

Appendix C: Sierra Club Letter Exhibit



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ROBIN ELIASON AT BIG BEAR LAKE CITY COUNCIL

Case # Unknown
Date of Interview: Unknown
Date Transcribed: 3-3-09

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KEY:	-
COUNCILWOMAN: Unidentified Female Councilperson	
COUNCILMAN: Unidentified Councilman	
COUNCILMAN #2: 2 nd Unidentified Councilman	
COUNCILMAN #3 rd Unidentified Councilman	
COUNCILMAN #4: 4 th Unidentified Councilman	
ELIASON: Robin Eliason	

NOTE: THE COUNCILMEN MAY BE MIXED UP AT TIMES

FEMALE COUNCILPERSON: Robin is in the ah, in the audience I think, right Robin? Um, you were quoted in The Sun um, regarding the eagle count. Can you, may I ask her some questions?

MALE: COUNCILPERSON: Yeah, go ahead.

COUNCILWOMAN: Robin the, the twelve eagles that were counted, were those in our area or was that across the mountain top in Silver Lake and Hemet, too?

ELIASON: That was total for San Jacinto and San Bernardino mountains. We had a total of six eagles sited on Saturday here in the Big Bear ba, basin.

COUNCILWOMAN: How many I'm sorry?

ELIASON: Six.

COUNCILWOMAN: Six. So we had half of the twelve, huh?

ELIASON: Right.

COUNCILWOMAN: Um, you said that you suspected that some of the factors that might be um, affecting the eagle count had to do with building along the lake, ah, of course our early Winter, we've still got a lot of our lake frozen and then loss of perch trees due to drought and bark beetles and new housing. Since Silver Lake and Arrowhead Lake are totally surrounded by buildings and there's no open space around them, I'm wondering is it really fair to compare us with a good deal of open space that is protected by the forest service with those other areas?

ELIASON: Um, well one clarification, that Silverwood Lake, which is a state recreation area, there are no, there's no development around that lake. Um, you're right about Lake Arrowhead, it's, it's fully developed around the lakeshore. Um, yeah I, I think it's a fair comparison. I think um, in the almost twenty years I've lived here, we have lost or significantly degraded a lot of perch habitat along the lakeshore. Perch habitat um, the important components needs to be near shallow water. Um, needs to have big, tall trees, old trees. Um, and they will actually use shorter trees if taller trees are not available.

 Um, since this project was approved in 1984, we've had Big Bear Shores, the RV development in bald eagle habitat substantially reduced the amount of bald eagle perch availability there. The north side of Stanfield Marsh, same thing, Castle Glenn development, all around Baldwin Lake, um Eagle Point Estates, Eagle Knoll, and then if you add in the individual houses that have been developed throughout the valley along the shoreline, we've lost a lot of perch habitat um, the cumulative impact I think is substantial.

COUNCILWOMAN: Now understanding that we only have jurisdiction and control over a very small portion of what you just described um...and this specific project is literally surrounded by protected area, um I'm struggling frankly with, and I understand the cumulative affect, and I'm not try, I totally agree with you that maybe I'm not thinking of the same Silver Lakes that, that you're talking about here, cause the ones that I was talking about have homes literally all around them.

ELIASON: Silverwood Lake down just west of Lake Arrowhead. It's a state recreation...

COUNCILWOMAN: Oh okay.

ELIASON: ...area. It's a park.

COUNCILWOMAN: Okay. So it is a completely different area...

ELIASON: It's, it's...

COUNCILWOMAN: ...than I was...

ELIASON: ...about to have some substantial development to the north of the park property, but...

COUNCILWOMAN: Well, but we have no jurisdiction over that.

ELIASON: Right, right.

COUNCILWOMAN: No jurisdiction in Arrowhead. Hemet...

ELIASON: Right.

COUNCILWOMAN: ...San Jacinto, we are in this one little tiny corner of the world. So I, I, I'm just really um, when we are lumped into all of the rest of what you described, I'm not sure it's a fair comparison for us.

