

STAFF SUMMARY FOR OCTOBER 14, 2020

14. NON-REGULATORY REQUESTS**Today's Item****Information** ☐**Action** ☒

This is a standing agenda item for FGC to act on non-regulatory requests received from the public.

Summary of Previous/Future Actions

- FGC received requests Aug 19-20, 2020; Webinar/Teleconference
- **Today's potential action on requests** **Oct 14, 2020; Webinar/Teleconference**

Background

FGC provides direction regarding requests from the public received by mail, email, and during general public comment at the previous FGC meeting. Public requests for non-regulatory action follow a two-meeting cycle to ensure proper review and consideration.

- (A) ***Non-regulatory requests.*** Non-regulatory requests scheduled for consideration today were received at the Aug 2020 meeting in one of three ways: (1) submitted by the comment deadline and published in a table in the meeting binder, (2) submitted by the supplemental comment deadline and delivered at the meeting, or (3) received during public comment at the meeting.

Today, two non-regulatory requests are scheduled for action. Exhibit 1 summarizes the requests and contains the staff recommendations. See Exhibit 2 for a written response from DFW to one of the requestors.

- (B) ***Pending non-regulatory requests.*** This item is an opportunity for staff to provide an update or recommendation on non-regulatory requests that were scheduled for action at a previous meeting and referred by FGC to staff or DFW for further review.

No pending requests are scheduled for action today.

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

FGC staff: Adopt the staff recommendations as reflected in Exhibit 1.

Exhibits

1. [Summary of non-regulatory requests and staff recommendations for requests received through Aug 20, 2020, dated Oct 5, 2020](#)
2. [Letter from DFW to Morgan Patton regarding take at Duxbury Reef State Marine Conservation Area, dated Aug 18, 2020](#)

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Motion/Direction

Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations for action on the October 2020 non-regulatory requests.

OR

Moved by _____ and seconded by _____ that the Commission adopts the following actions on the October 2020 non-regulatory requests: _____.

CALIFORNIA FISH AND GAME COMMISSION - NONREGULATORY REQUESTS - ACTION

Revised 10/05/2020

FGC - California Fish and Game Commission DFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee

Date Received	Name/Organization of Requestor	Subject of Request	Short Description	FGC Receipt Scheduled	FGC Action Scheduled	Staff Recommendation
8/6/2020	Morgan Patton, West Marin Environmental Action Committee	Consumptive activities at Duxbury Reef State Marine Conservation Area (SMCA)	Request increased enforcement patrols in the area of Duxbury Reef SMCA due to increased instances of consumptive activity and potential poaching. Want to ensure no-take restrictions are being enforced.	8/19-20/2020	10/14/20	FGC does not have enforcement staff; however, DFW has responded to the requestor through a letter (Exhibit 14.2), stating that DFW has increased its wildlife officer patrols in key tidepool areas where poaching has increased, including Duxbury Reef. DFW is also increasing its outreach efforts to inform visitors of regulations and tidepool best practices, and offered to collaborate with requestor. No FGC action recommended at this time.
8/6/2020	Jake Elzenga	Trout planting in the Merced River	Requests planting 50-75 trout in the Merced River west of Lake McClure. Concerned that fish cannot reach this stretch of river because water is diverted for irrigation and power generation.	8/19-20/2020	10/14/20	FGC does not make day-to-day management decisions such as fish stocking locations. No action recommended.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 18, 2020

Ms. Morgan Patton
Executive Director
West Marin Environmental Action Committee
morgan@eacmarin.org

RE: Duxbury Reef State Marine Conservation Area, Increased Consumptive Activities

Dear Ms. Patton,

Thank you for your letter and for your concern about California's marine resources. The California Department of Fish and Wildlife (Department) has received multiple similar reports across the state, in both intertidal and offshore areas. In particular, there has been a very significant increase in consumptive activities on the Palos Verdes Peninsula in southern California, but similar increases have been seen in other areas, including Duxbury Reef.

In response, we have increased our Wildlife Officer patrols in key locations and have issued citations to violators. I have forwarded your letter to our Law Enforcement Division to make sure they are aware of the potential hotspot of poaching activities in the Duxbury Reef SMCA.

We are also increasing our outreach efforts to inform anglers and non-consumptive visitors of fishing regulations and tidepool best practices. We greatly appreciate your offer to have additional docents provide outreach at Duxbury Reef and are happy to assist you with informational materials or messaging. We are also happy to participate in discussions regarding ongoing and future enforcement and outreach.

To schedule a meeting or for any additional information, please contact Mr. John Ugoretz, Pelagic Fisheries and Ecosystem Program Manager at john.ugoretz@wildlife.ca.gov or by phone at (562) 338-3068.

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig Shuman".

Craig Shuman, D. Env.
Marine Regional Manager

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