



**COUNTY OF PLACER
FISH & GAME COMMISSION**

Ed King
Deputy Agricultural Commissioner
County Contact

FISH & GAME COMMISSION MEMBERS

DISTRICT 1 Don Gould	DISTRICT 2 Mark Fowler
DISTRICT 3 Gregg McKenzie	DISTRICT 4 Gary Flanagan
DISTRICT 5 Kari Freidig	DISTRICT 5 Marc Wyatt
DISTRICT 5 Mickey Daniels	

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**PLACER COUNTY
FISH & GAME COMMISSION
MINUTES**

TIME/DATE: 7:00 P.M. WEDNESDAY, September 24, 2014

LOCATION: PLACER COUNTY PLANNING COMMISSION HEARING ROOM
Community Development Resource Agency, DeWitt Center, Auburn
3091 County Center Drive (corner of Bell Road and Richardson Drive)

The Placer County Fish & Game Commission is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you are hearing impaired, we have listening devices available. If you require additional disability-related modifications or accommodations, including auxiliary aids or services, please contact the Recording Secretary at (530) 889-7372. If requested, the agenda shall be provided in appropriate alternative formats to persons with disabilities. All requests must be received at least 72 hours prior to the scheduled meeting for which you are requesting accommodation. Requests received after such time will be accommodated only if time permits.

I. CALL TO ORDER – Gregg McKenzie, Chair

II. ROLL CALL

Present: Gould, Fowler, McKenzie, Flanagan, Freidig

Absent: Wyatt, Daniels

III. APPROVAL OF AGENDA for September 24, 2014 and APPROVAL OF MINUTES of August 27, 2014

Agenda: Fowler/Gould/MPUV

Minutes: Flanagan/Gould/MPUV

IV. PUBLIC COMMENT

Individuals may address the Commission on items under the jurisdiction of the Fish & Game Commission not included on this agenda for no longer than five (5) minutes. **No action can be taken on items addressed under Public Comment**

None.

V. FINANCIAL REPORT – Ed King

Expenditures for FY 14/15, through August 31, 2014, total \$721.76 including \$360.00 in commissioner's fees and \$361.76 in mileage reimbursement.

Revenues through August 31, total \$48.31 including \$21.98 in fine and penalty monies and \$26.33 in interest.

VI. AGENCY REPORTS

A. Commission Updates

McKenzie

Commissioners Flanagan, McKenzie and Freidig and Ed King attended a meeting with Supervisor Uhler to discuss ongoing cooperation issues with Department Fish and Wildlife.

Following the meeting with Supervisor Uhler, King met with Cpt. Jeter and Lt. Lawson to request that they regularly attend commission meetings, resume sending weekly reports and routinely provide a citation list to the commission. Jeter and Lawson stated their willingness to attend future meetings and cooperate with the commission but are choosing to keep their weekly reports internal to DFW and will not supply citation lists.

King also reported that he requested a meeting with Flanagan, Freidig and Clerk of the Court, Jake Chatters, as directed by Supervisor Montgomery to discuss the Courts processing of Fish and Game Code cases.

Flanagan

September 27th Central Sierra Association of Fish & Game Commissions meeting was cancelled due to the King Fire. Commissioner Wyatt will be attending future meetings.

Attending the Big Game Management Advisory Committee meeting next week. Planning to discuss DFW Enforcement Division's use of allocated \$1.6M in funding.

Fowler

Planning to attend an upcoming meeting with the District Attorney and Lt. Lawson to discuss prosecution of DFW cases. No meeting date set yet.

Freidig

Working with Supervisor Montgomery and reports that the King Fire has been her top priority, but that the supervisor has agreed to coordinate with the Commission and the courts once the emergency is over to address the lack of funds available for grant programs for nonprofits.

B. State Wildlife Conservation Board Subcommittee – Gregg McKenzie
None

C. State Fish & Game Commission Subcommittee – Mark Fowler

Deer hunters need to check for area closures due to fire. The fine for trespassing is \$5,000.