ELIASON: Well let me clarify. I, I, I don't think I'm lumping um, the, the declines that we've seen in the bald eagles wintering in the Big Bear basin, we have seen our numbers continue to go down. Um, until the 1990's we averaged a high count in the 20's, above 20 um, and in the mid-20's and, and high 20's. Between 1990 and 2003 we generally averaged in the teens, the high teens. Since 2003 we've been having a high count of 6-8 eagles each Winter just in the Big Bear area.

Um, why, well there are a number of potential factors. Weather is certainly one of them and, and then the loss of perch habitat I think is also the other...

COUNCILWOMAN: In the valley.

ELIASON: In, in this valley, right, around Big Bear...

COUNCILWOMAN: Right.

ELIASON: ...and Baldwin Lakes.

COUNCILWOMAN: Right.

ELIASON: I think that, that is really important. The other factor is we have a lot more people recreating around the lakeshore...

COUNCILWOMAN: Um hum.

ELIASON: ...on any given Winter day. Um, so I think the disturbance level from people just hanging around the lake, fishing, walking dogs, doing whatever, um I think that disturbance lever, level has also gone up. At least these are my personal observations of living here almost twenty years. Now the, the idea that the, this development that you're considering is surrounded by eagle habitat, well you also need to consider would the development itself affect those open space areas, the eagle preserve um in the adjacent area, would it increase the disturbance, would it increase um, would it decrease the perch habitat quality.

COUNCILWOMAN: Well and from our understanding there are five mitigating factors that have been imposed upon it that reduces that impact.

ELIASON: I, I...

COUNCILWOMAN: Thank you.

ELIASON: Yeah. I, I, I think that since, in the 24 years since that study was done, there have been substantial changes in the valley um to the bald eagle habitat. And so, and a couple of clarifications from things I heard. I, I respectfully disagree that the, that site is not flying squirrel habitat, it, it is certainly flying squirrel habitat. Um, I have seen flying squirrels in this valley in, in areas that have um,

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that are a lot more open than, than the Castle Glen Senior Center site. Um, the other thing is that the bald eagle is state, is still a state protected, under the state endangered species act.

COUNCILWOMAN: Right. I understand that. Thank you.

ELIASON: Any other questions?

COUNCILMAN #1: Mr. Young?

COUNCILMAN #2: Yeah ah Robin before you leave I had a couple of quick questions. Can you briefly give me a, a, a quick scenario on how...how you go out and count these eagles? Who counts them? How do you do it? How do you make sure that the count is accurate? How do you make sure you didn't miss them? How do you make sure they weren't counted twice? Um...

ELIASON: Sure. Um, I, we use volunteers and we station people around, specifically around Big Bear Lake at about twenty different observation points and they are stationed from 9:00 to 10:00 a.m. and from, during that one hour period people write down on, on maps and data sheets what they see, when they see it, where they see it. Um, and then the data sheets come back in and I spend a couple hours going through the data sheets and figuring out if, if there was an eagle at point X that disappeared at say 9:15 was flying to the west, if my observer at that western point picked up a bird about 9:18, I'm going to consider that the same eagle. It's not, I'm not going to count it as two different eagles. Um, so it's, yeah we use volunteers. We generally have enough volunteers so they can double up people so that I have experience birders with less experience people. Um, when the data sheets come back in, I spend quite a bit of time talking to the observers, asking them about their observations, um and trying to tease out well if they weren't quite sure, I'd talk about the, the characteristics of the bird that they saw and I try to figure out well was it an eagle or was it a hawk, or a raven, um...

COUNCILMAN #2: Okay.

ELIASON: ...and then I, I actually do make notes about well I'm not sure, I believe that one...

COUNCILMAN #2: Okay.

ELIASON: ...um, and so it's, there's um some degree of uncertainty with the count, but...

