



COUNTY OF SANTA CRUZ

FISH AND WILDLIFE ADVISORY COMMISSION

701 OCEAN STREET, ROOM 312, SANTA CRUZ, CA 95060
(831) 454-3154 FAX: (831) 454-3128

AGENDA

March 7, 2019

7:00 PM

Fifth Floor Conference Room, Room 520, 701 Ocean Street

PLEASE NOTE: Outside doors will be open 6:45-7:30 and then locked for security.

Please arrive during this time.

Staff can be contacted at 831-227-7404, but may not be available to answer the call during the meeting.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES
4. PUBLIC COMMENTS
5. BUSINESS MATTERS
 - A. Sven Stafford – Presentation and discussion of County Strategic Plan (15 minutes)
 - B. Discuss 2019 work plan (45 minutes)
 - C. Discuss biennial meeting with the Commission on the Environment and the Water Advisory Commission (10 minutes)
 - D. Monterey Bay Salmon and Trout Project Request for Funding (10 minutes)
 - E. Update and discussion of PG & E's Community Wildfire Safety Program (10 minutes)
6. PRESENTATIONS AND ANNOUNCEMENTS BY COMMISSIONERS (15 minutes) – *start 8:45 pm*
7. STAFF REPORTS/ANNOUNCEMENTS (5 minutes)
8. CORRESPONDENCE
 - A. Comments to the FWAC from the Valley Women's Club Environmental Committee regarding the PG & E's Wildfire Safety Program
 - B. Notice of Proposed Emergency Action to list Klamath River Basin Spring Chinook Salmon Sport Fishing
 - C. Notice of proposed regulatory action relative to archery equipment and crossbow regulations
 - D. Notice of proposed Notice of Findings regarding petition to list Upper Klamath-Trinity River spring Chinook as endangered
 - E. Notice of proposal to establish program to incentivizes removal of crab traps at end of season
 - F. Notice of availability of documents related to Filleting of California Sheephead on vessels
9. ADJOURNMENT

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. The Planning Department Conference Room is located in an accessible facility. If you are a person with a disability and require special assistance in order to participate in the meeting, please contact Kristen Kittleson at (831)454-3154 or TDD number (454-2123) at least 72 hours in advance of the meeting in order to make arrangements. Persons with disabilities may request a copy of the agenda in an alternative format. As a courtesy to those affected, please attend the meeting smoke and scent free.



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Fish and Wildlife Advisory Commission

MINUTES

Fifth Floor Redwood Conference Room
Santa Cruz County Governmental Center
Santa Cruz, California

February 7, 2019

1. CALL TO ORDER. The meeting was called to order at 7:00 PM
2. ROLL CALL.

Present: Commissioners Berry, Robin, Baron, Frediani, Lee, Wise, Freeman
Excused: Johnson, Cooley
Absent: none

Guests included Edward Browne, District Attorney, Terris Kasteen, Kaleb Eye and Michelle Leicester, CDFW; Julie Wuetz, Ann Thryft, and Jenni Gomez, Valley Womens Club; Leo Gomez, Gillian Greensite and Jane Mio, Sierra Club; Larry Freeman, consulting hydrologist, David Kossack, San Andreas Land Conservancy, and Becky Steinbruner, citizen.

3. APPROVAL OF MINUTES. Commissioner Frediani made a motion to approve the December minutes; Commissioner Wise seconded the motion. All aye; the motion passed.
4. PUBLIC COMMENT. Becky Steinbruner reported that she has filed a lawsuit challenging the certification of the CEQA document for the Pure Water Soquel project.
5. BUSINESS MATTERS
 - i) Staff reported that the total deposits for fiscal year 2018-19 are now up to \$2,208.00. For the fiscal year 2019-20, Environmental Health will still budget \$15,000 for the Public Grants Program if there are sufficient funds. The Fund will receive about \$800 from the 1997 Stream Enhancement Fund.
 - ii) **Edward Browne, District Attorney – Report on code enforcement.** Mr. Browne handles environmental and consumer cases. Civil fines resulting from Fish and Game Code violations, especially 1600 and 5650 violations, get deposited into the Fish and Game Propagation Fund. However, Mr. Browne has been filing many of those violations as criminal cases. He is also working on multiple cases that do not involve Fish and Game code violations, including arson, wood poaching, and asbestos. Michelle Leicester, CDFW WET (cannabis enforcement) reported that if the County prosecuted 12025 cannabis cases, 30% would come to the County. Section 12025 relates to cannabis cultivation on public lands.

