
From: Mike Miles <mmiles@hrcllc.com>
Sent: Monday, December 17, 2012 1:09 PM
To: Mark Andre; Huff, Eric; Cafferata, Pete; Gentry, George
Subject: Class II-L

Gentlemen

FYI - I met with Kurt Babcock, Joe Croteau, and Stacy Stanish a couple of weeks back in Redding (December 6th). Mike Jani was also present. Joe had requested the meeting in part to better understand the ongoing Class II-L discussion before the Board, including the current plead, for which I am appreciative. We discussed no other items pertaining to the BOF.

Learned a few things of interest:

1. DFG has recently requested information from CAL-FIRE regarding extent to which the Class II-L designation/Rx is applied versus Class II-Standard in approved THPs.
2. DFG sees this as primarily a coastal issue.
3. DFG's statement regarding application of the Class II-L Rx as the 'default' Rx was by their own admittance, somewhat poorly worded in their October 16, 2012 letter concerning the current plead, in that they *meant* Class II-L should be the default Rx if the Class II watercourse is initially scoped out as potential Class II-L using the office based methods (i.e. blue line or 2nd Order or larger); not that Class II-L should necessarily be the default Rx for all Class II watercourses in general. Although using the relatively low bar of a second order watercourse kind of puts you at the same end point, from my perspective.
4. DFG has been in communication with, and is interested in hearing more from RPF representatives, such as Matt Green (CLFA), as to the extent to which upgrades from Class II-S to Class II-L have been requested of RPFs during PHI.

We discussed in general terms, the relationship between Class II-L prescription design/measures and watercourse characteristics, individual subjectivity with which the current rule can be interpreted, and the influence the current joint CAL-FIRE/DFG ASP Rule Guidelines have on how the Rule is interpreted.

On a separate note, apart from this meeting, it was interesting to read Stopher's 2009(?) transcript on the ASP rules. Particularly, the apparent significance he placed on the office-based screening approach, including the premise that Class II-L watercourses would be second order or higher (pg. 25). His perspective on extent of Class II-L Rx application seemed pretty straight forward – "the Class II-L prescription applies for either the extent of the Class II-L or 1,000 feet, whichever is less." (pg. 43).

Finally, also spoke with fisheries biologist, Mark Moore (retired DFG, Eureka), who for the sake of simplicity, recalled the approach used in Green Diamond's HCP for Class II-L identification: Class II-L is Second Order or larger Class II, noting that in the GD HCP approach, Class III watercourses are not considered when determining stream order for the purpose of identifying Class II-L streams. In other words a Second Order Class II (Class II-L) comes into existence immediately downstream of the confluence of the first two ('first Order') Class II watercourses highest up in the individual drainage.

Mike

Office (707) 764-4173
Mobile **Redacted**
mmiles@hrcllc.com