanding that the County has not made any contact and accordingly he felt it appropriate that he discuss it with the County as to their intention. He further indicated that their major concerns in years past have been the requirements for the establishment and retainment of water levels within the reservoir for fish enhancement. George Nokes of the regional office in Fresno has been extremely helpful in their study. However,

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Mr. Stanfield indicated it was very difficult with the condition of the reservoir to meet these guarantees. He acknowledged that since the Board does not have statutory authority to enter into agreements with the irrigation district, he must again go back to the County to determine their intention. He reiterated that the Madera Irrigation District would be interested in the facility in the event the County does not arrange some type of participating agreement with the State.

In the discussion it was brought out that if this property were included in the surplus property bill for this year, it would not be heard until August or September. This would give MID sufficient time to again contact the Board of Supervisors. It was believed imperative that this sale not be postponed beyond this year, since the contract with the County has expired, and it would be an unnecessary burden for the Department to provide for maintenance of the project.

Mr. Stanfield agreed with the timing and requested Mr. Hart to respond to his office indicating the procedures that are being contemplated and the time frame associated with it so that he will have something in hand to go before the Board of Supervisors.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL,, THAT THE WILDLIFE CONSERVATION BOARD CONCUR WITH THE DEPARTMENT OF FISH AND GAME DECLARING THE LANDS AND DEVELOPMENTS OF MADERA LAKE PUBLIC FISHING AREA SURPLUS, INCLUDING PROCEEDING WITH DISPOSAL OF THE PROPERTY FOR FAIR MARKET VALUE IN ACCORDANCE WITH STATE LAWS RELATIVE TO DISPOSAL OF SURPLUS PROPERTY, WITH NET PROCEEDS FROM SALE THEREOF TO BE CREDITED TO THE WILDLIFE RESTORATION FUND.

PASSED UNANIMOUSLY.

SUISUN MARSH PRESERVATION ACT PROJECTS

6. Suisun Marsh - Hill Slough Wildlife Area Development, Solano County \$90,000.00  
Levee Reconstruction, Phase III

This proposal is part of the phased levee restoration started in the fall of 1978 on the Hill Slough area acquired by WCB for Suisun Marsh Protection Plan purposes.

This phase is primarily to provide riprap protection to approximately 6,350 lineal feet of the levee that fronts on Suisun Channel, and is vulnerable to wave action both from boat traffic and from the strong, prevailing winds from the southwest.

This work will follow the previously approved phase by WCB to install water control structures and restore the levee with a floating dredge.

Cost estimates provided by the Department of Fish and Game are:



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Dragline for shaping levee	
130 hours @ \$55	\$7,150
Rock riprap in place	
6,350 tons @ \$12	76,200
Contingencies	6,650
TOTAL	\$90,000

Such reconstruction is categorically exempt from CEQA under Class 2, reconstruction of existing structures and facilities on the same site with substantially the same purpose and capacity.

The Department of Fish and Game is managing this area and will supervise the construction work.

Mr. Hart recommended that the Board approve the proposed Phase III Levee Reconstruction project for the Suisun Marsh - Hill Slough Wildlife Area, Solano County, allocate \$90,000 therefor from the Suisun Marsh acquisition and development funds, and authorize staff and the Department to proceed substantially as planned.

Mr. Bell asked if this would be the last phase for development of Hill Slough, and Mr. Hart responded that the first three phases were for reconstruction of exterior levees. There is an anticipated fourth phase for construction of interior levees, water control structures, and some road work. These projects have been planned in small segments so that the Department could undertake supervision and keep it down to more manageable jobs and with the smaller equipment available to them.

IT WAS MOVED BY MR. BELL, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE PHASE III LEVEE RECONSTRUCTION PROJECT FOR SUISUN MARSH - HILL SLOUGH WILDLIFE AREA, SOLANO COUNTY; ALLOCATE \$90,000.00 THEREFOR FROM THE SUISUN MARSH ACQUISITION AND DEVELOPMENT FUNDS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

7. Peytonia Slough Ecological Reserve Access, Solano County \$70,000.00

This proposal is to develop facilities for fishing access to Suisun and Peytonia Sloughs, and for limited public access into the Peytonia Slough Ecological Reserve. The developments, consisting of a public restroom, fencing, and a fishing float are to be located at the extreme northern end of the ecological reserve lands acquired by the WCB in 1977.

