

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

Minutes, Meeting of December 1, 1981

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WILDLIFE CONSERVATION BOARD

Minutes, Meeting of December 1, 1981

Pursuant to the call of the Chairman, the Wildlife Conservation Board met in Room 4061, 722 Capitol Mall, Sacramento, California, on December 1, 1981. The meeting was called to order by Chairman Abel C. Galletti at 1:05 p.m.

1. Roll Call

PRESENT: Abel C. Galletti  
E. C. Fullerton  
Susanne Morgan

Chairman  
Member  
Member

Assemblyman Douglas H. Bosco  
Assemblyman Norman S. Waters

Joint Interim Committee  
" " "

ABSENT: Senator Barry Keene  
Senator Robert Presley  
Senator David Roberti  
Assemblyman Lawrence Kapiloff

Joint Interim Committee  
" " "  
" " "  
" " "

STAFF PRESENT:

Chester M. Hart  
Alvin G. Rutsch  
John Wentzel  
John Schmidt  
Jim Sarro  
Howard Dick  
Mary Sung  
Alma Koyasako

Executive Officer  
Assistant Executive Officer  
Field Agent  
Senior Land Agent  
Land Agent  
Land Agent  
Stenographer  
Secretary

OTHERS PRESENT:

Raynie Terry  
Russell Hamada  
Dave Edwards  
Bill McCall  
William L. Smith

Student  
"  
City of Alameda  
Alameda Rod & Gun Club  
Suisun City

2. Approval of Minutes

Mr. Chester M. Hart, Executive Officer, recommended that the minutes of the September 2, 1981, meeting of the Wildlife Conservation Board be approved as published and circulated.

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IT WAS MOVED BY MR. FULLERTON, SECONDED BY MS. MORGAN, THAT THE MINUTES OF THE WILDLIFE CONSERVATION BOARD MEETING OF SEPTEMBER 2, 1981, BE APPROVED.

PASSED UNANIMOUSLY.

3. Wildlife Restoration Fund Status

The following fund status report was given by Mr. Hart, noting that there are sufficient funds to permit allocation of moneys to projects in the agenda.

Balance at end of 9/2/81 meeting . . . . .	\$1,497,494.10
Less Staff Benefits increase for 80/81 FY . . . . .	- 3,991.00
Plus additional unexpended 78/79 FY Support . . . . .	+ 6.00
Plus Federal LWCF monies	+ 866,389.79
Unallocated balance at beginning of 12/1/81 meeting . .	\$2,359,898.89

4. Recovery of Funds

The following projects have balances that can be recovered and returned to the Wildlife Restoration Fund or the 1976 Bond Fund. It was recommended the total amount of \$2,829.13 be recovered to the Wildlife Restoration Fund and \$8,381.60 be recovered to the 1976 Bond Fund and the project accounts be closed.

WRF RECOVERIES

Domestic Water Treatment Units

Allocation	\$126,100.00
Expenditures	126,096.00
Balance for Recovery	4.00

East Carson River

Allocation	\$ 60,000.00
Expenditures	57,212.84
Balance for Recovery	2,787.16

Whitehouse Pool

Allocation	\$ 54,000.00
Expenditures	\$53,961.97
Fed. LWCF Reimbursement	-24,912.54
WCB Expenditures	-29,049.43
Previously Recovered	-24,912.54
Balance for Recovery	38.03

TOTAL WRF RECOVERIES - \$2,829.13

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1976 BOND FUND RECOVERIES

Coon Hollow

Allocation		\$140,028.77
Expenditures	\$134,903.72	
Fed. LWCF Reimbursement -	<u>91,801.06</u>	
WCB Expenditures		-43,102.66
Previously Recovered		<u>-91,801.06</u>
Balance for Recovery		5,125.05

Coon Hollow Expansion

Allocation		\$33,750.00
Expenditures		<u>-30,493.45</u>
Balance for Recovery		3,256.55

TOTAL BOND RECOVERIES - \$8,381.60

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MS. MORGAN, THAT THE WILDLIFE CONSERVATION BOARD RECOVER FUNDS FROM THE FOLLOWING PROJECTS AND CLOSE THE PROJECT ACCOUNTS AS FOLLOWS:

Domestic Water Treatment Units	\$	4.00
East Carson River		2,787.16
Whitehouse Pool		<u>38.03</u>
Total WRF . . . . .	\$2,829.13	
Coon Hollow		\$5,125.05
Coon Hollow Expansion		<u>3,256.55</u>
Total 1976 Bond Fund . .	\$8,381.60	

THE SUM OF \$2,829.13 IS TO BE RETURNED TO THE WILDLIFE RESTORATION FUND AND \$8,381.60 IS TO BE RETURNED TO THE UNALLOCATED BALANCE OF THE 1976 BOND FUND.

PASSED UNANIMOUSLY.

5. Informational Report - Madera Lake Property Sale, Madera County

Disposal of the 1,092.5 acre Madera Lake project as surplus property, as authorized by the Board on June 22, 1979, has now been completed by the Department of General Services.

The Madera Irrigation District exercised its priority for purchase at fair market value as authorized in the surplus properties bill, with the grant deed to the District recorded on September 30, 1981.

The fair market value as appraised by the Department of General Services was \$1,040,000. The District made a down payment of \$104,000, and will pay 11.5% interest on the remaining balance of \$936,000. The payment schedule calls for annual payments of \$162,281.07 for ten years.

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Out of the \$104,000 down payment paid by the Madera Irrigation District, the Wildlife Restoration Fund will be credited with \$84,885.28 after deducting Department of General Services costs of \$19,114.72. There will be annual payments of \$162,281.07 for the next 10 years by the irrigation district which will provide additional funds totaling \$1,707,695.95 to the WCB.