COUNCILMAN #2: Well and that's to my point that I'm trying to make, is the fact of the matter is that number one, we are using volunteers and, and I mean God bless them for doing what they do, I don't, I'm not objecting to that all and I, and

I commend them for putting the time up to, to ah, to try to help out and try to get a handle on this, but, but the fact of the matter is, if we're only counting an eagles, eagles an hour a day from 9:00 to 10:00, is that everyday? Is that once a month?

ELIASON: It, it...

COUNCILMAN #2: ...is it, is that...

ELIASON: It's once a month. It's a snapshot in time and what it does is it's given, over a thirty year period it's given us a high count for those four months of the Winter for thirty years.

COUNCILMAN #2: Okay.

ELIASON: And so we pay attention to the high count. It's um, it's very difficult to confuse an adult bald eagle with another bird. Um, it's also very difficult to confuse an immature bald eagle. They're, just the size difference is so...

COUNCILMAN #2: How difficult is it to miss a pair of eagles in one hour?

ELIASON: We could, we could absolutely miss them. This is a minimum count. We could, could be having more, but that said myself and my biologist who work with me, we do spend some time observing eagles all winter long every year.

COUNCILMAN #2: Okay.

ELIASON: So, so we are essentially validating um, through our observations what we expect to see and, and this, this time last week when people were asking me what they expected the, what I expected the count to show I said somewhere between four and six eagles. We had six.

COUNCILMAN #2: Okay, just...

ELIASON: Um...

COUNCILMAN #2: ...and just one more quick question and then I'll, I'll ah...be quiet for a minute. Um, is there um, isn't it, isn't it true, and just based on some of the stuff that I've read, isn't it true that the migration of the eagles, one of the things that affects the migration is the condition, the weather obviously...

ELIASON: Absolutely.

COUNCILMAN #2: ...the condition of our lake, the food supply in general ah, and those types of things, is that not, doesn't that come into play when it comes to the migrate, the actual migration? I mean from what I understand an eagle, and I

hope I'm not insulting anyone or an eagle for that matter, but from what I understand the eagles are fairly lazy anyway from what I've read, based on what I've read, and the fact of the matter is they're going to go to, or stay or go to the closest food supply that they can find. They're not necessarily going to fly to Big Bear because they had a great time last year. So...I mean is that a correct statement?

ELIASON: They follow the food supply. In Winters when we don't have big waterfall populations, we don't have big eagles, the eagle populations. Um, so weather absolutely affects how many eagles we have in, in the valley. Does that account for the decline that we've seen? I think it, it contributes to the decline. I also think that loss of habitat around the lake has, has contributed to...

COUNCILMAN #2: But the overall count is up.

ELIASON: No, the overall count is down.

COUNCILMAN #2: No, I'm not talking about, according to the report um...the overall count is up substantially ah, countrywide. Not, not here in Big Bear Lake, but, but um, ah to give you an example it says that the um, it says however nat, nationally the numbers of bald eagles and nesting pairs of bald eagles has steadily increased from only 487 pairs in 1963 to over 9, 9,789 nesting pairs in 2006.

ELIASON: Right. And...

COUNCILMAN #2: So the overall count is up nationally.

ELIASON: The population of bald eagles in North America has continued to recover since dramatic decline when we only had about 400 nesting pairs...

COUNCILMAN #2: Right.

ELIASON: ...in the early 60's. The population continues to grow, go up, but the population in Big Bear is going down.

COUNCILMAN #2: Yeah, but there's no, there's no way to force the eagles to fly to Big Bear.

ELIASON: Well the question and the, the real bottom line question is why are populations expanding throughout North America at, we should be seeing increasing numbers in the Big Bear area, not declining numbers.

COUNCILMAN #2: But that could deal with food supply, and the condition of the lake, and the weather and everything else.

ELIASON: Those are some of the factors.

COUNCILMAN #2: Thank you. All done.

COUNCILMAN #3: I just wanted to ask Mr. Matthews once again that when the negotiations do begin that um, the defensible space to the developer is the responsibility of the developer until everything is in place. Cause if we're talking ten years, and I'm hearing longer, maybe twenty, maybe fifty, and that property is, I've driven by many, many times, ah is heavy brush, lets put it that way.