Mr. Al Rutsch, Assistant Executive Officer, pointed out the proposed developments on a map displayed at the meeting, indicating the Peytonia Slough Ecological Reserve area and the developments of the Department of Boating and Waterways.

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The development is a fulfillment of a commitment to provide public access facilities to the federal Land and Water Conservation Fund assisted reserve acquisition. The site is adjacent to and is intended to complement the Suisun City boat ramp facility constructed here with WCB funds in 1957.

The Department of Boating and Waterways has budgeted funds with which to reconstruct the ramp and parking area, and construction of these improvements is expected to start early next year. DBW plans include provisions for parking for the shore anglers and ecological reserve visitors on Department of Fish and Game property. By so combining restroom and parking facilities, a substantial saving can be realized over separate facilities.

Suisun City has indicated they will agree to a 25-year commitment to operate and maintain the entire developments of the State as a public access recreational facility by cooperative agreement with the Department of Fish and Game and DBW. By agreement also, DBW will utilize a small portion of the department lands for ramp access. Landscaping of the 100 foot wide strip comprising the reserve access area, and a foot path from the restroom to the fishing float is to be completed at city cost.

The fencing which is to separate the developed area from the reserve proper will be a 4-foot high chain link fence designed to permit pedestrian access into the reserve, but prevent auto or motorcycle entry. A locked vehicle gate will be provided for department or emergency vehicle access into the reserve. The float is essentially a replacement of an existing old fishing float which will have to be removed when the new boat ramp is constructed. The restroom will be a low maintenance prefabricated steel building with water and sewer connections to nearby city facilities.

WCB staff and the Department of Fish and Game engineering section have worked together and in coordination with DBW to develop a project that will meet the public needs yet be of minimum cost. If approved, the Department would bid out the work this fall and administer the construction contract.

The engineering section has prepared plans and a cost estimate for this development as follows:

Site preparation	\$1,000
Restroom building, 9'x25'	27,000
Utilities - sewer, water, electrical	6,000
Fencing, 330'	3,300
Float access structure and gangway	11,400
Fishing float, 10' x 50'	15,000
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Subtotal	\$63,700
Contingencies	6,300
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Total Estimated Cost	\$70,000

The City acting as lead agency for this project for CEQA purposes has adopted a Negative Declaration for this development, and has filed a Notice of Determination.



Mr. Hart recommended the Board, with consideration of the Negative Declaration, approve the Peytonia Slough Ecological Reserve Access Project as proposed, allocate \$70,000 from the Suisun Marsh acquisition and development Funds available for this purpose, and authorize staff and the Department to proceed substantially as planned.

Mr. Hart pointed out that Mr. John Middleton of Boating and Waterways; Mike Kaufman, Planning Director for Suisun City; and Sam Goepp, Recreation Director for Suisun City, were present if the Board should desire to question them about the proposal.

It was the consensus that if there was a commitment to the federal government that access would be provided under the terms of a Land and Water Conservation Fund program grant, and the proposal is desirable for these purposes and to finish off the area to make it an attractive portion of the ecological reserve, the Board should proceed with the development.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL, THAT THE WILDLIFE CONSERVATION BOARD, WITH CONSIDERATION OF THE NEGATIVE DECLARATION, APPROVE THE PEYTONIA SLOUGH ECOLOGICAL RESERVE ACCESS PROJECT AS PROPOSED; ALLOCATE \$70,000.00 FOR CONSTRUCTION THEREOF FROM THE SUISUN MARSH ACQUISITION AND DEVELOPMENT FUNDS AVAILABLE FOR THIS PURPOSE; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

#### 1974 AND 1976 BOND ACT PROJECTS

8. Big Game Habitat Acquisition  
Bass Hill Wildlife Area, Lassen County \$83,500.00

At its March 24, 1977, meeting, the Wildlife Conservation Board approved the acquisition of 1,878+ acres of private land in Lassen County for protection of the Bass Hill Deer Winter Range. Pursuant to this approval, this area was subsequently acquired and turned over to the Department of Fish and Game for management.

This proposal is to expand this deer winter range area through the acquisition of an additional 200+ acres of private land. This acquisition, which is proposed under the 1976 Bond Act Project approved for Big Game Acquisitions, has been favorably recommended by the Department of Fish and Game.