Mr. Hart explained that this project was surplus to our needs, inasmuch as two other reservoirs were built nearby by the Corps of Engineers that provide public fishing benefits.

6. Soquel Cove Artificial Reef, Santa Cruz County

Change in Scope

This project for the construction of a rock reef in Monterey Bay was approved by the Board on December 12, 1980, and \$125,125 was allocated for its construction. The County of Santa Cruz, with technical advice and assistance from the Department of Fish and Game, has administered the contract for the reef construction.

When the project was bid out, actual bids received for tug and barge transport costs from San Francisco Bay were considerably greater than estimated. These increased costs precluded construction of the reef with quarry rock within the allocation made by the Board.

An investigation was made of alternatives for the reef construction within the available funds. A ready supply of defective concrete pipe sections in various sizes from 2' to 10' in diameter and 4' to 8' in length was found to be available free of charge except for the trucking costs to the barge loading site.

On the department's recommendation to utilize the concrete pipe, the county awarded contracts for trucking and barging the material. A reef of 320 pipe sections with a volume more than two times that of the proposed rock reef was completed within the funds allocated. According to the department biologists, the pipe reef is at least as good as a rock reef of equivalent volume, and is even superior in respect to exposed surfaces for attachment of food organisms.

Unfortunately, there was a lack of communication and understanding of the full consequences of the changes made, including that the Board's authorization and the contract with the County were specific for construction of a reef with 4,000 tons of quarry rock.

In order to reimburse Santa Cruz County for costs of the reef as actually constructed, in accordance with the original intent, it will be necessary to amend the contract with the County based on an authorization by the Board for reef construction with the alternate concrete pipe material.

It was the staff's recommendation that the Board re-authorize the Soquel Cove Artificial Reef project as constructed with concrete pipe in lieu of the quarry rock construction initially approved, including amendment of the construction contract with Santa Cruz County as appropriate.

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IT WAS MOVED BY MS. MORGAN, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD RE-AUTHORIZE THE SOQUEL COVE ARTIFICIAL REEF PROJECT AS CONSTRUCTED WITH CONCRETE PIPE IN LIEU OF THE QUARRY ROCK CONSTRUCTION INITIALLY APPROVED, INCLUDING AMENDMENT OF THE CONSTRUCTION CONTRACT WITH SANTA CRUZ COUNTY AS APPROPRIATE.

PASSED UNANIMOUSLY.

7. Alameda-San Francisco Bay Public Access, Alameda County \$75,000.00

This previously approved project was placed on the agenda due to the need for a supplemental allocation by the WCB. The second bid opening for the project was on November 19, 1981, by the City of Alameda. By way of background and status of the project, the following report was provided by the Executive Officer.

On February 7, 1979, the Board approved this project for the cooperative development of public fishing and boating access facilities on San Francisco Bay in Alameda. The Board allocated \$150,000 for its share of access road, parking area, fencing, and breakwater walkway.

The Department of Boating and Waterways has budgeted \$150,000 and the City of Alameda has allocated \$155,000 to the project for a boat ramp, floats and parking area costs. Staff applied for and obtained approval for 50% reimbursement of the WCB and City project costs under the federal LWCF program while it was still active.

The project has been much delayed in design and permit processing through the Bay Conservation and Development Commission and the U.S. Corps of Engineers. When the City was finally able to put the project out to bid last August, the low bid far exceeded available funding.

In the past three months, staff, DBW, and City personnel have made efforts to scale down the project to its barest essential elements. After the November 19th bid opening, it is expected that the City will take an action regarding approving or rejecting the bids at their regular meeting scheduled for the evening of December 8th.

As now proposed, the project envisions a paved access road to the boat ramp area; a boat ramp with boarding floats; a dredged access channel; a walkway on the breakwater the full length originally planned; project fencing as required; landscaping as required by BCDC; and minimal work to utilize existing steel mats in lieu of paving for the parking area.

The Department of Boating and Waterways has agreed to consider supplemental funding for full completion of the parking lot in FY 1983/84.

The funding information and requirement following the November 19 bid opening for the scaled down project was provided as follows:



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Funding requirements

Low bid (6 bidders) . . . . .	\$467,438	
Contingency, 8% . . . . .	39,192	
Construction supervision . . . . .	<u>23,370</u>	
TOTAL . . . . .		\$530,000

Available funding

WCB . . . . .	\$150,000	
Dept. of Boating & Waterways . . . . .	150,000	
City . . . . .	<u>155,000</u>	
TOTAL . . . . .		\$455,000

Additional funding required . . . . . \$75,000

It was mentioned that the City of Alameda has indicated they are unable to provide additional funding to cover the low bid and that they had already provided \$40,000 additional for the project by absorbing engineering and design costs.

It was Mr. Hart's recommendation that the Wildlife Conservation Board allocate from the Wildlife Restoration Fund the additional \$75,000 required to award the contract for the low bid received, on the basis that any funds not utilized to complete the contract will be returned to the WCB, and that additional funding to complete the overall project will be provided by the City, DBW, or others. He noted that the WCB would, in effect, be putting in \$150,000 for the project after plowing back the \$75,000 reimbursement to be received from the Federal Land and Water Conservation Fund, in order to implement the project at this time on the basis of the low bid.

Assemblyman Bosco and Assemblyman Waters who arrived at this time were introduced.