Northern California swan tours begin on Saturdays in November in Marysville, free tour groups of 30 people each leave from 9:30 to 11:00 and 1:00 to 3:00.

SHARE program is offering fall hunts for wild pig, waterfowl, dove and pheasant.

DFW reminds hunters returning to California about Chronic Wasting disease issues. The nervous system of moose, elk, or deer must be removed before bringing into the state.

The October 8 meeting will be held at Mt. Shasta Hatchery Museum. Discussion topics will include abalone fishing, possible ratification of the gray wolf endangered species listing, and issues surrounding prohibiting inducements for hunting non-game fur animals, like ground squirrels. Consent items will include a petition to list the Livermore tar plant and a 30-day extension to evaluate the flat-tailed horned lizard listing status.

California Lake Management Society's annual conference is October 9-10 at UC Davis. Mercury management and invasive species topics are on the agenda.

D. California Department of Fish & Wildlife – Warden Kavanagh

Weekly reports go up the chain of command from him to Lt. Lawson, to Captain Jeter, to the assistant chief, and then to headquarters where it goes to the chief. After that, he believes that the information is reviewed for legislative reasons or to track activities taking place in each district.

Wildlife incursion and illegal hunting issues are ongoing, including the shooting of a wild turkey decoy and problems with people feeding bears. Enforcing bear-feeding bans is difficult because both the leaving out of food and the eating of it must be witnessed. Kings Beach case still under investigation.

An increased number of reports have come in about people shooting from their vehicles.

Wardens are accessible to the I-80 agricultural check station during hunting season and will be running two three-day inspections at the station.

Freidig asked what happens to bears after their loss of habitat and food supply as a result of wildfires. Kavanagh replied that bears have large territories will move accordingly. Bears will seek food sources and are drawn toward people's garbage, which provides a lot of calories. Deer will often return to still-smoldering sites to roll in ash to relieve themselves of ticks. He also mentioned that fire-damaged areas become very attractive wildlife habitat within two to three years

because the clearing of forest allows edible foliage to grow. The canyons areas now burning are so overgrown that they provide little in the way of valuable forage.

E. Nevada Irrigation District - Sue Sindt
None

NON-ACTION ITEMS

VII. Proposed Lake Clementine Hydroelectric Project – Helga White and Eric Peach, Protect American River Canyons

Eric Peach described his organization's mission and mentioned that the North Fork American River is eligible for Wild & Scenic designation. The Kruger Energy/American Renewables, LLC proposed hydroelectric project involves retrofitting the existing North Fork dam by creating a canal and a new substation below the dam.

PARC's concerns are for wildlife impacts, particularly otters. Otters are attracted to deep pools where they find prey, and will migrate dozens of miles in search of food. Eric also mentioned the California dipper, or water ouzel, which dives into the river for insects; beaver; and Peregrine falcons that nest in the lime rock around the lake. PARC is worried about the retrofit's possible effect on water temperature, turbulence, or other impacts to the river's invertebrates, which are a food source. PARC is also concerned about effects to trout spawning habitat. PARC recommends that the companies involved perform in-depth species and habitat studies.

Eric also touched on the effects of previous mining along the river. Mercury leftover from processing still probably contaminates the lake, and PARC would like core sample studies to determine the contamination level. They're concerned that the mercury will enter the wildlife food chain through plant absorption.

PARC is also interested in keeping the area attractive for recreation and youth education, and has worked to improve access to the river. For thirty years, PARC has worked to keep the area trash free, and has dealt with illegal dumping, cleaning up e-waste and once even a hospital bed. PARC has worked with the county and Caltrans to enforce anti-dumping efforts, which have been very effective.

