

## STAFF SUMMARY FOR FEBRUARY 6, 2019

**13. STATEWIDE INLAND SPORT FISHING REVISIONS AND SIMPLIFICATION FOR 2020****Today's Item****Information** ☐**Action** ☒

Discuss and consider endorsing a “menu” framework for the statewide inland sport fishing revisions and simplification for 2020 rulemaking.

**Summary of Previous/Future Actions**

- |   |                                |
|---|--------------------------------|
| • WRC vetting   | Jan 10, 2019; WRC, Ontario     |
| • TC vetting  | Feb 5, 2019; TC, Sacramento    |
| • <b>Today's discussion and potential endorsement</b> | <b>Feb 6, 2019; Sacramento</b> |
| • WRC vetting and recommendation                      | May 16, 2019; WRC, Sacramento  |
| • TC vetting and recommendation                       | Jun 11, 2019; TC, Redding      |
| • Notice hearing                                      | Aug 7-8, 2019; Sacramento      |
| • Discussion hearing                                  | Oct 9-10, 2019; San Diego      |
| • Adoption hearing                                    | Dec 11-12, 2019; Sacramento    |

**Background**

For years, DFW has received complaints from anglers about the complexity of freshwater sport fishing regulations. Some anglers (or potential anglers) may be dissuaded from fishing due to actual or perceived difficulty in complying with the regulations. For example, currently there are 212 special regulation waters in Section 7.50(b), including 88 different seasons, 13 different size restrictions, 10 different gear restrictions, and 6 different bag and possession limits.

DFW is proposing a new structure or “framework,” in large part to simplify inland sport fishing seasons and bag limits for trout waters only; the proposal excludes anadromous waters (Exhibit 2). The goals for the revisions are:

- maintain or increase angling opportunity;
- improve regulatory consistency across waters;
- align sport fishing regulations with DFW's fisheries management goals and objectives;
- reduce complexity and confusion; and
- protect fishery resources.

In basic terms, the proposed framework is based on a “menu” concept, where one of several pre-defined season and bag limit combinations would be chosen for defined river reaches (exhibits 1 and 2). Today, FGC will discuss this proposal, and is being asked to endorse the menu both in concept and in substance.

Note that the full rulemaking proposal (i.e., how menu items are applied to specific trout waters) is still under development; as such, today DFW's endorsement recommendation applies only to the menu approach as a framework. A recommendation for applying the menu to specific trout waters will be discussed at the May 2019 WRC meeting and to FGC in Jun 2019.

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**Significant Public Comments (N/A)**

**Recommendation**

**FGC staff:** Endorse the menu concept, as proposed by DFW.

**WRC:** Endorse the menu concept, as proposed by DFW.

**DFW:** Endorse the menu concept as proposed and presented today.

**Exhibits**

1. [DFW presentation](#)
2. [Memo from DFW regarding the “menu” and its development, received Jan 2, 2019](#)

**Motion/Direction**

The Commission endorses the “menu” concept as proposed by DFW.

**OR**

The Commission endorses the “menu” concept as proposed by DFW, with the following changes: \_\_\_\_\_ .

## **Sport Fishing Regulations Revision and Simplification Project**



Photo by Mike Mamola

California Fish and Game Commission Meeting  
February 6, 2019  
Karen Mitchell  
Fisheries Branch



### **Problem**

- Too many special fishing regulations
- Some regulations are too complex
- Many regulations are not monitored for effectiveness

## **Current Special Fishing Regulations**

- 212 waters with special fishing regulations
- 431 separate defined special regulations for inland trout and salmon
  - 88 different seasons
  - 13 different size limits
  - 10 different gear restrictions
  - 6 different bag/possession limits

## **Key Areas for Change**

- District Regulations, Title 14, Section 7.00
- Special Fishing Regulations, Title 14, Section 7.50(b)
- Separate inland waters from anadromous waters and create two booklets
- Create a “statewide” regulation for trout
- Reduce number of seasons, gear restrictions, and size limits