In response to Ms. Morgan's question as to why the WCB is being considered solely for providing the additional funding, Mr. Hart explained that the Department of Boating and Waterways would have to go through the budget process to secure additional funding which would take too much time for award to the low bidder, and the City is not in a financial situation of being able to add more to the project. This was corroborated by Mr. Dave Edwards, City Engineer, who noted that the \$40,000 it has contributed in engineering costs is the extent of available funding it can provide.

Mr. Galletti wanted to know if, when the project is completed, the proportionate share provided by the various agencies would be equal. Mr. Hart explained that DBW would be contributing the major portion, second would be the federal government through its LWCF funding, third the WCB and the City the smallest share, but that the City is obligated to provide operation and maintenance over a 25 year period which would make it the major contributor ultimately.

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Mr. Fullerton was asked to give his opinion in regard to this project, and he stated it was a very good project for it provides needed public access for the large communities around the Bay and particularly where many agencies are contributing towards its implementation, he felt it was worthwhile.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MS. MORGAN, THAT THE WILDLIFE CONSERVATION BOARD ALLOCATE AN ADDITIONAL \$75,000 FROM THE WILDLIFE RESTORATION FUND FOR ADDITIONAL COSTS OF THE ALAMEDA-SAN FRANCISCO BAY PUBLIC ACCESS, ALAMEDA COUNTY; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

8. Ruth Lake Public Fishing Access, Trinity County \$69,500.00

The Humboldt Bay Municipal Water District has proposed the development of facilities at Ruth Lake to improve fishing access. The lake, which is owned and operated by the District, is located in southern Trinity County and is used to provide municipal, domestic and industrial water to the greater Eureka area.

Existing recreational facilities at the lake are administered by the Ruth Lake Community Services District, including a marina, campgrounds and day use areas. The U. S. Forest Service operates two campgrounds and the Boy Scouts of America has one campsite. These facilities are overloaded at times, and do not provide adequately for access needs of fishermen using the lake.

The District proposed to increase fishing access through improvements at two additional sites on the lake, one at Sheriff's Cove near the dam where trout fishing is concentrated during summer months but where access facilities are lacking. A single lane boat launching ramp of pre-cast concrete sections would be developed at this location.

The other site is near the middle of the lake on the easterly bank, adjacent to the District headquarters on the lake.

Other than the launching ramp mentioned above, development of the two sites would be similar, consisting of grading and graveling low-standard access roads and parking areas, vault-type toilets, and floats for fishing and convenience of boat fishermen.

The District has, by resolution, agreed to meet the WCB proprietary interest and maintenance requirements and to enter into the necessary 25 year term agreements for such purposes.

The Department of Fish and Game has reviewed and favorably recommends this project for WCB approval and funding as proposed. The Department evaluation noted the angling access near the dam is extremely limited and the



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proposal for a launching ramp in this area has considerable merit as the marina ramp is a fairly long distance up the lake.

Staff has coordinated this ramp development with the Department of Boating and Waterways, and it is agreed that this facility is logically in the WCB area of responsibility.

The District, as lead agency, has determined that this is a minor activity and categorically exempt from the State Environmental Quality Act under Class I and Class II of the State Guidelines and a Notice of Exemption has been duly filed with the County and the Resources Agency.

The District, which will prepare plans and administer construction contracts, has prepared a cost estimate for the proposed work as follows:

Floats, gangways, moorings	\$22,000
Toilets and septic tanks	8,000
Grading and graveling	6,500
Signs	1,000
Boat ramp (Sheriff's Cove only)	<u>23,000</u>
	\$60,500
Contingency, 15%	<u>9,000</u>
TOTAL	\$69,500

Mr. Hart recommended the Board approve the Ruth Lake Public Fishing Access project; allocate \$69,500 from the Wildlife Restoration Fund therefor; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

Letters of support were received from Senator Ray Johnson and the Shasta-Cascade Wonderland Association. Mr. Hart also advised the Humboldt Bay Municipal Water District would provide a free lease of the project area and will enter into an operation and maintenance agreement to provide free public use for a 25-year period.

Mr. Hart advised that the 15% contingency fund would be controlled by the WCB staff, inasmuch as the project is to be constructed on a reimbursement basis, and it was Ms. Morgan's request that the staff oversee the project funding so that project costs do not rise to meet the funding available and that any funds not required for the project be reverted.

Mr. Galletti asked about the difference in contingencies listed for the various projects, ranging from 6% to 15% in this project, and it was explained by Mr. Hart that it varies to a great extent with the degree of detail that has been put into the engineering and cost estimating.

IT WAS MOVED BY MS. MORGAN, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE RUTH LAKE PUBLIC FISHING ACCESS PROJECT, TRINITY COUNTY; ALLOCATE \$69,500 FROM THE WILDLIFE RESTORATION FUND THEREFOR; AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

9. Salt Spring Valley Wildlife Area, Calaveras County

\$1,000.00

This is a proposal to acquire, through a donation, a conservation easement covering an area of approximately 4,490 acres in western Calaveras County, as proposed by the Department of Fish and Game.

The property involved is located in the rolling to steep foothills of the Sierras, approximately 15+ miles west of Angels Camp and 7+ miles east of the small community of Milton.

The property is presently used for cattle grazing. Under terms of the easement, it will continue to be used for this purpose, or for other agricultural or agricultural related uses that will not adversely affect fish and wildlife habitat. The property owners are granting full development rights to the State, except for improvements necessary for forage production and livestock grazing, or for alternative agricultural uses as noted above.

The owners have recently indicated that they desire to reserve rights for home sites in three areas on the property for possible future family use. This reservation limits the total number of houses which can be built on the entire ranch to nine on the three sites reserved.

