



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

July 1, 2015

Mr. Armand Gonzales
State Wildlife Action Plan Project Manager
California Department of Fish and Wildlife
1416 Ninth Street, 12th Floor
Sacramento, CA 95814

RE: 2015 State Wildlife Action Plan Update

Dear Mr. Gonzales:

On behalf of the Rural County Representatives of California (RCRC), we are writing to express our concerns with the California State Wildlife Action Plan (Plan). RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties.

RCRC's member counties cover approximately half of California's total 100 million acre land mass and encompass the northern border with Oregon to the southeast border with Mexico, from the Central Valley to the Eastern Sierra, and from the coast to California's wine country. RCRC represents local governments that have land use and public trust responsibilities over much of this rich landscape that benefits all of California.

California is one of the most socio-economically, culturally, and geographically diverse states in the nation. Rural California provides many of the resources the Plan seeks to protect, and these very resources provide an economic base for our rural counties through tourism, hunting, fishing, and use of natural resources, such as timber. Many rural households have a lower median income than the statewide average and it is imperative that local governments in rural areas are able to develop a strong local economy with good jobs for the benefit of their citizens.

The following comments on the Plan address several broad areas of significant concern to RCRC. The areas of concern include the intention to utilize the Companion Plans for the implementation of the Plan when the Companion Plans have not yet been released for review and public comment; land acquisition, land use, and agriculture; 'soft and speculative' language; the legal Delta; and, perhaps most importantly, our concern that the Plan was not written predicated on the fact that the State has 38 million

1215 K Street, Suite 1650, Sacramento, CA 95814 | www.rcrcnet.org | 916.447.4806 | Fax: 916.448.3154

residents and that the population is expected to increase to 50 million people by the middle of this century. While the Plan references this growth, it must acknowledge that these new residents will need housing, jobs, schools, water, parks, and related infrastructure. RCRC firmly believes that a successful Plan must recognize these basic human needs. This increased population base will also provide a tax base and revenue stream to assist in the preservation of our State's wildlife and precious natural resources for generations to come.

It is with these introductory comments in mind that we have highlighted a number of areas of concern with the Plan.

Companion Plans

On page seven of the Executive Summary there is a reference to nine Sector-Specific Companion Plans. The Companion Plans cover Agriculture, Consumptive and Recreational Uses, Energy Development, Forests and Rangelands, Land Use Planning, Transportation Planning, Tribal Lands, Water Management and Marine Resources. On line 5, the Plan states that the sector-specific plans will be instrumental in the implementation of the State Wildfire Action Plan 2015.

RCRC strongly opposes the release of this Plan without opportunity for public comment and review of all of the Companion Plans. Land use planning is the sole jurisdiction of local government and many of the other Companion Plans directly or indirectly impact the decision-making authority of local government. While we realize that federal law requires the State to update the Plan this year, the Companion Plans should have been prepared for release simultaneously in order to facilitate meaningful public input on all related components of the Plan.

Land Acquisition

Land acquisition appears to be a key element of the conservation targets and strategies in each of the seven provinces based on Tables 1, 2 and 3 on pages 9 thru 21 of the Executive Summary. This is an area of great concern for RCRC member counties given the Department of Fish and Wildlife's (DFW) history with payment in lieu of taxes (PILT). California PILT was established in 1949 to offset adverse impacts to county property tax revenues that result when the State acquires private property for wildlife management areas. Prior to this fiscal year, DFW had not made any PILT payments to the 36 impacted counties in well over a decade.

RCRC is most appreciative of the fact that the 2015–16 State Budget Package does include \$1.77 million to the DFW for the Management of Department Lands and Facilities, which includes \$644,000 to pay current year PILT to 36 counties. However, we would be remiss if we did not mention that Senate Bill 97, the Budget Bill Junior passed as part of the final State Budget Package, reduced the original \$9.77 million appropriated by the Legislature to the DFW for the Management of Department Lands and Facilities to \$1.77 million, thus eliminating the \$8 million intended for arrearages of PILT payments to counties.

