

## STAFF SUMMARY FOR OCTOBER 14, 2020

**7. DEPARTMENT INFORMATIONAL ITEMS****Today's Item****Information** ☒**Action** ☐

This is a standing agenda item to receive and discuss informational updates from DFW.

- (A) Director's report
- (B) Law Enforcement Division
- (C) Marine Region
- (D) Wildlife and Fisheries Division, and Ecosystem Conservation Division

**Summary of Previous/Future Actions (N/A)****Background**

Verbal reports are expected at the meeting for items (A) through (D). A DFW news release of interest is provided as Exhibit D1.

The Marine Region report will include an update on DFW implementation of the Drift Gill Net Transition Program (Exhibit C1), which incentivizes drift gillnet permittees to transition out of the drift gillnet shark and swordfish fishery, reduces bycatch, and provides for a sustainable swordfish fishery. Directed through legislation in 2018, DFW adopted regulations establishing the program in late 2019.

**Significant Public Comments**

1. Oceana announced \$1 million in funding for the DFW Drift Gill Net Transition Program to match state funding (Exhibit C2).

**Recommendation (N/A)****Exhibits**

- C1. [DFW Drift Gill Net Transition Program Update, dated Oct 14, 2020](#)
- C2. [Email from Geoff Shester, dated Sep 14, 2020](#)
- D1. DFW news release: [CDFW Seeks Authority to Refund Elk, Pronghorn Tags for Areas Impacted by Wildfires, Forest Closures, dated Sep 21, 2020](#)

**Motion/Direction (N/A)**

Drift Gill Net Transition Program Update  
California Fish and Game Commission  
October 14, 2020

California Department of Fish and Wildlife (Department) update on the implementation of the Drift Gill Net Transition Program (DGN Transition Program, SB 1017, Allen 2018):

- 44 DGN permittees submitted declarations of intent to participate in the Transition Program by the January 1, 2020 deadline. This includes 28 out of 32 active permittees, who made landings during the prescribed window period, and 16 inactive permittees.
- The total cost for payments to permittees in the Transition Program will be \$3,240,000. Additional costs include overhead for the fiscal agent and net destruction costs.
- In July, 2020, the California Ocean Protection Council (OPC) completed an agreement with the Pacific States Marine Fisheries Commission (PSMFC), the designated fiscal agent for the Transition Program, to transfer funds in support of the Program. OPC has committed \$1 million as required by SB 1017 to cover a portion of the costs of payments to participating DGN permittees.
- In September, 2020, Oceana completed an agreement with PSMFC and transferred \$1 million in non-State funding to cover a portion of the costs of payments to participating DGN permittees.
- Two entities have been approved by the Department for net destruction – Net Your Problem, LLC and Bureo, Inc. These Net Destruction Entities will work directly with participating permittees to receive their drift gill nets and destroy them in a recycling process.
- The OPC and Oceana funds enabled the Department to notify the first 24 approved participants that they can proceed with the Transition Program.
- As of September 25, 2020, five permittees (three active and two inactive) have completed the transition process and relinquished their nets and permits. Additional approved permittees are in contact with the Net Destruction Entities, and both entities are planning net collection events in the coming months.
- The Department is unable to notify additional permittees of their approval to participate until additional funds are available. An additional \$1.3 million is required to complete the buyout of all eligible permittees.

## Ballanti Buck, Rachel@FGC

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**From:** Shester, Geoff <GShester@oceana.org>  
**Sent:** Monday, September 14, 2020 4:08 PM  
**To:** FGC; Miller-Henson, Melissa@FGC; Ashcraft, Susan@FGC  
**Subject:** Oceana Delivers \$1 Million to End California's Drift Gillnet Fishery  
**Attachments:** Oceana Delivers \$1 Million to End California's Deadly Drift Gillnet Fishery .pdf

**Warning:** This email originated from outside of CDFW and should be treated with extra caution.

Hello Melissa, Susan, and Commission staff,

We wanted to pass along the news that Oceana has delivered \$1 million to the California drift gillnet transition fund established under Senate Bill 1017. This activates the provision under the statute that phases out the remaining fishery on January 31 of the fourth calendar year following deposit of the \$1 million by non-state entities (Jan. 31, 2024). Thank you for your help and support with this initiative along the way, and please thank the Commission for supporting this legislation.