The benefits to the landowner will be similar to a permanent Williamson Act contract. The State will benefit from permanent protection of the existing wildlife habitat values of the area.

The Department of Fish and Game has recommended accepting the donation in order that preservation of the ranch's high wildlife values will be guaranteed.

Habitat on the ranch is predominately oak grassland with chaparral interspersed through the upper elevations. The natural diversity which is characteristic of transitional zones such as this provides the ranch with a remarkable assemblage of wildlife. Deer from the Placerville deer herd winter among chaparral plants such as ceanothus, chamise, and manzanita.

The ranch supports raptors such as red tail hawks and kestrels as well as game birds including quail, band-tailed pigeons, and doves. Salt Spring Valley Reservoir, which partially inundates the ranch, provides excellent feeding and resting habitat for numerous shorebirds as well as several waterfowl species such as mallards, shovelers and coots.

Mammals which inhabit the area include bobcats and coyotes which prey on the abundant rodent population and other mammals, such as brush rabbits and cottontails. Coyotes exist in the area to the extent that the landowners feel the need to retain rights for depredation control in accordance with legal procedures in order to protect livestock.

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Acceptance of this donation will protect this habitat from increasing threats of eventual subdivision development. Management of this conservation easement will be assumed by the Department of Fish and Game. However, this will probably be limited to leaving the parcel in its existing condition with some minor habitat improvements possible in the future. The easement does not include the right of public access over the property but does give the Department the right of access to manage the habitat.

The only obligation to the Department will be to appropriately post the area as a State wildlife area that is not open to hunting.

This proposal falls within Class 13 of Categorical Exemptions from CEQA requirements. Class 13 consists of the acquisition of lands for fish and wildlife conservation purposes.

It was Mr. Hart's recommendation that the Board approve the acceptance of this conservation easement by donation, allocate \$1,000 from the Wildlife Restoration Fund for related processing costs, and authorize staff and the Department to proceed substantially as planned.

Assemblyman Waters asked if the conservation easement would provide for public use, and Mr. Hart responded "No", pointing out that the purpose of this conservation easement would be to keep this property in the same kind of use permanently to retain its wildlife values and would prevent any development for homesites, etc.

Assemblyman Bosco asked about the reaction of the counties in relation to the acquisition of conservation easements by the State. It was brought out that the counties will continue to receive property taxes in these instances since the owner will probably pay the same amount of taxes he had been, but would not pay on any development value. When the Department acquires large tracts for wildlife areas, the Department of Fish and Game pays in-lieu taxes to the counties.

Both Assemblyman Bosco and Assemblyman Waters then expressed their favorable recommendation for the acquisition of this conservation easement.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MS. MORGAN, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE SALT SPRING VALLEY WILDLIFE AREA PROJECT, CALAVERAS COUNTY, AND AUTHORIZE THE ACCEPTANCE OF A CONSERVATION EASEMENT BY DONATION; ALLOCATE \$1,000 FROM THE WILDLIFE RESTORATION FUND FOR RELATED PROCESSING COSTS; AND FURTHER AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

10. Waukell Creek (Klamath River), Del Norte County \$4,525.00

This proposal is to acquire a parcel of surplus Caltrans land containing 27.61+ acres. The parcel is located on the east side of State Highway 101, about one mile south of the community of Klamath, Del Norte County.

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More specifically, the property is located along Waukell Creek about 500 feet from a slough off of the Klamath River and about 1/2 mile from the main channel of the river. The property includes about 3/4 mile of frontage on both sides of Waukell Creek.

The property varies in width but averages about 300 feet wide and consists of about 10 acres of fresh water marsh in addition to its stream habitat for both anadromous and resident fish. The Department of Fish and Game highly recommends the purchase of this property as it provides excellent habitat for numerous species of nongame birds and mammals, including raccoons, skunks, belted kingfishers, great blue herons, marsh wrens and quail. The purchase would also provide compatible recreational opportunities, largely for fishing, hiking and wildlife observation.

Management by the Department of Fish and Game is planned with the land being maintained in essentially its present condition.

The property has a current estimated value of \$30,000. However, pursuant to Section 9 of Article XIX of the California Constitution, as passed by the voters in 1978 in the form of Prop. 3, Caltrans may, with legislative approval, sell to certain public entities at their acquisition cost.

This approval was given with the passage of SB 76, which was subsequently signed by the Governor and will be effective 1/1/82. Transfer at Caltrans' acquisition cost of \$4,024 would not proceed until after this date.

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.

It was recommended by the Executive Officer that the Board authorize the purchase of this property as proposed, allocate from the 1976 Bond Act funds available for these purposes a total of \$4,525 for payment of the purchase price and related processing costs, and authorize the staff and the Department to proceed substantially as planned.

Assemblyman Bosco recommended approval of this acquisition.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MS. MORGAN, THAT THE WILDLIFE CONSERVATION BOARD APPROVE ACQUISITION OF SURPLUS CALTRANS PROPERTY AT WAUKELL CREEK (KLAMATH RIVER), DEL NORTE COUNTY, AS PROPOSED; ALLOCATE \$4,525 FROM THE 1976 BOND ACT FUNDS AVAILABLE FOR ACQUISITION AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.



11. Noyo River Access Expansion, Mendocino County

\$103,000.00

This proposal is to purchase approximately 1.39 acres fronting on the Noyo River adjacent to the WCB public access project at Noyo Harbor. This would serve presently to protect the riverbank area in its existing state, and also allow the future potential of correcting riverbank erosion problems and of expanding the public access facility as may be needed.