Helga White, a concerned citizen who is not a member of PARC, also spoke to the Commission. She lives along the North Fork American River and used photos to show her concerns about how the retrofitting will affect swimmer safety. She is

afraid the planned canal will create suction in the lake that could be a hazard. Helga also explained that the land around the lake is owned by either the U.S. Army Corps of Engineers or the Bureau of Reclamation. Lease paperwork for the land states that it's to be preserved for natural and recreational use. Helga presented evidence that construction will require transporting heavy equipment to the location by modifying the existing access road or building a new road between Old Foresthill Road and North Fork Dam. Helga argued that the only way to do that will be to blast through the rock, which will disrupt the natural area. Helga is also concerned about the increased fire danger and wildlife harm that high-powered electrical equipment might bring.

The project has to be approved by the Federal Energy Regulatory Commission, and is called FERC Project #P13432. She provided information on looking up the documents that the developer has filed on FERC's website.

Helga is concerned that the public and local agencies aren't getting notified of public meetings about the project. She noticed that at the August 26th public meeting, over a hundred members of the public attended, but very few or no representatives of local agencies or government were there. She stated that public opinion is against the project. She doesn't believe that local government was even notified of the meeting. Helga states that she is an attorney, and that although she hasn't looked, she believes that the land was purchased by the US government through eminent domain for the Auburn dam, and that there are restrictions on its development. Helga requested that local government agencies get involved.

Eric added that on PARC's website, there is a link to a page detailing the Lake Clementine hydroelectric project.

Helga stated that, although she supports clean energy, and hydroelectric power is definitely clean energy, she doesn't feel that it warrants the destruction of the natural area. She also said that there's no guarantee that Placer County will even get any of the electricity generated, as the electricity will be sold to the highest bidder in order to reach requirements for utilities to have 33% of their energy coming from clean sources by 2020.

Freidig asked for clarification on certain points, including the idea that, since it's a Canadian company contracting, Placer County workers may not even be hired for the construction.

Flanagan mentioned that the dam's original purpose was to catch mining tailings dumped into the water, and that USFWS had entertained ideas about removing antiquated dams, and although it would destroy the lake, it would be a boon to anadromous fish populations. Neither Helga nor Eric knew if there had been any plans to do that to this dam.

Freidig asked who would benefit from the hydroelectric project and why Placer County would then agree to the project

Helga answered that she supposed the Canadian company would. Placer County had not been notified of the plans, and that is why she is presenting to this commission, and will be presenting to other groups.

Freiding confirmed that Supervisor Montgomery told her that she was not notified of Kruger's plans in advance.

A question was raised why this power plant wouldn't be run, as Folsom's, by the Bureau of Reclamation. It wasn't known why, but Helga read out the Bureau's plan, which stated that the Bureau would grant a 25-year lease to the company given the project. Helga hopes that enough outrage will be generated to convince the Bureau to revisit the plan. It was mentioned that that might be difficult, seeing as how it might be argued that this plan would provide more electricity, which would mean power rates would go down. Helga stated that she didn't believe it would lower power rates because the 33% mandate for 2020 will put pressure on companies, who will charge more.

Helga said that her research showed that there were only 30 days during which electricity could have been generated this year, and that during a year of normal rain and snow, the company predicted that it would produce electricity only nine months out of the year at best, and not from May until the end of October. Helga also mentioned that UC Davis researchers stated that in the future, even if precipitation increased, it would likely not be in the form of snow, which is what would be needed to keep the plant running longer.

Gould stated that because of regulations, there will be no more dams built in California, and asked how else will power companies achieve the 33% mandate. Helga countered they could do it through solar and wind energy. Kruger stated that the projected energy output for the project was 7,500 homes, but Eric replied that that estimate was based on the plant running 24-7 at peak capacity, which was already proven to be unrealistic.

VIII. King Fire - Fish and Wildlife Impacts Discussion

McKenzie – PCWA is strongly concerned about impacts to the Middle Fork watershed and Federal processes and actions to restore burned areas including soil retention and erosion control. Approximately 50,000 acres have burned to date in Placer County. Maps are available online. SPI has lost around 10,000 acres so far.

IX. Next Meeting Date

October 22, 2014; grants will be awarded that evening. The deadline for grant requests is October 10th.

X. Adjournment - 8:45 p.m.