Mr. John Schmidt, with the use of a map, indicated the area being considered for acquisition, pointing out that presently in the southern perimeter of the Bass Hill area, residential development in 20 acre lots is proceeding, and we would find this area proposed for acquisition split in 20 acre lots if not acquired now.

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He pointed out that Bass Hill is located approximately 5 miles southeast of Susanville near State Highway 395, at the westerly end of a small, low elevation range (around 4,500 feet maximum) about 8 miles long and 2 miles wide at the widest point. This range generally is critical winter habitat for deer that spend the remainder of the year at higher elevations on primarily U.S. National Forest lands to the west. The parcel proposed for purchase is heavily vegetated with bitterbrush, which provides excellent winter food and cover for deer.

The locale is on the edge of Honey Lake Valley, with adjacent lands either farmed, utilized as both dry and irrigated pastures for livestock grazing, or in progress of being developed for residential use. The general area is also seeing a significant amount of land splitting, and development mostly for residential purposes. Indications are that the present growth trend will continue which will further interfere with deer migration and use, as well as destroy more of the remaining range. This 200+ acre proposal, when added to the existing BLM ownership, and the past State acquisition which adjoins it, will give a total protected area of wildlife habitat of more than 6,077+ acres.

This parcel is listed as a high priority deer range acquisition by the Department of Fish and Game. In addition to protecting critical winter range for over 2,000 migratory and resident Rocky Mountain mule deer, it will provide additional habitat protection for a large variety of wildlife including California quail, chukar partridge, rabbits and mourning doves.

This property also has significant potential for additional public recreational uses as part of the overall area. Such potential uses include hunting, hiking, horseback riding, and nature observation by individuals and organized groups. This should make the acquisition eligible for 50% federal reimbursement under the Land and Water Conservation Fund program, and application therefor is planned.

It is planned that the overall property will be managed by the Department of Fish and Game on a cooperative basis with BLM in the same manner as the original purchases. No development is considered necessary.

The proposed acquisition is within Class 13 of Categorical Exemptions from CEQA requirements. The owners have indicated a willingness to sell this property to the State for the appraised value of \$80,000.

Mr. Hart recommended that the Board approve the purchase of this 200+ acres substantially as proposed, allocate \$83,500.00 for the purchase and related costs from the 1974 and 1976 Bond Act funds available for such purposes and authorize staff and the Department to proceed substantially as planned.

Mr. Hart advised that a letter was received from the Shasta Cascade Wonderland Association in support of this proposal.

Mr. Chickering asked if there were any assurances that BLM would not dispose of their acreage in the area, and although it was agreed that there would be no guarantees, the present BLM classification for that area is for retention and management.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL, THAT THE WILDLIFE CONSERVATION BOARD APPROVE ACQUISITION OF PROPERTY FOR EXPANSION OF THE BASS HILL WILDLIFE AREA, LASSEN COUNTY; ALLOCATE \$83,500.00 FOR PURCHASE AND RELATED COSTS FROM THE 1974 AND 1976 STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT FUNDS AVAILABLE FOR BIG GAME HABITAT ACQUISITION; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

9. Interior Wetlands and Riparian Habitat  
Deep Springs Lake, Inyo County

\$78,500.00

The Chairman introduced Senator Barry Keene who had just joined the Board members.

Jim Sarro, Land Agent, was requested to point out the area under discussion. With the aid of a map displayed at the meeting, he indicated that it is located about 25 miles east of Bishop and 25 miles west of the Nevada state line.

This proposal is for the purchase of approximately 720 acres of high desert marshland habitat in Inyo County.

Mr. Hart reported the lake and its marsh are at an elevation of about 4,900', and according to studies by the Department of Fish and Game, support a variety of waterfowl and other wetland-associated species. Among these is the rare species, black toad, which is dependent upon this habitat for its survival.

The lake is fed by a number of adjacent springs as well as runoff from the mountains surrounding it on the east, south, and west.

With acquisition being the only feasible method of assuring the long term preservation of this valuable habitat, the DFG has recommended the purchase of this parcel. The owner has agreed to the purchase for \$72,000, the appraised fair market value. Funds are available for this purchase from the 1974 and 1976 Bond Act in the WCB's category of Interior Wetlands and Riparian Habitat. Acquisition costs for the appraisal and closing of the sale will be approximately \$6,500.