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FGC§ionNum=12025.

- B. **Monterey Bay Salmon and Trout Project Request for Funding.** Last Fall, the commission agreed to suspend the Public Grants Program for 2018-19 fiscal year. Staff informed the commission that when notifying the organizations about the suspension, she would ask if any organization had a critical funding need. The Monterey Bay Salmon and Trout Project was the only organization that responded with a funding request of \$400 to purchase equipment for steelhead rescues in drying streams. Over the past 2 years, MBSTP partnered with the CDFW and the County to conduct fish rescues in Corralitos Creek and Bean Creek. The funding would purchase coolers, buckets and nets.
- C. **Wildlife Conservation and Current Issues** – Terris Kasteen, California Dept of Fish and Wildlife, is the regional wildlife biologist who handles multiple responsibilities including reserve management and land acquisition, conflict wildlife calls, mountain lion depredation permits and big game management. The presentation highlighted current wildlife issues including Monarch Butterfly overwintering habitat, the value of big trees, and wildlife corridors. Terris also reported on the completion of the Ivy Removal Project, funded by the FWAC, that removed ivy from about 100 trees, protecting them for long-toed salamander habitat.
- D. **Discuss Significant Tree Ordinance and idea of expanding coverage outside the Coastal Zone.** Nine members of the public, including members of the Valley Women’s Club and Sierra Club, voiced support for the idea of expanding the Significant Tree Ordinance outside the Coastal Zone. Both the public and commissioners expressed support for protecting large trees that are old-growth trees, scenic trees and for wildlife habitat. The commission acknowledged that enforcement could be challenging. This ordinance expansion would not affect PG & E’s work, since they are not subject to County ordinances. Commissioner Freeman made a motion to continue discussion of this issue at the next meeting; Commissioner Lee seconded the motion. All aye; the motion passed. The commission will discuss again at the next meeting.
- E. **Update and discussion of PG & E’s Community Wildlife Safety Program.** Staff reported that PG & E and the County will soon restart negotiations on the work within the County’s Right-of-way. There is strong support for technological upgrades instead of vegetation management from both commissioners and the public attending the meeting.
- F. **Discuss and Approve Biennial Report.** Staff prepared a draft report. Commissioner Robin made a motion to approve the biennial report; Commissioner Baron seconded the motion. All aye; the motion passed. Staff will send the report to the Board.

PRESENTATIONS AND ANNOUNCEMENTS BY COMMISSIONERS. Commissioner Baron reported on the CAL- IPC conference. She shared information about new Phythopthora (sudden oak death) fungus diseases. There was a brief discussion about concerns with PG & E’s vegetation management and equipment hygiene. Information about how hunters and anglers are opposed to changes in the Federal Clean Water Act were distributed.

<https://fisheries.org/2019/02/afs-paper-on-loss-of-clean-water-act-protections-for-headwater-streams-and-wetlands/>

6. **ADJOURNMENT** – 9:04 PM.

NOTE: The next meeting is scheduled for March 7, 2019.

Submitted by K. Kittleson; Water Resources/Fish and Wildlife/2019 FWAC Meetings

— FIFTH ANNUAL —

State of the San Lorenzo River Symposium



Skyline to the Sea: The Past, Present & Future of the San Lorenzo River

Moderated by Donna Meyers, City of Santa Cruz City Council

- **John Ricker**, County of Santa Cruz Environmental Health Services Department, *The San Lorenzo River Watershed Management Plan*
- **Shawn Chartrand**, Balance Hydrologics, Inc., *Climate Change – Related Hydrologic Effects in the San Lorenzo River Watershed*
- **Mark Strudley**, County of Santa Cruz Public Works Department, *Flood Management in the San Lorenzo River Watershed*
- **Tony Elliot and Travis Beck**, City of Santa Cruz Parks and Recreation Department, *The Santa Cruz Riverwalk and Urban River Parks Management*
- **Jodi McGraw**, Jodi McGraw Consulting, *Terrestrial Biodiversity of the San Lorenzo River Watershed*
- **Richard King**, Santa Cruz Puma Project, *Recent Findings in San Lorenzo River Watershed Puma Research*
- **Jon Jankovitz**, California Department of Fish and Wildlife, *Recreational Steelhead Fishery Management in the San Lorenzo River Watershed*