In 1969, the WCB acquired the adjoining 1.8 acres which together with an area leased from the Noyo Harbor District was developed with a launching ramp, floats and parking. The project receives heavy seasonal use by salmon and other ocean fishermen, over capacity of the existing parking lot, and is maintained for such free public use by the Harbor District.

This is the only remaining undeveloped parcel on the south bank of this stretch of the Noyo River that offers the potentials given above.

The parcel also would be suitable for commercial development that would preclude such public use, if it remains in private ownership. Mendocino County's proposed general plan designation for use of the property is "Fishing Village" and related services, and the proposed Coastal Plan indicates "Harbor District". The property lies just outside the city limits of Fort Bragg.

The property has been appraised and the owners have agreed to sell it to the State for its approved fair market value of \$95,000. Appraisals, title insurance, escrow and related costs are expected to be about \$8,000, bringing the total proposed allocation to \$103,000. The acquisition falls within Class 13 of categorical exemptions from CEQA, and funding is available from 1976 Bond Funds.

Mr. Hart recommended the Board approve this acquisition, allocate \$103,000 from the 1976 Bond funds available for such purposes for the purchase price and costs, and authorize staff and the Department to proceed substantially as planned.

Assemblyman Bosco noted that there is public access already provided with the WCB lands adjacent to the proposal, and the County proposes a "Fishing Village" designation for the area, and asked if erosion control is the purpose for the acquisition. Mr. Hart advised that the purposes are multiple in that the property would be used to help stabilize the bank section being eroded and to provide for additional parking, since it is subject to overcrowding presently, and would also provide direct access to the river. Personnel from the harbor district which is operating and maintaining the project has called staff's attention to the erosion problem and to the need for additional parking here.

IT WAS MOVED BY MS. MORGAN, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE ACQUISITION OF PROPERTY FOR THE NOYO RIVER ACCESS EXPANSION, MENDOCINO COUNTY; ALLOCATE \$103,000 FROM THE 1976 BOND ACT FUNDS AVAILABLE FOR ACQUISITION AND RELATED COSTS; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

12. Elkhorn Slough Estuarine Sanctuary, Monterey County

a. Parcel 24 Acquisition

\$59,000.00

This proposal is to acquire one privately owned parcel located within the boundaries of the planned 1,510 acre Elkhorn Slough Estuarine Sanctuary. This is the fifth acquisition for this purpose to be considered with the Board previously approving the acquisition of 987+ acres. These acquisitions were subsequently completed by Board staff.

Mr. John Schmidt, Senior Land Agent, pointed out to the Board members the Estuarine Sanctuary boundary which is all below the 10 foot contour line, the properties already acquired, and the proposal being considered for purchase on this agenda.

The property proposed for purchase at this time is located approximately five miles northeasterly of Moss Landing. It contains 17.05+ acres and is actually made up of two separate parcels separated by Strawberry Road. The smaller parcel, containing 2.35+ acres, is located southerly of Strawberry Road and adjoins property previously acquired by the Board. The larger parcel contains 14.7+ acres and, in addition to its frontage on Strawberry Road, also fronts on Elkhorn and Hidden Valley Roads.

For the most part, this property is marshy, extending from an approximate elevation of sea level to a high of approximately 10 feet above sea level. As such, it includes a portion of one of the many "fingers" of Elkhorn Slough, and has been subject to historical tidal action which has been controlled through the use of tidegates located westerly of Elkhorn Road.

This property is valuable as part of the overall Elkhorn Slough ecosystem and the estuarine sanctuary project. The slough and its adjoining tidal flats and salt marshes support many wildlife species. Over 90 species of water-associated birds have been observed and identified in the area. The waters of the slough also provide an important nursery and feeding area for many sport and commercial fishes, in addition to supporting a rich fauna of bottom and mud-dwelling organisms.

Management of the parcels by the Department of Fish and Game is planned as part of the estuarine sanctuary, which is primarily for scientific and educational purposes.

Being within the planned sanctuary, this acquisition will qualify for federal participation from the Office of Coastal Zone Management.

The Office of Coastal Zone Management and the Department of Fish and Game have prepared and processed a Final Environmental Impact Statement for the acquisition and management of the estuarine sanctuary, which has previously been provided to the Board and meets CEQA requirements.

The property owners have agreed to sell this property to the State at its approved fair market value of \$52,600. An additional \$6,400 is needed for related acquisition costs including appraisal, title insurance, and real estate services processing.



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Mr. Hart recommended that the Board, with consideration of the FEIS for the Elkhorn Slough Estuarine Sanctuary, approve the purchase of this parcel as proposed, allocate \$59,000 for the purchase and related costs from the 1976 Bond Act funds available for these purposes, and authorize staff and the Department to proceed substantially as planned.

There was discussion on the overall estuarine sanctuary program started 1½ years ago which brought out information about federal government involvement through the Office of Coastal Zone Management and that the total area to be acquired would amount to 1,510 acres. There are 500 acres remaining to be acquired, if the Board staff is successful in its negotiations.

IT WAS MOVED BY MS. MORGAN, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD, WITH CONSIDERATION OF THE FEIS FOR THE ELKHORN SLOUGH ESTUARINE SANCTUARY, MONTEREY COUNTY, APPROVE ACQUISITION OF PARCEL 24, AS PROPOSED; ALLOCATE \$59,000 FOR THE PURCHASE AND RELATED COSTS FROM THE 1976 BOND ACT FUNDS AVAILABLE FOR THESE PURPOSES; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

Assemblyman Waters asked about the budget the WCB has for this type of acquisition, and he was informed that there is remaining approximately \$7 to \$8 million available for coastal wetlands projects from the 1976 Bond Act funds. Added to the previously noted balance in the Wildlife Restoration Fund would be several thousand dollars that would be forthcoming from the federal government as reimbursement for previously approved WCB projects, as well as the continuing appropriation of \$750,000 annually from the pari-mutuel revenues.