COUNCILMAN #2: Right.

COUNCILMAN #4: But that is yes another provision that we can insert into the development agreement. I do not believe the draft before you adequately addresses that.

COUNCILMAN #3: I know that. I know.

COUNCILMAN #4: And, and we can...

COUNCILMAN #3: That's my brunt of it.

COUNCILMAN #4: Absolutely. If in fact you're inclined to want to pursue this and to enter into a development agreement that's yet one more um, provision that I think can add to the agreement, yes.

COUNCILMAN #3: Thank you.

MALE: Getting some exercise. Um, would it be correct in my saying that because of the development in different areas around the lake since 1984, there's been a lot of development, it puts more of an owness upon any one particular perch from foraging area?

ELIASON: I would agree with that statement. The, the remaining perch habitat has become more and more important. Because there's less of it.

COUNCILMAN #3: That would then apply to any area, you know Big Bear Lake, Baldwin Lake, etc., etc., including this proposed project.

ELIASON: Right.

COUNCILMAN #3: I think, and again I can't speak for Tim Crans, I think that's what he's talking about and why he's sort of changing his mind twenty years later would be my guess, but I can't speak for him. And I've...

COUNCILMAN #2: Have you talked to him?

COUNCILMAN #3: Um, no. But that's something we can inquire if we want to. Something that we can explore. And again I've qualified it quite a bit. Um, from what I understand to, to answer ah, Mayor Pro Tem Yom's concerns, um what I know about the empirical method, I understand that um, um yes it's an inexact science ah, counting eagles, it's volunteers, but it's done over twenty, what is it, almost, well thirty years...

ELIASON: Thirty years.

COUNCILMAN #3: ...I think it starts at 1978. Um, and you can just see the steady decline. I have it here. I'm talking about the average number of eagles in ah, '78, '79 was 18 and it goes 14, 18, 15, 16, 18, 10, 18, 18, 16, way, you know just keeps going do, do, do, do, do...2000 ah, 13, 9, 11, 9, 4, 6, 6, 4. Um, over a period of time in repetition that tends to iron out um, imperfections like maybe um, are not totally reliable ah, counting source. So I think empirically it starts to iron it out. You have statistical methods to ah, account for that, but that's what they actually measure. So...

COUNCILMAN #2: And my point was not, was not the ah, the actual count, my point that it's a very unscientific way to count the eagles and for, for, and I'm not saying that maybe there's more, maybe there's less. Maybe one was counted twice, but...

COUNCILMAN #3: Maybe, maybe, oh I understand.

COUNCILMAN #2: ...maybe ten were missed.

COUNCILMAN #3: Oh I understand, that's exactly what I'm addressing. And I'm saying after a period of thirty years, thirty units, it's a steady decline like that.

COUNCILMAN: Kirk...microphone.

COUNCILMAN #3: Oh, it's a steady decline and then that tends to iron out any imperfections in the ah, ah, the measuring device.

COUNCILMAN #2: The, and that could be due to a number of different reasons.

COUNCILMAN #3: Yes.

COUNCILMAN: Mr. Kirk, Mr. (unintelligible) if I could, I'd like to ask Robin a question, it relates to what you're saying right now, I've been dying to ask this. The mythology um, that's been used over the thirty years, has it been identical um, the same type, whether it's been measured off at specific times in observing and so forth, so the methodology has not changed.

ELIASON: ...with the numbers that we say.

that, that we have on staff participating.

ELIASON: I feel fairly confident...

COUNCILMAN: Thank you.

COUNCILMAN: If it were over a period of five years, maybe ten years then I'd say that's not enough of the sample and it could vary, but it's thirty years. It, again it is a ah, it is a guess in a sense and you have to make a judgment. Um...also um the water fowl, the point was they (unintelligible) here, there's a statement, there's a document that I, I got that distributed to the council back in November. Um, it was a forest service document and...concerning the water fowl, Big Bear basin, including Baldwin Lake used to regularly support Wintering populations, 25 to 30 eagles past twenty years, average height, and it shows how its decreased. Um, and then it says...