## **Goals**

- Maintain or increase angling opportunity
- Improve regulatory consistency across waters
- Align sport fishing regulations with the Department's current fisheries management goals and objectives
- Reduce complexity and confusion
- Protect the fishery resources

## **Trout Regulations Menu**

- Foundation of the project
- Statewide Department collaborative effort
- Comprehensive review of current regulations
- Evaluate frequency and magnitude of regulations
- Identify valid and invalid regulations
- Consolidate valid regulations into a suite of biologically justifiable regulations

## Statewide Regulation for Trout

**Open year-round, 5 fish bag limit, 10 fish possession limit, no gear restrictions** =

Robust, self-sustaining and stocked fisheries with maximum sustainable harvest with emphasis on high natural yield and or elevated stocking rates

## Trout Seasons

- **All year** = Most liberal and focused on maximizing opportunity
- **Closed to fishing all year** = Most conservative and used to protect populations that are state or federally listed under either Endangered Species Act or imperiled populations that angling could have a significant negative effect
- **September 1 through November 30** = Fall season to either protect fall spawning fish aggregations or allow angling during the fall when summer temperatures make angling impacts more significant

## Trout Seasons Cont.

- **Saturday preceding Memorial Day through September 30** = Summer season where both spring and fall spawning fish aggregations occur
- **Saturday preceding Memorial Day through the last day in February** = Spring fishing closure to protect spring spawning fish
- **October 1 through the Friday preceding Memorial Day** = For use in conjunction with a summer season to implement more restrictive bag limits and gear restrictions during spring and fall spawning.

## Bag and Possession Limits and Gear Restrictions

- **5 trout, no gear restrictions** = (most liberal)  
Robust, self-sustaining fisheries with low to moderate angling, or stocked fisheries with maximum sustainable harvest
- **2 trout per day, 4 trout in possession, no gear restrictions** = Limited daily harvest but with additional possession, set for limited effect to hatchery supplemented or productive self-sustaining fisheries to allow some harvest. Moderate concern regarding harvest with no threat to total population or target catch rate.

## Bag Possession Limits and Gear Restrictions Cont.

- **2 trout, artificial lures with 14" minimum** = Limited selected harvest with protection for smaller age classes. Allows most individuals to spawn prior to entering the fishery.
- **2 trout, artificial lures w/18" min** = Limited selected harvest with protection for smaller age classes in high productivity systems that can produce large fish. Allows individuals to spawn prior to trophy sized harvest.
- **0 trout, barbless artificial lures** = (most conservative) Reduce angling impacts to listed or sensitive populations, mitigate high use areas, seasonally eliminate harvest of spawning fish, or to achieve fast action or trophy fisheries.

## Summary

- Menu was developed by DFW fisheries managers and fisheries biologists statewide
- Menu is foundation of this project
- The menu allows for flexibility in the face of change or efficacy



## Next Steps

- Department requests the Commission endorse the proposed menu
- Establish a standardized suite of management approaches
- Begin work with stakeholders to assess and select the most appropriate suite of regulations for inland trout waters

## Questions / Thank You



# Memorandum

Date: January 2, 2019

To: Melissa Miller-Henson  
Acting Executive Director  
Fish and Game Commission

From: Charlton H. Bonham  
Director

Subject: **Agenda Item for January 10, 2019 Wildlife Resource Committee Meeting; Sport Fishing Regulations Revision and Simplification Project – Request for Endorsement of Trout Regulations Menu**

Attached please find an overview of the Sport Fishing Regulations Revision and Simplification Project “menu” of regulatory options. This menu is comprised of angling seasons, bag and possession limits, size limits, and gear restrictions, to standardize and reduce the number of Special Fishing Regulations in Title 14, Section 7.50(b) and eliminate inland waters from District General Regulations in 7.00(a-g). This menu is the foundation of the Regulations Revision and Simplification Project. As such, the Department is requesting the Commission endorse the menu of inland trout regulations, so the Department can then select from a standardized suite of established management approaches. Once the menu is established, Department staff can work with stakeholders to assess and select the most appropriate regulations for inland trout waters.

