



June 18, 2024

Mike Randall, Analyst
California Department of Fish and Wildlife
Regulations Unit
715 P St.
Sacramento, CA 95814

**RE: Suspension or Revocation of Lake and Streambed Alteration Agreements—
Proposed Rulemaking**

Dear Mr. Randall,

On behalf of the Rural County Representatives of California (RCRC), we offer the following comments on the California Department of Fish and Wildlife (CDFW) proposed rulemaking re: Suspension or Revocation of Lake and Streambed Alteration (LSA) Agreements. RCRC is an association of forty rural California counties and the RCRC Board of Directors is comprised of elected supervisors from each member county.

In recent years, RCRC member counties have found communications with CDFW staff on matters of LSA permitting increasingly difficult. For example, some of our members tried to preemptively address flood risk before the storms of late 2022/early 2023 and were unable to successfully engage CDFW to implement LSA agreements promptly. This lack of engagement led to massive flooding in several counties which endangered communities, took life, and left a substantial clean-up that could have been avoided had the risk been addressed ahead of time. These delays leave communities vulnerable and local governments exposed to legal actions from residents who are impacted by the consequences of unmaintained waterways when LSA agreements are not in effect.

The proposed LSA rulemaking does not include appeals process through which an entity can obtain due process. In the event of a suspension or revocation of an LSA agreement with local government, we are in jeopardy of missing an opportunity to address local flooding concerns resulting in unacceptable impacts on public safety, particularly during the winter months. RCRC recommends establishment of an appropriate process

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ALPINE · AMADOR · BUTTE · CALAVERAS · COLUSA · DEL NORTE · EL DORADO · GLENN · HUMBOLDT · IMPERIAL · INYO · KINGS · LAKE · LASSEN
MADERA · MARIPOSA · MENDOCINO · MERCED · MODOC · MONO · MONTEREY · NAPA · NEVADA · PLACER · PLUMAS · SAN BENITO · SAN LUIS OBISPO
SANTA BARBARA · SHASTA · SIERRA · SISKIYOU · SOLANO · SONOMA · SUTTER · TEHAMA · TRINITY · TULARE · TUOLUMNE · YOLO · YUBA

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by which LSA agreement holders can appeal to the California Fish and Game Commission to reinstate the agreement in a transparent and timely manner.

RCRC also strongly recommends a longer period for suspensions and revocations to be effective. Many RCRC counties face unique challenges due to their rural nature, and road access due to weather conditions, wildfires and other extreme events often cause mail delays and communications outages. Ten days is simply not a long enough lead time for rural local governments to act on a suspension or revocation of an LSA agreement. RCRC would suggest at least 30 days before a suspension or revocation becomes effective from the date of the notice to account for challenges in rural communities.

We appreciate your consideration of our comments and would be happy to discuss our recommendations anytime. Please do not hesitate to contact me at sheaton@rcrcnet.org with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Staci Heaton", with a stylized flourish at the end.

STACI HEATON
Senior Policy Advocate