Attached is our press release announcing the delivery of funds. Please let us know if you have any questions,

Thanks,  
Geoff

**Geoff Shester, Ph.D.** | California Campaign Director and Senior Scientist



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PRESS RELEASE

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**For Immediate Release:** September 14, 2020

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Jamie Karnik, 907.635.8722, [jkarnik@oceana.org](mailto:jkarnik@oceana.org)

## Oceana Delivers \$1 Million to End California's Deadly Drift Gillnet Fishery

*Removing Drift Gillnets Will Save Endangered Whales and Sea Turtles*

**MONTEREY, Calif.** — Today, Oceana delivered \$1 million to California to help end the state's deadly drift gillnet fishery. The funds, which were made possible by generous donations from the Marisla Foundation, Cinco

Hermanos Fund, Offield Family Foundation, and Sue J. Gross Foundation, as well as several families and individuals, match the state's contribution to fund a transition for fishermen who hand in their nets and relinquish their drift gillnet permits. These drift gillnets — which are a mile long, nearly invisible and set out overnight near the ocean's surface to capture swordfish — are responsible for entangling, injuring and killing whales, dolphins, sea lions, sea turtles, sharks and other important non-targeted fish species.

"We are absolutely thrilled at this news, especially after so many long-fought years of campaigning. It is a true blessing to know that our children and grandchildren will grow up with a California ocean free of deadly drift gillnets. We are so thankful to the donors who generously contributed funds toward this innovative transition program that will save whales, sea turtles and other ocean wildlife by removing harmful drift gillnets from our oceans, and provide opportunities for California fishermen to catch swordfish with more selective methods like deep-set buoy gear," said Geoff Shester, Oceana's California campaign director. "We commend local fishermen for being part of the solution and are glad to see them receive financial assistance during these challenging times."

After years of campaigning by Oceana and others, California passed bipartisan legislation (S.B. 1017) authored by state Sen. Ben Allen in 2018 that established a transition program that provides financial compensation to drift gillnet fishermen who voluntarily turn in their permits and nets for destruction. Participating active drift gillnet fishermen receive \$110,000 and become first in line for federal permits for deep-set buoy gear, a proven [clean and profitable method](#) for catching swordfish. Earlier this year, the California Ocean Protection Council allocated the first \$1 million to the fund, making this opportunity available to drift gillnet fishermen on a first come, first served basis. Over 90% of the remaining active drift gillnet fishermen have indicated their willingness to participate in the program, and the first fishermen turned in their nets and permits in August 2020.

Now that Oceana has deposited an additional \$1 million in funding into the state account, California law activates a four-year phaseout of all remaining state drift gillnet permits, which will end any remaining drift gillnet fishing by January 31, 2024. California is the only state in the U.S. that still allows drift gillnets to catch swordfish. The California Department of Fish and Wildlife implements the transition program, and the fund is managed by the Pacific States Marine Fisheries Commission.

"Oceana is proud to be part of a collaborative partnership and solution to finally end the use of destructive drift gillnets off of California," said Susan Murray, Oceana's deputy vice president for the Pacific. "This solution allows a safe landing for the fishermen while protecting countless whales, sea turtles, dolphins and other sea life from needless suffering and death."

There are two state-approved [net destruction entities](#) that will be collecting nets from participating fishermen and recycling them into a variety of products from sunglasses to skateboards. Oceana has also partnered with [Gray Whale Gin](#) to raise [awareness](#) about the fund.

Anyone who wishes to help complete the transition away from drift gillnets can make a tax-deductible donation at [www.oceana.org/StopTheNetsDonate](http://www.oceana.org/StopTheNetsDonate). Oceana transfers 100% of all donations received to the state transition fund.

Oceana continues to push for complementary federal legislation (S. 906) introduced by Sen. Dianne Feinstein (D-Calif.) to end federal drift gillnet permits, which passed the U.S. Senate and is now in the U.S. House of

Representatives. Oceana has also intervened in a federal lawsuit to maintain limits on the unintentional catch of whales and sea turtles during the transition period.