ELIASON: It's been absolutely the same the whole time. Ah, we have a variation in the number of volunteers that we get and the number of our own biologists

COUNCILMAN: I've got a further question, but I want you to finish.

COUNCILMAN #2: In Baldwin, right?

COUNCILMAN: In the past decade the numbers are, well it says Baldwin and Big Bear, the numbers are generally closer to 15 to 17, it's lower now because this is written in the early 2000, and likely reflect the continued losses of good perching areas and developing shoreline affecting use by Wintering water fowl, which I understand ducks and coots are main food. I don't think it's a matter of them wanting a vacation in Big Bear, I think it's a matter of can they survive here and eat here. I don't think it's not only perching habitat, what I'm understanding and I'm, I say these to get maybe confirmation from you ah Ms. Eliason um...that possibly it's ah, the habitat is scaring or whatever, making it ah, ah less congenial for the water fowl that they eat. So they're less likely to want to come here as well.

ELIASON: The water fowl population's probably fluctuate a lot because of the weather, but also because of disturbance. Um, the water fowl, most of those species really like the shallow water, that's the shallow, sheltered coves are the most important areas. Um, and again we've seen a lot of development around those areas. Um, I, I suspect that some of our low numbers in recent years is related to heavy ice conditions that we've had starting out in the Winter. And when that happens early in migration, I think a lot of the ducks just keep flying looking for open water. Um, so I, I do think that there, there is some correlation there. I was hoping for a Winter that would not have ice on major part of the lake for the beginning of the Winter just to see if our numbers went back up. I, I

expect that they would go back up. I don't know, I, my, my professional opinion is that their numbers will probably not go all the way back up to the historic highs of '28, mid-20's um, just because of the, the loss of perch habitat that we've, we've felt in the, in the valley over the past twenty, thirty years.

COUNCILMAN: Thank you. And just a statement for this um...again it's an exact. We don't know, I, I, what I'm understanding is we don't know the exact um, um, factors that are affecting the decreasing eagles in the valley, some say it could be development, it could be ah climate change, it could be ah, you were saying the freezing of the ah lake early discourages the eagles and the water fowl from coming, could be a mixture of things. Um, like I said depends upon how committed we are to maintaining the eagles in this valley or not and this project to me um, will reflect our commitment. Um, we can say we want our eagles and ah, you know quite an article in the Grizzly about how we prize our eagles and we have the discovery center which goes, gives eagle tours and um, it's a big part of it in the future, and we need to possibly the phrase would be put our money where our mouth is. Um, actions speak louder than words in how we prize our eagles we want. And again we cannot conclusively say whether or not um, development is the sole factor, but common sense at least in my eyes seem to be it's a major factor.

ELIASON: I think the paradox is that the, throughout North America populations of bald eagles continue to increase and, and yet we are seeing the reverse here locally. That's the million dollar question.

COUNCILMAN: I don't think we'd make them extinct, but the question is do we want them in our valley or not.

COUNCILMAN #2: But the, the fact of the matter is, I would assume under that scenario Mr. (unintelligible) that ah, if we denied this project, is there some guarantee that the eagles are going to come back. I would say no. I mean there are no guarantees.

COUNCILMAN: No.

COUNCILMAN #2: And, and nobody can stand up there and say deny this project or any other project in the valley for that matter and it's going to automatically bring the eagles back and I would assume you would agree with that.

ELIASON: What we've seen is an incremental loss each, each...

COUNCILMAN #2: No, understand.

ELIASON: ...project...

COUNCILMAN #2: But the point, my point...

ELIASON: ...is incremental....

COUNCILMAN #2: ...my point being is there are other things, other than this development or any other development for that matter, that deal with the migration of the eagle into this valley. And it, and you yourself has admitted it deals with the food chain, it deals with the freezing of the lake, it deals with a number of factors that we don't control.