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

It is planned that management of the property in essentially its present state would be by the Department.

Mr. Hart recommended that the Board approve this acquisition as proposed, allocate \$78,500 therefor from 1974 and 1976 Bond Act Funds, and authorize staff and the Department to proceed substantially as planned.

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IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL, THAT THE WILDLIFE CONSERVATION BOARD APPROVE ACQUISITION OF PROPERTY AS PROPOSED AT DEEP SPRINGS, INYO COUNTY; ALLOCATE \$78,500.00 THEREFOR FROM THE 1974 AND 1976 STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT FUNDS AVAILABLE FOR BIG GAME HABITAT ACQUISITION; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

10. Interior Wetlands and Riparian Habitat  
Mendota Wildlife Area Addition, Fresno County \$40,000.00

This item is the proposed acquisition of 10.48+ acres along Fresno Slough, about 2 miles east of Mendota on Highway 180 in Fresno County. The property consists of a 2.80+ acre parcel on the left bank of the slough at the entrance to the Mendota Wildlife Area, and a 7.68+ acre parcel on the right bank, also adjoining the wildlife area. The Mendota Wildlife Area now consists of approximately 9,444 acres purchased by the WCB beginning in 1949.

The Department has recommended the acquisition for four purposes: (1) to preserve the riparian habitat and protect it from development for commercial uses; (2) to maintain the integrity of the surrounding wildlife area; (3) to provide improved access to the wildlife area; and (4) to provide greatly improved fishing access along the slough.

Mr. Sarro, who has been working on this proposal, pointed out that this inholding is located 25 miles southwest of Madera and 25 miles west of Fresno lying right along Highway 180. It is readily accessible and potentially developable to commercial or rural residential use by virtue of its excellent frontage on the state highway. With the rapid growth taking place in the Fresno area, such development is imminent.

The parcel on the left bank is currently utilized by local fishermen by permission of the owner. Visitors to the wildlife area occasionally use the parcel both for parking and for fishing, again by permission of the owner. Economic conditions are such that the landowner is compelled to either develop or sell the property.

The property on both banks of the slough have therefore been offered to the State for the appraised fair market value of \$35,000. Costs of the appraisal and closing of the sale are expected to be \$5,000.

With the good potential for public use of the property, it should qualify for federal matching LWCF monies, and application for this funding is planned.

Since this proposal is acquisition of lands for fish and wildlife conservation, preservation of habitat, and preservation of access to public lands and waters, the proposal falls within Class 13 of Categorical Exemptions from CEQA requirements.

Funding is available from the bond acts under the Board's program of acquisition of interior wetlands and riparian habitat.

Mr. Hart recommended that the Board authorize the purchase of this property, allocate \$40,000 for the purchase price and related costs of acquisition from 1974 and 1976 Bond Act funds, and authorize staff and the Department to proceed substantially as planned.

Senator Keene recommended the WCB approve this proposed acquisition.

IT WAS MOVED BY MR. BELL, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE ACQUISITION OF PROPERTY AS PROPOSED FOR THE MENDOTA WILDLIFE AREA ADDITION, FRESNO COUNTY; ALLOCATE \$40,000.00 THEREFOR FROM THE 1974 AND 1976 STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT FUNDS AVAILABLE FOR INTERIOR WETLANDS AND RIPARIAN HABITAT ACQUISITION PROJECTS; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

11. Interior Wetlands and Riparian Habitat

Sacramento River Riparian Habitat - Merrills Landing, Tehama Co. \$118,944.00

This proposal is the fourth in the recent series of acquisitions by WCB along the upper Sacramento River for preservation of riparian habitat. In the three previous acquisitions over the past 18 months, the Board has purchased about 462 acres of this important habitat in Butte and Glenn counties.

As the Board has been made aware, DFG studies show that only about 1% of the Sacramento Valley riparian forests of the early 1800's remain today. Several hundred acres of these wildlife-rich forests are lost to agricultural uses and timber operations each year, and it appears that the most feasible method of preventing further loss of this habitat is through public acquisition.

The proposed acquisition consists of a 312+ acre parcel in Tehama County, about 20 miles south of Red Bluff, and 2 miles downstream from Woodson Bridge State Recreation Area.