Mr. Fullerton added that funds have been budgeted for acquisition of rare and endangered species habitat to be acquired by the WCB staff.

The major funding, it was noted, has been made available through the Bond Act funds voted by the people in 1974 and 1976.

Assemblyman Waters asked how the priorities for Board acquisitions are determined, and Mr. Fullerton advised that the legislature set the priorities as to the types of projects the Board will fund and, because of the legislative membership on the Board, permits the Board itself to determine the actual projects the Board will fund.

Assemblyman Waters inquired about the fishing easement in Calaveras County near New Hogan dam, and he was informed that the key land owner was unwilling to participate, but that in the near future staff would be able to point out some alternatives there.

Elkhorn Slough Estuarine Sanctuary, Monterey County

b. Phase I Development

\$80,000.00

The Department of Fish and Game has proposed some initial improvements and engineering work aimed at meeting development and management needs for the Elkhorn Slough Estuarine Sanctuary.

Major demolition and development projects for the area must await satisfactory completion of historical and archeological surveys and such compliance with CEQA as may be necessary.

However, the Department has proposed moving ahead with some minor improvements that can be carried out within the above constraints, and some preliminary engineering work necessary for consideration of possible future marsh restoration, as follows:

1. Boundary Fencing.

This proposal is to provide approximately 32,000 feet of new fencing, primarily along the easterly boundary of the sanctuary where planned acquisition has been completed and the boundary is fixed.

Costs would be for materials and equipment rental only, with California Conservation Corps planned to provide labor for the project. CCC labor previously provided a stockpile of 1,200 wood posts from a tree thinning project on the sanctuary, which will be treated and used for the fencing.

2. Road Improvement.

It is proposed to improve approximately 2 miles of existing roadway that will make up the primary entry road for public and administrative use. This leads from the county road to the manager's residence and office area, and to the overlook of the marsh at the old dairy location. Improvements to be done by contract will include grading, graveling, and installing culverts for drainage. Paving will be included in a later phase after demolition work utilizing heavy equipment is completed.

3. Contour Mapping.

This proposal is to provide a one-foot interval contour map of the planned sanctuary area below the ten-foot elevation above sea level. The most cost-effective method for this is by an aerial survey process. The Department states it has received a firm cost estimate of \$36,000 to do this job complete in all respects.

There are no existing, useful maps of this nature, and this information is needed for future marsh restoration and other planning, and as a base for being able to determine future changes in the area that may occur from erosion, sedimentation, subsidence, or other causes.

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Cost estimates for these three items are as follows:

Boundary Fencing

110 rolls stock wire	\$3,940
2,000 metal fence posts	6,600
Pressure treated 1200 wood posts	1,200
Misc. hand tools and materials	1,300
(Post hole augers, pounders, stretchers, nails, staples, etc.)	
Equipment rental - tractor with auger and lift	<u>1,960</u>

Subtotal \$15,000

Road Improvement

4500 tons base material, in place	\$20,030
Grading and compaction	5,000
Nine drain culverts	1,270
Culvert installation	<u>2,700</u>

Subtotal \$29,000

Contour Mapping

Including aerial photography, position determination, aerial translation, computer time, manuscripts planimetry, machine time, horizontal control, vertical control, including necessary labor and travel time.

Subtotal \$36,000

TOTAL \$80,000

The physical improvements proposed are categorically exempt from CEQA under Class 2, reconstruction of existing structures and facilities on the same site with substantially the same purpose and capacity.

This overall project will qualify for 50% federal reimbursement from the Office of Coastal Zone Management under the original federal grant provisions for the estuarine sanctuary.

Mr. Hart recommended that the Board approve the Phase I development project for the Elkhorn Slough Estuarine Sanctuary as proposed, allocate \$80,000 from 1976 Bond Act funds available for such purposes, and authorize staff and the Department to proceed substantially as planned.

IT WAS MOVED BY MS. MORGAN, SECONDED BY MR. FULLERTON, THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE PHASE I DEVELOPMENT PROJECT FOR THE ELKHORN SLOUGH ESTUARINE SANCTUARY, MONTEREY COUNTY, AS PROPOSED; ALLOCATE \$80,000 FROM 1976 BOND ACT FUNDS

AVAILABLE FOR THESE PURPOSES; AND AUTHORIZE STAFF AND THE  
DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

(Assemblyman Waters was called out of the meeting at this time.)

13. Watsonville Slough Wildlife Area, Santa Cruz County

This proposal is for the purchase of 112.74+ acres of coastal wetlands habitat within the Watsonville Slough complex in southern Santa Cruz County. The property is located about a mile inland from the coast and about a mile west of State Highway 1.

Due to well-documented statewide losses of coastal wetlands habitat, the DFG considers this complex to have statewide significance. Regionally, it is considered by the department to be the single most important wetland for wildlife in the county.

The subject parcel floods seasonally and the majority of it is freshwater marsh. It is bordered on all sides by dense stands of riparian vegetation. For many species of wildlife dependent upon wetland vegetation, the complex is the only area of significant size in the vicinity. Seasonally the wetlands are heavily used by migrating waterfowl and, throughout the year, it is host to a minimum of 120 species of birds. The area represents nesting habitat for a variety of raptors and resident waterfowl as well, including the white-tailed kite and cinnamon teal.