For more information about Oceana's campaign to transition away from drift gillnets, please visit [www.oceana.org/StopTheNets](http://www.oceana.org/StopTheNets).

*Oceana is the largest international advocacy organization dedicated solely to ocean conservation. Oceana is rebuilding abundant and biodiverse oceans by winning science-based policies in countries that control one-third of the world's wild fish catch. With more than 225 victories that stop overfishing, habitat destruction, pollution, and the killing of threatened species like turtles and sharks, Oceana's campaigns are delivering results. A restored ocean means that 1 billion people can enjoy a healthy seafood meal, every day, forever. Together, we can save the oceans and help feed the world. Visit [www.usa.oceana.org](http://www.usa.oceana.org) to learn more.*

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# CDFW Seeks Authority to Refund Elk, Pronghorn Tags for Areas Impacted by Wildfires, Forest Closures

September 21, 2020

The California Department of Fish and Wildlife (CDFW) is pursuing a regulation change that would allow elk and pronghorn (antelope) hunters whose seasons were cut short or eliminated due to wildfires and forest closures to receive a refund of their 2020 tag fees along with a restoration of their preference points used to acquire their tags. Eligible hunters would also receive an additional preference point for elk or pronghorn for the 2020 season.

“We need to do right by these hunters who have lost most if not all of their hunting opportunity in 2020 due to these unprecedented forest closures and wildfires,” said CDFW Director Charlton H. Bonham. “These are expensive tags that can take many years – sometimes a lifetime – to draw. Refunding tag fees and restoring preference points is the least we can do for this group that does so much to fund our scientific research and conservation of these iconic California species.”

The proposed change to the California Code of Regulations must be approved by the California Fish and Game Commission. On Thursday, Sept. 17, the Commission’s Wildlife Resources Committee approved the proposed regulation concept, which is expected to be taken up by the full Commission in December and if approved, would go into effect in April 2021.

The proposed regulation identifies 14 elk hunts and two pronghorn hunts whose tag holders would be eligible for a refund of tag fees and a restoration of their preference points after submitting their unused tag along with a signed statement that they were unable to hunt for the entire season or a significant portion of the season due to the statewide closure of national forests and other affected lands as a result of the September 2020 wildfires.

## **The 14 elk hunts eligible for tag refunds would be:**

- Marble Mountains Either-Sex Apprentice (Roosevelt), Sept. 9-20
- Northeastern California Archery Either Sex (Rocky Mountain), Sept. 2-13
- Marble Mountains Antlerless (Roosevelt), Sept. 9-20
- Marble Mountain Bull (Roosevelt), Sept. 9-20
- Northwestern California Antlerless (Roosevelt), Sept. 2-24
- Northwestern California Bull (Roosevelt), Sept. 2-24
- Siskiyou Antlerless (Roosevelt), Sept. 9-20
- Siskiyou Bull (Roosevelt), Sept. 9-20

- East Park Reservoir Antlerless (Tule), Sept. 5-Oct. 1
- East Park Reservoir Bull (Tule), Sept. 5-Oct. 1
- Lake Pillsbury Period 1 Antlerless (Tule), Sept. 9-18
- Northeastern California Either-Sex Apprentice (Rocky Mountain), Sept. 16-27
- Northeastern California Bull (Rocky Mountain), Sept. 16-27
- Northwestern California Either-Sex (Roosevelt), Sept. 2-24

**The two pronghorn hunts eligible for tag refunds would be:**

- Zone 4 Lassen Period 2 General Buck, Sept. 5-13
- Zone 3 Likely Tables Period 2 General Buck, Sept. 5-13

The proposed regulation does not include a refund for deer tag holders, whose hunting seasons generally are longer and whose tags are less expensive. Some premium deer tags may be returned to CDFW with a request to have preference points reinstated and one preference point awarded for the species for the current hunt year prior to the season opening. Tag return and preference point eligibility requirements and additional information is available on [CDFW's website](#).

A California resident elk tag costs \$461.50, not including application and processing fees. A California resident pronghorn tag costs \$155.27, not including application and processing fees. Application and processing fees would not be eligible for refunds. Hunting license fees similarly cannot be refunded.

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**Media Contact:**

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