Mr. Sarro explained that until 1½ years ago, 130 acres of this property was cleared and farmed. However, a levee break has left the property an island requiring substantial expenditures before it would again be suited to agricultural use. The Corps of Engineers has indicated little willingness to rebuild the levee and there is little likelihood they will. The owners have looked into building a low water crossing for continued use of the property during the summer. This apparently is the most feasible method, but even that would be quite difficult. As a result, the property has been appraised quite low, \$362 an acre, as opposed to possibly \$1,500 to \$2,000 an acre for the cleared portions if it were readily accessible.

This acquisition affords an additional benefit that the Board's prior purchases did not afford. In this case, 130 acres can actually be restored to riparian habitat while another 182 acres is preserved.



Along with the assured preservation of this parcel's habitat, the acquisition would also provide an opportunity for compatible public uses such as fishing, nature observation, and the like.

The owners have offered it to the State at the appraised price, a total of \$112,944. Costs of appraisal, engineering, and closing of the sale are expected to be about \$6,000. Funds are available under the Board's Interior Wetlands and Riparian Habitat Program using Bond Act monies.

Because of the potential recreational benefits, it is planned that staff would apply for matching LWCF monies. The acquisition is exempt from CEQA requirements under Class 13 acquisition purposes. The area would be managed by the Department of Fish and Game.

Mr. Hart recommended the Board approve this project, allocate \$118,944 therefor from 1974 and 1976 Bond Act funds for acquisition and related costs, and authorize staff and the Department to proceed substantially as planned.

He reported a letter in support of this acquisition by the WCB was received from the Shasta-Cascade Wonderland Association.

Senator Keene asked about the kinds and intensity of public use contemplated for the area and the maintenance costs anticipated. Both Mr. Hart and Mr. Fullerton believed the use would be low intensity since there is no plan to bridge the area and access would be by boat only. Because it is surrounded on all sides by water, there is no need for fencing, and the O&M would be limited to occasional litter pickup. It is planned to keep it in the wild state and there would be overnight camping permitted, but no development that would be equivalent to a park. This proposal was agreeable to Senator Keene and he recommended approval.

IT WAS MOVED BY MR. BELL, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE ACQUISITION OF PROPERTY AT SACRAMENTO RIVER - MERRILLS LANDING, TEHAMA COUNTY; ALLOCATE \$118,944.00 THEREFOR FROM THE 1974 AND 1976 STATE BEACH, PARK, RECREATIONAL AND HISTORICAL FACILITIES BOND ACT FUNDS AVAILABLE FOR INTERIOR WETLANDS AND RIPARIAN HABITAT ACQUISITION PROJECTS; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

12. Coastal Wetlands Acquisition Program  
Crescent City Marsh, Del Norte County \$856,500.00

This proposal is the acquisition of approximately 333 acres of land in Del Norte County, about one mile south of Crescent City.

Mr. Sarro pointed out on a map the important features in connection with this proposed acquisition.



The parcel includes about 25 acres of wooded uplands, nearly 100 acres of sand dunes and ocean front land between U.S. 101 and the beach, and about 80 acres of typical coastal habitat adjoining National Park Service lands. The remaining 125+ acres is freshwater coastal marsh habitat.

According to the DFG, this property supports a wide variety and great number of waterfowl, upland birds, shorebirds, and raptors. In addition, its location on U.S. 101 affords outstanding potential for providing public access to this stretch of the coast where surf fishing and clamming are very popular among both local people and travelers passing through the area. In addition to nearly a full mile of frontage on U.S. 101, the property has frontage on Sandmine Road, Humboldt Road, and Endert's Beach Road.

With coastal marshes among the DFG's highest priorities for acquisition, and with the subject property providing such a wide variety of additional habitat types, Mr. Hart noted the Department has strongly recommended this acquisition.

The property is part of a 618+ acre ranch, which is currently devoted to cattle grazing and lily bulb farming.

The appraised fair market value of the parcel being acquired is \$826,500 and the owner of the property has offered to sell it to the State for that price. With the fencing and engineering costs, fees for appraisals, an archeological survey, and closing of sale, the related acquisition costs are expected to be about \$30,000. The total allocation, therefore, would be \$856,500.

Funding of this purchase is available from the 1974 and 1976 Bond Act under the Board's Coastal Wetlands Acquisition Program. It is planned that staff apply for matching federal LWCF monies to assist in funding. The purchase is categorically exempt from CEQA requirements under Class 13, acquisition for wildlife conservation purposes.