Its proximity to the City of Watsonville, about 2 miles to the east, and to Highway 1 make the properties in the slough complex, generally, and the subject property, specifically, very desirable for more intensive economic use. Even intensive agricultural use would destroy the high wildlife value of the property. Therefore, the DFG has recommended acquisition of the subject parcel to assure its continued preservation as wildlife habitat.

The principal uses of the property would likely be non-consumptive, such as hiking, bird watching, wildlife photography and education. No development is planned, but may be that some modifications of the marsh could be carried out in the future to provide even better year-round habitat. Management would be by DFG.

The land has been appraised and the owner has agreed to sell it to the State for its fair market value, \$350,000. Costs of sale and of appraisal are estimated to be \$10,000 for a total required allocation of \$360,000.

However, since the agenda was written, the owner has received another offer of about \$100,000 more than the State's appraised value, and has indicated he would take that offer instead of sale to the State. The State does not have an option that would bind him to sell to the State. The prospective purchase would be for a peat mining operation. They desire to use this area for a source of peat supply for sale to gardeners. This operation will require Coastal Commission, Corps of Engineers and other permits and the offer is conditional on securing these approvals.



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It was Mr. Hart's recommendation that the Board allocate the necessary funds for WCB purchase of the property in the event this described purchase is not consummated. There is a potential of working with the peat mining operators to acquire the property through donation after they have finished the peat mining operation. There have been meetings with Fish and Game representatives and Jim Sarro of the WCB staff in regard to this possibility of donation. The operator will need some working with and cooperation from State agencies to get the necessary permits and have indicated full cooperation on how and where they will take the peat out to improve habitat for wildlife, leaving ponds for waterfowl purposes, and subsequently donating the land to the Department after their peat removal operation is completed, perhaps in 15 to 20 years. Mr. Sarro stated there is this alternative for acquiring the property "for free."

Mr. Sarro explained further that the purpose of proposing Board approval of this possible State acquisition was to assure the landowner that even if the sale to the peat harvesters was not completed, the State was still willing to proceed with a purchase. The rationale for this approach was that the landowner would be encouraged to proceed with his conditional sale to the peat operator. In this way, the State could possibly acquire a fully developed wildlife area in the future at no cost whatsoever.

For the record, Mr. Fullerton wanted to make clear that the Department will in no way do anything to vary from its normal practices in order to secure the property free.

There was discussion on the advisability of setting aside \$360,000 for this acquisition for a six month or longer period while the prospective buyer goes through the permit process. It was generally agreed that there would be no harm in agreeing to the concept of this acquisition as discussed. However, there was a general consensus that a WCB allocation and commitment for "fallback" purchase could place the State in an awkward or possibly untenable position. Any State agency involved in review of the proposed peat mining operation, and particularly the Department of Fish and Game, could be criticized for not being unbiased or impartial due to such a previous State commitment regarding purchase of the property.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MS. MORGAN, THAT THE WILDLIFE CONSERVATION BOARD INDICATE APPROVAL OF THE CONCEPT OF ACQUISITION OF THE WATSONVILLE SLOUGH WILDLIFE AREA, SANTA CRUZ COUNTY; DIRECT STAFF TO FOLLOW-UP ON THE PROJECT; AND REPORT BACK TO THE BOARD PERIODICALLY.

PASSED UNANIMOUSLY.

14. Suisun Marsh (Hill Slough and Joice Island WLA Expansion), \$605,000.00  
Solano County

This proposal is to acquire two separate parcels from one owner in the Suisun Marsh, southeasterly of the cities of Fairfield and Suisun City, Solano County.

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One parcel proposed for purchase consists of 250+ acres and is bounded by Grizzly Island Road, Montezuma Slough and Cutoff Slough, being adjacent to the easterly end of the Joice Island Wildlife Area. Lands included in this parcel were previously authorized for acquisition by the Board on April 28, 1976, but purchase was not consummated and funding was recovered without prejudice by the Board on May 2, 1980.

Joice Island Wildlife Area consists of 1,887 acres and was originally purchased for a State game refuge in 1931. It is managed by the Department of Fish and Game in conjunction with the nearby 8,600 acre Grizzly Island Wildlife Area, which was acquired by WCB in 1950. These areas provide very important wintering habitat for large numbers of Pacific Flyway waterfowl. They also provide habitat for many other migratory and resident wildlife species, as well as recreation in the form of fishing, hunting, and nature observation.

The property proposed for purchase is primarily tidal marsh and provides good quality habitat of this type. It also has approximately two miles of frontage on Montezuma and Cutoff Sloughs and provides considerable bank fishing opportunity. Access to Joice Island is gained across this parcel from Grizzly Island Road and via the Department's bridge over Cutoff Slough.

The second parcel contains 193.48 acres and is also located within the Suisun Marsh, approximately  $1\frac{1}{2}$  miles south of State Highway 12, and includes property on the north and south sides of the upper end of Hill Slough. A stretch of about  $\frac{1}{2}$  mile on the northwest end of the parcel adjoins State property previously acquired by the WCB. This adjoining State property, known as the Hill Slough WLA contains approximately 1,123 acres. The acquisition of the property would provide more than two miles of frontage on Hill Slough, on both sides in many locations, and would be a very valuable addition to the Hill Slough WLA. It would also protect a large area of tidal marsh and upper transitional area.

The acquisition of both of these parcels has been highly recommended by the Department of Fish and Game as they will add desirable wildlife habitat to both the Joice Island Wildlife Area and the Hill Slough Wildlife Area. They will also provide considerable opportunity for public fishing and other compatible recreational uses. Both parcels are within the primary management zone of the Suisun Marsh Protection Plan, and their public ownership would serve to further purposes of the plan.