ELIASON: All I can tell you is that the area on the north side of Stanfield Marsh is um, good perch habitat for bald eagles, they use that area.

COUNCILMAN #2: Okay.

COUNCILMAN #3: I've got one question for Robin if I...

ELIASON: Yeah.

COUNCILMAN #3: ...if I could. The um, this particular area, I mean it has been designated for development um, and even if we do nothing, it's still can be developed to a certain extent. Um...in, in loss of certain amount of the hab, the habitat out of our control, there's nothing we can do about it, um, so I'm trying to hear your concern and is your concern that ah, ah, for a, a um, thirty-five unit development would have more impact than a, and I'll use an extreme example, but you could put a 15,000 square foot house on it. Again we have no control over that, unless we as in city council, decide to condemn the property, take it from the owner and make it an eagle preserve. So could you give your opinion on that? And I have a second follow up question.

ELIASON: Yeah um, I...as a federal government employee, I really don't think I'm suppose to, to weigh in on something like that. I can, I can tell you that that area is perch habitat for bald eagles. Um...what, what project might or might not be better on the site in terms of bald eagles, that would take an analysis and, and that's not my role here tonight.

COUNCILMAN #3: I understand that. Um, the, the question has always perplexed me and, and I love the eagles and I live out near eagle point and, and ah, see ah (unintelligible) out in the tree and I actually haven't seen them recently, but the question I have is, is um it just, it just doesn't seem like we're the right type of habitat for um, for nesting the eagles. I don't know why. I spend a lot of time in Catalina and the population seems to be exploding there. Um, and I don't know why it exploded, is exploding there and we've never had a nesting pair in Big Bear. Even when the population was 25, even when our population was cut in half here, we've never seem to be able to establish a nesting pair of eagles and do you have any opinion regarding that?

ELIASON: No, I think it's just a matter of time. We have um, in the past three years we have successful nesting down at Lake Hemet. In the early 90's we did have two nesting attempts between Silverwood and Lake Arrowhead, Um, we've certainly got suitable habitat up here and, and what we're seeing statewide is, and if I brought slides I could show you, but um there is a slide that shows the, the distribution of nesting, bald eagles nesting territories throughout the state of California over time. And if you could picture the state um, in the, I think, I think the, the map starts in the 6, in the 70's and all of the nesting territories there in the northern part of the state, each decade they expand farther and farther south. Um, so we are at the edge um, that expanding distribution. Um I, I firmly believe that we will see nesting bald eagles in the San Bernardino mountains within five or ten years. Um, and, and basically what's happened as, as the population recovers in northern areas, the adult birds continue to occupy their historic nesting territories and the babies they produce get kicked out of the area, the adults don't want the competing for food in, in prime nesting sites and so they get kicked out. So, so each year those juveniles have to move farther and farther south to establish their own nesting territories. It's a matter of time.

COUNCILMAN: Um, we actually have a long ways to go. So I don't, I don't know if (unintelligible) five minute break, quick five minute break and, and come back to this and um, I don't know if there's anymore questions for Robin if she can hang with us a little bit longer um, regarding that. Do you have any questions for Robin? Okay. Thank you. Lets take a five minute break and we'll come right back and get back to this.

END OF RECORDING

I, Stephanie Jefferson, hereby certify that the foregoing

I, Stephanie Jefferson, hereby certify that the foregoing transcript is a true and correct transcript as possible from the original taped interview.

I further certify that I am neither attorney, nor counsel for, nor related to or employed by any of the parties to the action in which this transcription is presented; and furthermore, that I am not a relative or employee of any person employed by the parties hereto or financially interested in the action.

In witness whereof, I have hereunto subscribed my name this 3rd day of March, 2009.

Robin Eliason at Big Bear Lake City Council Meeting Unknown Case #

Stephanie Jefferson
Original copy signed and sent to Donald Jordan

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