

STAFF SUMMARY FOR OCTOBER 14, 2020

15. WILDLIFE RESOURCES COMMITTEE (WRC)**Today's Item****Information** ☐**Action** ☒

Receive summary and consider approving recommendations from September 17, 2020 committee meeting. Discuss referred topics and consider revisions to topics and timing.

Summary of Previous/Future Actions

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|---|---|
| • Previous WRC meeting | Sep 17, 2020; WRC, Webinar/Teleconference |
| • Today consider WRC recommendations | Oct 14, 2020; Webinar/Teleconference |
| • Next WRC meeting | Jan 12, 2021; WRC, Webinar/Teleconference |

Background

WRC works under FGC direction to set and accomplish its work plan (Exhibit B1).

(A) Previous Committee Meeting

WRC met on Sep 17 via webinar and teleconference and covered:

- Updates and recommendations for periodic regulatory packages, including mammal hunting, waterfowl hunting, Central Valley sport fishing, Klamath River Basin sport fishing, and inland sport fishing;
- information concerning extant wildlife diseases in California and a recommendation regarding Petition #2020-008 related to an elk hunting moratorium;
- discussion of a potential rulemaking involving restricted species;
- discussion of human-wildlife conflict issues; and
- update on the bullfrog and non-native turtle stakeholder engagement process.

A written summary of the meeting is provided as Exhibit A1.

WRC Recommendations

The WRC developed three recommendations for FGC consideration:

1. Support and issue a notice of proposed rulemaking for the proposed regulation changes for the mammal package as discussed, including (a) targeted reductions in antelope and deer tags, and (b) partial refunds and restoration of preference points for unused elk and antelope tags in selected hunts.
2. Support the proposed regulation changes for waterfowl hunting, Central Valley Chinook sport fishing, and Klamath River Basin sport fishing for the 2021-22 seasons, as recommended by DFW.
3. Deny petition #2020-008, as the affects of wildlife disease have already been incorporated into the harvest model through general mortality calculations.

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(B) Committee Work Plan

The WRC work plan (Exhibit B1) includes topics and timelines for items referred by FGC to WRC and is updated to reflect proposed changes.

New WRC Topics

No additional topics are proposed at this time.

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

FGC staff: Adopt recommendations one and two, and take up recommendation three under Agenda Item 13 for this meeting, *Petitions for regulation change*.

Exhibits

A1. [Summary of Sep 17, 2020 WRC meeting](#)

B1. [WRC work plan, updated Oct 5, 2020](#)

Motion/Direction

Moved by _____ and seconded by _____ that the Commission approves recommendations one and two from the September 17, 2020 Wildlife Resources Committee meeting.

OR

Moved by _____ and seconded by _____ that the Commission approves the recommendations from the September 17, 2020 Wildlife Resources Committee meeting as recommended except for _____ for which it approves _____.

Commissioners
Eric Sklar, President

Saint Helena

Samantha Murray, Vice President
Del Mar

Jacque Hostler-Carmesin, Member
McKinleyville

Russell E. Burns, Member
Napa

Peter S. Silva, Member
Jamul

STATE OF CALIFORNIA
Gavin Newsom, Governor

Fish and Game Commission



*Celebrating 150 Years of
Wildlife Heritage and Conservation!*

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WILDLIFE RESOURCES COMMITTEE

Committee Co-Chairs: Commissioner Burns and President Sklar

September 17, 2020 Meeting Summary

Following is a summary of the California Fish and Game Commission (Commission) Wildlife Resources Committee (WRC) meeting as prepared by staff. An audio recording of the meeting is available upon request.

Call to order

The meeting was called to order at 8:34 a.m. by Co-Chair Sklar, who gave welcoming remarks.

Staff Services Analyst Cynthia McKeith outlined instructions for participating in Committee discussions. The following Committee members, and Commission and Department staff, attended:

Committee Co-Chairs

Eric Sklar	Present
Russell Burns	Absent

Commission Members

Pete Silva	Present
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Commission Staff

Melissa Miller-Henson	Executive Director
Rachel Ballanti	Deputy Executive Director
Ari Cornman	Wildlife Advisor
Cynthia McKeith	Staff Services Analyst

Department Staff

David Bess	Chief, Law Enforcement Division
Stafford Lehr	Deputy Director, Wildlife and Fisheries Branch
Kevin Shaffer	Branch Chief, Fisheries Branch
Scott Gardner	Branch Chief, Wildlife Branch
Chris Stoots	Captain, Law Enforcement Division
Jay Rowan	Statewide Hatchery Program Manager, Fisheries Branch

Emma Lantz	Wildlife Veterinarian, Wildlife Branch
Brandon Munk	Wildlife Veterinarian, Wildlife Branch
Kristin Denryter	Coordinator, Elk and Pronghorn Program, Wildlife Branch
Victoria Monroe	Statewide Conflicts Program Coordinator, Wildlife Branch
Carrington Hilson	Environmental Scientist, Northern Region

1. Approve agenda and order of items

The Committee approved the agenda and order of items.