It is planned that the property will be managed by the Department of Fish and Game in conjunction with the overall Grizzly Island - Joice Island Wildlife Area complex and the Hill Slough Wildlife Area.

This 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.



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The property owners have agreed to sell this land for \$598,700 as determined by a private, contract appraisal. An additional \$6,300 would be required to pay for miscellaneous acquisition costs, including title fees and processing costs, so that a total allocation of \$605,000 would be required. Funding is available from 1976 Bond Act monies for coastal wetlands acquisition.

Mr. Hart felt that the Board should be aware that the private appraiser had been hired by the sellers, but had been previously approved as a qualified appraiser by the State Department of General Services. DGS has also reviewed and approved the appraisal report and the fair market value thereby established for the property.

It was also pointed out that both parcels had previously been appraised by private appraisers under contract with the State. In 1975 the parcel adjacent to Joice Island was appraised at just under \$500 per acre and in 1977 the Hill Slough parcel was appraised at \$482 an acre. The present appraised value averages over \$1,350 an acre, indicating an appreciation in property values.

In response to Ms. Morgan's question as to why the property was not acquired previously, Mr. Hart responded that after a series of discussions and negotiations with the owner there were still problems which could not be resolved. The owner wanted to retain some easements or rights across a portion of the property and this time that portion that was in the area of dispute has been excluded from the proposed acquisition. This is the Belden's Landing area which the owner is reserving for possible private development and which has resolved the issues previously raised.

There was discussion on the present zoning and the need for acquisition at this time when it could be retained in a rural character. Mr. Fullerton explained that this is in the Suisun Marsh Protection Zone and no large development could be put on it. However, in the long range view, it would be preferable for the State to acquire it in accordance with the Suisun Marsh Preservation Act so that in the future it would not be possible to open these areas to development through changes in legislation. There is a proposal that a developer is offering to give to the State some property in exchange for development of land below Highway 12. This would require legislation.

The much higher appraisals were questioned by the Board members, and Mr. John Schmidt stated that there were a number of recent sales which justified the appraisals, and that there were two which were discounted by the appraiser \$500 an acre because they were considered non-market sales.

Mr. Bill Smith, owner and rancher, commented that the WCB staff and Director Fullerton have worked together over a period of 4 or 5 years and that it has been a difficult period, because the values in the marsh have escalated rapidly during that time. He expressed his appreciation for the cooperation of all concerned in trying to work this out. He indicated the possible development that could be done there would be to develop and sell as duck

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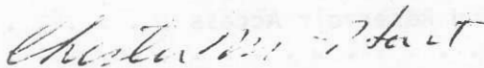
clubs, particularly for people in the Bay area, for there has been a great deal of demand for close-in shooting areas. He felt, however, that the property should go to the State as part of the Joice Island preserve and the Hill Slough complex.

IT WAS MOVED BY MR. FULLERTON, SECONDED BY MS. MORGAN, THAT THE WILDLIFE CONSERVATION BOARD APPROVE ACQUISITION OF PROPERTY AS PROPOSED FOR SUISUN MARSH-HILL SLOUGH AND JOICE ISLAND WILDLIFE AREA EXPANSION, SOLANO COUNTY; ALLOCATE \$605,000 FOR PURCHASE AND RELATED COSTS FROM 1976 BOND ACT FUNDS AVAILABLE FOR THESE PURPOSES; AND AUTHORIZE STAFF AND THE DEPARTMENT TO PROCEED SUBSTANTIALLY AS PLANNED.

PASSED UNANIMOUSLY.

There being no further business, the meeting was adjourned at 2:35 p.m. by Chairman Galletti.

Respectfully submitted,



Chester M. Hart  
Executive Officer

# PROGRAM STATEMENT

At the close of the meeting on December 1, 1981, the amount allocated to projects since the Wildlife Conservation Board's inception in 1947, totaled \$51,042,497.60. 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 Act, 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 . . . . .	\$10,598,006.73
b. Fish Habitat Development . . . . .	4,998,231.95
1. Reservoir Construction or Improvement . . . . .	\$2,779,019.19
2. Stream Clearance and Improvement . . . . .	431,492.19
3. Stream Flow Maintenance Dams . . . . .	439,503.32
4. Marine Habitat . . . . .	502,135.36
5. Fish Screens, Ladders & Weir Projects . . . . .	846,081.89
c. Fishing Access Projects . . . . .	15,684,941.35
1. Coastal and Bay Access . . . . .	1,716,680.04
2. River and Aqueduct Access . . . . .	3,923,896.50
3. Lake and Reservoir Access . . . . .	3,437,755.14
4. Piers . . . . .	6,606,609.67
d. Game Farm Projects . . . . .	146,894.49
e. Wildlife Habitat Development and Improvement Projects . . . . .	18,346,414.35
1. Wildlife Areas . . . . .	17,604,743.58
2. Miscellaneous Wildlife Habitat Dev. . . . .	741,670.77
f. Hunting Access . . . . .	549,036.81
g. Miscellaneous Projects . . . . .	635,471.91
s. Special Project Allocations . . . . .	83,500.00
Total Allocated to Projects . . . . .	\$51,042,497.60

## STATUS OF FUNDS WILDLIFE RESTORATION FUND

Unallocated balance at beginning of 12/1/81 meeting . . . . .	\$2,359,898.89
Plus recoveries . . . . .	+ 2,829.13
Less allocations . . . . .	- 145,500.00
Unallocated balance at end of 12/1/81 meeting . . . . .	2,217,228.08