Mr. Hart recommended that the Board approve this acquisition, allocate \$856,500 to carry out the purchase and authorize staff and the Department to proceed substantially as planned.

Mr. Hart informed the Board that yesterday in a telephone conversation with Del Norte County representatives, they indicated they would not be able to have a representative at this meeting because of inability to get airline reservations, but that a certified letter would be sent instead. This letter has not arrived yet. According to the telephone discussion, the County would not oppose this or the Lakes Earl and Talawa acquisition proposal - in fact they favor protection of wetlands. One of the concerns expressed was related to loss of these properties from the tax rolls. They pointed out that roughly 70% of the County is publicly owned. It was mentioned to the County that under Section 1504 of the Fish and Game Code, if the areas are classified as wildlife areas, the Department of Fish and Game would make in-lieu tax payment at the rate being paid at the time the property is acquired. Mr. Hart said it was his interpretation that the letter is a request to classify the properties as wildlife management areas.

Mr. Fullerton stated he would have problems in classifying the Crescent City Marsh as a wildlife management area. It is broken up and divided by five roads, and would be difficult to manage as a wildlife area. It would be his recommendation to the Fish and Game Commission to classify it as an ecological reserve. He pointed out to Senator Keene that the Lakes Earl and Talawa acquisition would be different since it encompasses more than 1400 acres, but that the Crescent City Marsh would be impractical to operate as a wildlife area.

Mr. Chickering asked if Department of Parks and Recreation involvement in this acquisition would be more appropriate than WCB, and it was pointed out that this property is not an area where you would put in picnic areas and other park type use facilities. Its purpose is preservation of a slough, beach, and coastal wetlands.

Senator Keene then recommended approval of this project as proposed by staff.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MR. BELL, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE CRESCENT CITY MARSH ACQUISITION PROJECT, DEL NORTE COUNTY, AS PROPOSED; ALLOCATE \$856,500.00 FOR ACQUISITION AND RELATED COSTS FROM THE 1974 AND 1976 BOND ACT FUNDS AVAILABLE FOR COASTAL WETLANDS ACQUISITION PROJECTS; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

13. Coastal Wetlands Acquisition Program  
Lakes Earl and Talawa, Del Norte County

\$1,488,000.00

This proposal is part of a coordinated State agency effort to acquire approximately 7,880 acres along the coastline in northern Del Norte County. The purpose of the overall acquisition, with the participation of the Department of Parks and Recreation and the State Lands Commission, is the preservation of wetland habitat in and around Lake Earl and Lake Talawa, preservation of coastal dune habitat, protection of cultural resources, settlement of state claims in the area, and the provision of compatible outdoor recreational opportunities. Included within this 7,880+ acre property are approximately 2600 acres covered by the two lakes, and 5,280 acres of upland. Appraised value of the upland areas is \$5,017,000.

Mr. Schmidt pointed out on the map displayed at the meeting the areas to be acquired by the Department of Parks and Recreation, the WCB acquisitions, and the areas which the State Lands Commission would provide to the Department of Fish and Game under a long term lease.

This proposed project is located on the Smith River plain which extends southward from the mouth of the Smith River to Crescent City, the county seat of Del Norte County. The proposed acquisition is composed of three non-contiguous parcels in one ownership, beginning approximately six miles north of Crescent City, and extending to the mouth of the Smith River with a break in

ownership of approximately one mile. When acquisition is completed as proposed, a total of approximately six miles of ocean frontage and a total of approximately seven miles of lake and river frontage will be placed in State ownership. This is an area with a unique combination of natural values, with public ownership and protection well warranted.

Mr. Hart advised that it is proposed the Wildlife Conservation Board acquire approximately 1,544 acres of the uplands at the fair market value of \$1,371,000 for lands and improvements. This includes approximately 1,386 acres of the 3,625+ acre south parcel fronting on both Lake Earl and Lake Talawa, and the total 158+ acre middle parcel, located at the northeasterly corner of Lake Earl. Public access to these areas is available from Old Mill Road and Lower Lake Road.

The acquisition of this area has received a high priority recommendation from the Department of Fish and Game. Funds from the 1974 Bond Act were appropriated by AB 2133 (Keene) for acquisition of this and other wetlands areas.