MARCH 23

SYMPOSIUM
10am – 1pm

TOUR
1 – 2:30pm

Louden Nelson
Community Center
Auditorium
301 Center Street
Santa Cruz

FREE Registration:
tinyurl.com/soslrs



Conserve to Preserve – Our Water, Our Future  cityofsantacruz.com/water

PG&E's Wildfire Safety Program is a Destructive Diversion from Wildfire Prevention

Comments from the Valley Women's Club's Environmental Committee to the County Fish and Wildlife Commission's discussion of PG&E during the Commission's meeting on February 7, 2019

Under the guise of PG&E's "*Community Wildfire Safety Program*", the San Lorenzo Valley and Bonny Doon are now embroiled in a massive, ill-conceived "enhanced vegetation management" plan, with no data to prove it will work, no recognition of severe negative environmental impacts and misplaced liability. This mistaken "Program" will eventually span the entire rural County. The CPUC claims that this project is not a "Project" as defined in CEQA law, even though it involves thousands of miles of utility wire corridors and hundreds of thousands of demolished trees across CA.

Of course, we need to assure protection against utility-associated wildfire, but PG&E is spending so much money on its unprecedented effort to cut down healthy, mature trees, that this diverts funds away from the investments necessary to make their system safer with long overdue infrastructure improvements.

There are two most important actions to dramatically increase safety. One is to install high impedance arc fault interruption devices. This "off the shelf" gear instantly cuts power to broken wires before they fall to the ground – preventing both fire and electrocution. The second is to eliminate weak, antiquated "bare line conductors," the dominant wire used throughout rural areas, by replacing it with high strength, insulated wire. This solves the problem long-term, without massive tree removals that create wind-corridors and actually speed the spread of fire brands along the ground, speaking the spread of wildfires.

The Fish and Wildlife Commission is urged to quickly advise the Board of Supervisors, along with the the State Legislature and the CPUC, to quickly require stronger safety measures than what PG&E is doing in its "*Program*". This would save hundreds of thousands of trees across the state. The public safety improvement and the economics of doing so are far superior to continuing a massive, unproven tree removal process.

Understanding the severe negative impacts of the *Vegetation Management Program* and the thorough neglect of infrastructure that it entails, Kevin Collins personally filed a Formal Safety Complaint against PG&E's "*Community Wildfire Safety Program*" with the California Public Utilities Commission. (Docket # C1809011). The goal is to persuade the

Commission to write new regulations that will prioritize equipment upgrades over vegetation removal. You can add your voice to this effort.

The private property damage and the environmental impacts of PG&E's "Program" are enormous. The cutting PG&E has been doing goes far beyond CA Public Utilities Commission regulations of a minimum 4-foot *radial* clearance (to last a year) around each wire. PG&E was instead demanding of homeowners a 30-foot wide clearance of trees and shrubs from ground to sky under every run of utility wire. This 30-foot total width of clearance is based upon a recently adopted CPUC Recommendation of 12 feet radial clearance. Guidelines and Recommendations don't have the same legal standing as Rules and Regulations. The CPUC Rule for distribution voltage wire vegetation clearance remains at 4 feet radial clearance. And this rule continues to include an exception to 6 inches of clearance from a bare wire for trees of any species and for large branches that do not move in wind.

It is untenable that confused and frightened residents have not been fully informed of their rights and are thus not empowered to define the legal limits that PG&E may go in cutting trees on their own property, after the CPUC minimum clearance rules have been complied with. Instead they deal with repeated attempts by PG&E and Davey Tree to dissuade them, including threats of liability if they refuse to allow beautiful trees to be destroyed.

Many people are hoping to save their trees while conforming to the Regulation of 4-foot radial clearance in the Code, but not the Guidelines of PG&E's "Program". (*Regulations are law. Guidelines are not.*) They are angry and distressed at having received such "threats" in person or by phone. This is particularly offensive in cases where the code standards have already been complied with.

The citizens of this county deserve better. As our Fish and Game Commission, you can advise the Board of Supervisor to take strong action to require that PG&E act immediately to upgrade our aging, weak system that threatens to continue to create wildfires.

Respectfully submitted,

Nancy B. Macy, Chair

Environmental Committee for the SLV

Valley Women's Club www.valleywomensclub.org

nbbm@cruzio.com 831/338-6578

