

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

Minutes of Special Meeting, August 8, 1983

Pursuant to the call of the Chairman, the Wildlife Conservation Board met in the Department of Fish and Game Director's office on August 8, 1983. The meeting which was originally scheduled for 8:30 a.m. in Room 133, Resources Building, was postponed for lack of a quorum. Acting Chairman Don Carper called the special meeting to order at 11:35 a.m. the same morning. He announced that the meeting was called for consideration of funding for restoration of Malibu Pier.

1. Roll Call

PRESENT:	Don Carper	Acting Chairman
	Nancy Ordway	Member
	Assemblyman Norman Waters	Joint Interim Committee
ABSENT:	Norman B. Livermore, Jr.	Chairman
	Assemblyman Jim Costa	Joint Interim Committee
	Assemblyman Phillip Isenberg	" " "
	Senator Barry Keene	" " "
	Senator Robert Presley	" " "
	Senator David Roberti	" " "

STAFF PRESENT:

W. John Schmidt	Executive Officer
Alma Koyasako	Secretary

OTHERS PRESENT:

Dick Krause	Office of State Architect
Gordon McDaniel	Dept. of Parks and Recreation

2. Malibu Pier, Los Angeles County

\$368,000.00

Mr. W. John Schmidt, Executive Officer, advised that this meeting was called as an urgency matter for two reasons: the fear that the Malibu Pier would collapse unless immediate repairs were made, and since OSA who is presently overseeing the repair work will be out of funding August 15, it would be more economical to continue to utilize the same work crews to complete the needed repair work.

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In a review of the background of WCB involvement in the repair of Malibu Pier, Mr. Schmidt advised that a report on this was made to the Board at its September 18, 1980, meeting. He reported that the WCB, together with several State agencies and the County of Los Angeles was named in legislation enacted in 1979 for acquisition and repair of Malibu Pier, so as to preserve this landmark structure for public use.

The Department of General Services has acquired the 700 foot long, 24 foot wide pier with 650 foot beach frontage, and the Office of State Architect has carried out some of the most critical repairs, using funds that were appropriated for this purpose in the 1979 legislation. The law provides that these funds be later reimbursed by revenues received by the State from Alice's Restaurant, which is on leased space at the foot of the pier, and other pier concessions.

Effective July first this year, the Department of Parks and Recreation assumed jurisdiction of the pier. DPR and the County of Los Angeles have entered into an operating agreement for local management of the beach, and ultimately, the pier. From the July first date on for a period of five years, DPR is to collect the restaurant and other pier revenues and deposit them in the Wildlife Restoration Fund for WCB use in making more permanent repairs, as it deems necessary.

The funds in the current budget are in addition to those provided by the 1979 law. They are to cover OSA's current cost estimate for putting the pier in a condition of safe repair suitable for public use. The current estimate is considerably higher than the amount made available by the statute. If approved, the funds will enable OSA crews to continue with these repairs so the pier can be strengthened before the fall and winter storms begin.

Furthermore, in consideration of the WCB motion passed at the September 18, 1980, meeting, specifically that the Board is not obligated to expend more than the revenues made available to it from the project, approval to allocate the budgeted Wildlife Restoration Funds should be on the condition that pier and restaurant revenues reimburse the WRF in the full amount allocated, less any recoveries, before any such revenues are used for future pier improvements.

Staff has reviewed these procedures and understandings with the other agencies participating in this project as directed by the Board, including the stipulation that WCB responsibilities for future improvements are limited to the fishing pier only, and the funding limitation described above, and there is general agreement and concurrence on these matters.

As funds from project revenues accumulate in the Wildlife Restoration Fund, and as the need for future repairs arises, specific recommendations for WCB allocations from these funds will be presented to the Board. It is anticipated that at the end of this five year period, the pier will have a 20-year life expectancy.

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The normal requirements for WCB projects which are carried out pursuant to the Wildlife Conservation Law of 1947 may not strictly apply to this project in regard to future Board allocations from pier revenues. However, this proposed allocation would be from Wildlife Restoration Funds administered in the usual manner. It is therefore staff intent to fulfill all the normal requirements for WCB projects, including entering into a cooperative agreement for pier maintenance, and for conveying the required proprietary interest to the Department of Fish and Game as required by the Wildlife Conservation Law of 1947.

The Malibu Pier repair project is exempt from CEQA under Section 15101, Class 1 of the Act, as it is of an urgency nature and will not expand or extend this existing structure beyond its present dimensions or use. A Categorical Exemption has been filed.

Mr. Schmidt recommended the Wildlife Conservation Board approve the Malibu Pier project as proposed, allocate \$368,000 therefor from the Wildlife Restoration Fund appropriated to the Board for this purpose in the 1983-84 budget on the condition that said Fund be reimbursed from pier and restaurant revenues in this amount, less any recoveries, before such revenues be used for future pier improvements, and authorize staff and the Department of Fish and Game to proceed with the project substantially as planned.

Mr. Carper asked if it was anticipated that we would get all the money back from the lease revenues, and Mr. Schmidt responded that we would get all the money back plus more, per the legislation and current revenues received from the pier.

Assemblyman Norman Waters commented on the difficult permit process for pier construction, particularly in the Lake Tahoe region. Mr. Schmidt advised that all permit requirements, including the California Coastal Commission, have been met for this reconstruction. He further advised that Dick Krause from OSA and Gordon McDaniel from the Department of Parks and Recreation were present and would be able to respond to any questions the Board members might have.

Assemblyman Waters acknowledged that inasmuch as the legislature appropriated the funds to the WCB specifically for repair of Malibu Pier, the WCB has no choice in the matter, and recommended approval of the project as set forth in the budget and the agenda.

IT WAS REGULARLY MOVED AND SECONDED THAT THE WILDLIFE CONSERVATION BOARD APPROVE THE MALIBU PIER, LOS ANGELES COUNTY, AS PROPOSED; ALLOCATE \$368,000 THEREFOR FROM THE WILDLIFE RESTORATION FUND APPROPRIATED TO THE BOARD FOR THIS PURPOSE IN THE 1983/84 BUDGET ON THE CONDITION THAT SAID FUND BE REIMBURSED FROM PIER AND RESTAURANT REVENUES IN THIS AMOUNT, LESS ANY RECOVERIES, BEFORE SUCH REVENUES BE USED FOR FUTURE PIER IMPROVEMENTS, AND AUTHORIZE STAFF AND THE DEPARTMENT OF FISH AND GAME TO PROCEED WITH THE PROJECT SUBSTANTIALLY AS PLANNED.

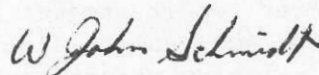
PASSED UNANIMOUSLY.

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Mr. Schmidt thanked everyone for coming to the meeting, and apologized for having to reschedule the meeting without first contacting all of the Board members.

There being no further business the meeting was adjourned at 11:45 a.m.

Respectfully submitted,



W. John Schmidt
Executive Officer