This joint acquisition will result in settlement of litigation between the property owner and the State Lands Commission in regards to ownership of the lake bottom. All private rights or claims of this landowner in the lakes will be transferred to the State Lands Commission whose staff has indicated willingness to recommend a long-term lease to the Department of Fish and Game of the entire 2,600 acre lake area. This will place a total of 4,144+ acres of contiguous area under management of the Department of Fish and Game.

The Smith River plain, in which this proposal is located, is an integral part of the coastal arm of the Pacific Flyway. The waters of Lakes Earl and Talawa and the lands in this proposal include habitat that is critical to the existence of significant waterfowl populations, such as the Aleutian Canada Goose. This species is presently listed by the U.S. Fish and Wildlife Service as endangered. The waters of Lake Earl also support the highest wintering population of canvasback ducks north of San Francisco Bay. The overall floodplain, lakes and surrounding uplands support over 250 species of birds, most of them water-associated (almost three million bird days of use annually between 1970 and 1973), and 58 species of mammals.

In addition to protecting valuable and ecologically significant wildlife habitat, this acquisition would provide public access to the area for a wide variety of compatible recreational and educational uses such as hunting, fishing, bird watching, nature and scientific study, hiking, and horseback riding. The lakes harbor 15 species of fish, including salmon and trout, and as much as 3,000 user days have been expended on them during the waterfowl season. Because of these recreational uses of the area, it is felt that this acquisition should qualify for matching federal funds from the Land and Water Conservation Fund, and application under this program is planned.

This proposed acquisition by WCB falls within Class 13 of Categorical Exemptions from CEQA requirements which include acquisition of lands for fish and wildlife conservation purposes. No development is presently planned for this area. Management by the Department of Fish and Game is planned, with some joint use or coordinated management agreements with the Department of Parks and Recreation anticipated.

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This is an acquisition all from one landowner, a Mr. Bliss. There has been litigation on his claims of ownership to the lake bottom in the past, and he has agreed to donate these claims as part of this overall transaction, so it would clean up a number of problems with the one acquisition. This is a rather complex package which the staff has attempted in the negotiations and arrangements to keep as simple as possible. This has been, and is being, accomplished by coordinating with General Services and Parks by securing one overall appraisal and one set of negotiations, the complete transaction to be handled as one package. There would be a separate deed for the Department of Fish and Game area or a transfer of control and possession coming out in the one final transaction.

Mr. Hart recommended that the Board approve the purchase of this project as proposed, allocate \$1,480,000 for the purchase and related costs from the 1974 and 1976 Bond Act funds available for coastal wetlands acquisition, and authorize staff and the Department to proceed substantially as planned, including authorization and to proceed with obtaining the State Lands Commission lease for the lake areas.

Senator Keene believed that all of the parties who participated in putting together this package should be sincerely congratulated. The area is a most remarkable one, due to its breathtaking scenery and its wildlife protection values, although he did not feel he had the technical expertise to express exactly what these values might be. He strongly recommended the approval of this acquisition with the further recommendation that the Fish and Game Commission classify this area as a wildlife management area.

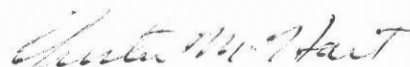
In regards to the request of Del Norte County discussed with the previous agenda item, it was the consensus that this area could be designated as a wildlife management area by the Fish and Game Commission and so managed by the Department of Fish and Game.

IT WAS MOVED BY MR. BELL, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE LAKES EARL AND TALAWA ACQUISITION PROJECT, DEL NORTE COUNTY; ALLOCATE \$1,488,000.00 FOR ACQUISITION AND RELATED COSTS AS PROPOSED FROM THE 1974 AND 1976 BOND ACT FUNDS AVAILABLE FOR COASTAL WETLANDS ACQUISITION PROJECTS AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED, INCLUDING BEING A PARTY TO THE OVERALL PROPERTY ACQUISITION AGREEMENT AND DISBURSING WCB FUNDS FOR ITS SHARE OF THE ACQUISITION WITH ACCEPTANCE OF A DEED OR TRANSFER OF CONTROL AND POSSESSION.

PASSED UNANIMOUSLY.

There being no further business, the meeting was adjourned at 3:30 p.m.

Respectfully submitted,



Chester M. Hart  
Executive Officer