Additionally, the Resource Trailer Bill, Senate Bill 83, includes language that make PILT payments to counties permissive by changing “*shall*” to “*may*” which will in all likelihood give many counties pause when considering any land acquisition by the State. RCRC believes that land acquisition will only be an effective part of implementing the Plan if the State rectifies its outstanding PILT debts to counties and makes a firm commitment to make future payments for the program.

Land Use

Land use is referenced throughout the Plan, including a yet unreleased Companion Plan that is dedicated to land use. It is important to note that land use authority is the jurisdiction of local government. While California as a whole is approximately 50 percent publicly owned land and 50 percent privately owned land, many rural counties have a substantially higher percentage of publicly owned land, with one county having less than 2 percent privately owned land within its boundaries.

If the State is to accommodate the projected growth through the middle of the 21st Century, it is imperative that local government retain land use authority in order to provide the appropriate mix of development within each community. RCRC is opposed to any policy that would infringe on this authority, and strongly encourages DFW to work with local governments throughout the implementation of the Plan and the development of any related plans dealing with land use.

Working Landscapes

Working landscapes represent a major portion of industry in California, with much of it rooted in the State’s rural counties. While page 2 of the Executive Summary states the intent to “integrate wildlife conservation with working landscapes and environments, recognizing both the economic and ecological values of agriculture, rangeland, forestry and fisheries,” many of the pressures on the environment as outlined in the conservation targets and strategies are attributed to annual and non perennial non-timber crops, livestock farming and ranching, agricultural and forestry effluents, logging and wood harvesting, and fishing and harvesting aquatic resources.

The Plan focuses almost exclusively on the negative ecological impacts of working landscapes without acknowledging the ways these landscapes can and are being managed to benefit, enhance, and improve wildlife habitats. For example, Resource Conservation Districts (RCDs) work at the local level to lead conservation efforts for habitat improvement, fire prevention, watershed protection and restoration, community education, and myriad other projects to encourage collaborative local efforts to improve ecological conditions. Organizations such as RCDs should be integral resources for DFW to recognize and maximize the benefits from cooperative projects on working landscapes while revising, finalizing and implementing the Plan.

RCRC would also remind DFW that the State has not funded Williamson Act subvention payment to counties for over five years, yet the Williamson Act has been one of the most effective programs for the preservation of open space and wildlife

habitat, protecting watersheds, and reducing greenhouse gases. The Williamson Act has also significantly reduced leap frog development through the preservation of contiguous areas of agricultural land. This is especially true of farmland at the urban fringes of our State that are especially threatened by development. RCRC strongly recommends that DFW incorporate the benefits of the Williamson Act into the Plan, and that the State make a strong commitment to fund subventions to help the program continue.

Speculative Language and Inconsistent Citations

RCRC appreciates that much of the Plan is based on science and regulatory findings that are cited and attributed within the document. However, the Plan is inconsistent, as many statements of “fact” within the document have no related citations to support their veracity. For example on page 5.2-18, the Plan states without definition or citation, “Rapid reductions in water flows strand spawning salmon and trap young salmon in pools on their journey to sea,” followed later on the same page by the statement, “...hydropower operations affect water from rivers and streams, changing natural flow regimes of rivers, altering water temperature, and blocking fish passage and migration.” These are just a few narrow examples of statements presented as fact without supporting scientific documentation. It is important that the final Plan be thoroughly reviewed and edited for the use of terminology, broad-brush statements and speculative language before a final version is released.

Delta

Finally as outlined on pages 1-15, the Plan is seeking to create a new unique area called the Bay Delta Conservation Unit that does not correspond with the legal definition of the Delta or any DFW organizational region. RCRC is opposed to this ‘new’ region in that the legally defined Delta is recognized in statute for the boundaries of the Delta Conservancy and other purposes.

In closing, RCRC appreciates the opportunity to provide these comments on the draft 2015 State Wildlife Action Plan Update. Please do not hesitate to contact me if you have questions or would like to discuss our comments further.

Sincerely,



STACI HEATON
Regulatory Affairs Advocate

cc: John Laird, Secretary, Natural Resources Agency
Charlton Bonham, Director, Department of Fish and Wildlife