If you have any questions regarding this item, please contact Kevin Shaffer, Chief, Fisheries Branch, at (916) 327-8841 or by e-mail at [Kevin.Shaffer@wildlife.ca.gov](mailto:Kevin.Shaffer@wildlife.ca.gov).

Attachment

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Melissa Miller-Henson, Acting Executive Director  
Fish and Game Commission  
January 2, 2019  
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# **Regulations Revision and Simplification Project Request for California Fish and Game Commission Endorsement of Trout Regulations Menu**

## **History**

In 2012, the Department presented to the Commission its proposal to conduct a comprehensive evaluation of the sport fishing regulations to address complaints from anglers regarding the freshwater sport fishing regulations. Many waters have not been monitored for regulation effectiveness and changes in hatchery stocking and angling practices warranted an updated evaluation of the sport fishing regulations. The Commission agreed the regulations were complex and gave its support for this Regulations Revision and Simplification Project (Project). The Department has been working to develop a process to simplify sport fishing regulations guided by five tenets:

1. Maintain or increase angling opportunity;
2. Improve regulatory consistency across waters;
3. Align sport fishing regulations with the Department's current fisheries management goals and objectives;
4. Reduce complexity and confusion; and
5. Protect the resources.

## **Purpose**

As part of the Project, the Department has developed a suite of regulations, or "menu," comprised of angling seasons, bag and possession limits, size limits, and gear restrictions, to standardize and reduce the number of Special Fishing Regulations in Title 14, Section 7.50(b) and eliminate inland waters from the District General Regulations in Title 14, Section 7.00(a-g). This menu is the foundation of Project. As such, the Department is requesting the Commission endorse the menu of inland trout regulations, as described below, so the Department can then select from a standardized suite of established management approaches. Once the menu is established, Department staff can work with stakeholders to assess and select the most appropriate regulations for inland trout waters.

## **Trout Regulations Menu**

After significant review of Special Fishing Regulations in Title 14, Section 7.50(b) it became apparent much of the complexity and associated public frustration stemmed from the diversity of different regulations established over decades that had limited alignment or consistency. The use of District Fishing Regulations in Title 14, Section 7.00 increases confusion and inconsistency by applying political boundaries in contrast to the watershed approach found within the Special Fishing Regulations. Although some of the regulations fit with apparent management objectives, others did not or were no longer valid for current fisheries. The regulations menu described below is the result of

a collaborative effort by fisheries biologists throughout the state to standardize the Special Fishing Regulations based on fisheries management goals, which include maximizing fishing opportunity (most liberal) and protecting sensitive fishery populations (most conservative). The process for developing the menu started with identifying the frequency of the most commonly used special regulations, identifying valid/invalid regulations, and then consolidating the valid regulations into a suite of biologically justifiable regulations that most effectively manage California's trout populations. By achieving statewide consistency across inland trout waters within Special Fishing Regulations, District General Regulations in Title 14 Section 7.00 can be eliminated. District General Regulations will be replaced by a Statewide Regulation for all inland trout waters.

### ***Statewide Regulation***

#### **Open year-round, 5 fish bag, 10 fish possession limit, no gear restrictions =**

Robust, self-sustaining and stocked fisheries w/ maximum sustainable harvest with emphasis on high natural yield and or elevated stocking rates.

### ***Seasons***

- **All year** = Most liberal and focused on maximizing opportunity.
- **Closed to fishing all year** = Most conservative and used to protect populations that are state or federally listed under either Endangered Species Act or imperiled populations that angling could have a significant negative effect.
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### ***Bag and Possession Limits and Gear Restrictions***

- **5 trout, no gear restrictions** = (most liberal) Robust, self-sustaining fisheries with low to moderate angling, or stocked fisheries with maximum sustainable harvest.
- **2 trout per day, 4 trout in possession, no gear restrictions** = Limited daily harvest but with additional possession, set for limited effect to hatchery supplemented or productive self-sustaining fisheries to allow some harvest. Moderate concern regarding harvest with no threat to total population or target catch rate.

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