2. Public comment for items not on the agenda

Two commenters expressed concerns about the effects of wildfires on wildlife populations. One asked the Department to assess the damages and develop a rehabilitation plan. The other voiced concerns about toxic runoff from burned lands into Carmel Lagoon and the effects on fish. Co-chair Sklar stated that fires are part of California's ecosystems and that wildfire assessment is an ongoing task. Stafford Lehr affirmed the widespread effects of wildfires but noted that we are still in the initial response phase. The Department is focused on response efforts but is in conversations regarding postfire recovery options, including remediation of erosion problems and habitat restoration. He further stated that in many cases wildlife can outrun fires, but some losses are expected in fast-moving fire areas. The Department will not be able to conduct assessments until conditions are safe.

3. Department updates

(A) Wildlife Branch

Scott Gardner stated that the Department has signed a memorandum of understanding to expand the Oiled Wildlife Care Network at the University of California, Davis, to address wildlife that are impacted by wildfires. He mentioned the U.S. Forest Service public land closures and added that the Department has closed 49 specific properties in and adjacent to those lands. The Department has developed guidance to help keep the public and Department staff safe when hunting considering wildfire and COVID-19. Stafford Lehr expanded on the agreement with UC Davis, explaining that personnel from the Oiled Wildlife Care Network are being deployed to burn sites to rehabilitate injured and orphaned wildlife. The response is modeled after response paradigms from Australia.

(B) Fisheries Branch

Kevin Shaffer reminded meeting participants that most California species are adapted to fire. The Department is monitoring rare trout species and debris flow into hatcheries, and is coordinating with the U.S. Forest Service and volunteers on Kokanee salmon spawning issues. He discussed the bacterial infections at Department hatcheries and future changes to hatchery practices to support fisheries in light of these challenges. The Department is also working on Coho salmon recovery and watershed restoration, and is exploring new avenues for engagement.

(C) Law Enforcement Division

Chris Stoots underscored the unprecedented nature of this year's wildfires and the vital role of law enforcement in providing public safety. He encouraged the public to confirm that areas in which they intend to hunt are open before travelling to the location. Related news

releases can be found on the Department's Facebook page, along with stories about the heroism and commitment of Department officers responding to wildfires. Co-chair Sklar thanked members of the Law Enforcement Division for their work.

4. Recommendations for regulations

(A) Mammal Hunting

Stafford Lehr indicated that the Department has detected multi-year declining trends in one population of deer and one of antelope; hence, it is recommending reduction in tags for each. Additionally, based on the unprecedented nature of wholesale public and private land closures, the Department is proposing a rulemaking to allow the Department to partially refund, and restore the preference points of, elk and pronghorn antelope tag holders who were not able to hunt for a significant portion of the season. The proposed refund would be available for fourteen specific elk hunts and two specific antelope hunts. Hunters would need to return unfilled tags to be eligible for the refund. The Department anticipates a revenue impact of just over \$75,000 and does not expect a significant loss of opportunity for deer hunters.

Discussion

A commenter stated that the National Park Service is expecting large losses of wildlife in the wake of wildfires, that the intensity of the fires may warrant soil treatment, and that wildlife are more stressed than normal. The president of the San Diego County Wildlife Federation thanked the Department for working with stakeholders on tag refunds. Another commenter noted appreciation that Roosevelt elk tag numbers were not being increased, expressed the desire that herd populations expand, and exhibited skepticism of Department claims regarding herd numbers and growth trends. Another commenter thanked the Department for working quickly on the tag refund and urged the Committee to recommend moving forward with the proposal. A County Supervisor echoed the sentiments expressed, explained that rising herd numbers had begun to disperse, affirmed the difficulty in getting accurate surveys, and stated that elk collisions with vehicles are increasing and are a sign of increasing elk numbers. A representative of the Center for Biological Diversity urged the Department to adopt an updated elk management plan and associated documents under the California Environmental Quality Act given the rise of treponeme-associated hoof disease.

A representative of the California Rifle and Pistol Association thanked the Department for supporting the hunter retention, recruitment, and reactivation (R3) program and for following the North American Model of Wildlife Conservation. A commenter stated that the Department's goal is to increase the elk population but appreciated that increases may not always be desirable for landowners; he urged the Department and Commission to be cautious when adopting new hunting quotas.

Ari Cornman advised hunters not to dispose of their unused elk and/or antelope tags, as they would likely be needed to claim refunds. He also noted that Commission staff recommended that WRC move the Department's proposal forward to the full Commission. Stafford noted that details on the Department's hunting model would be presented later in the meeting. He also remarked that the Department is committed to updating the North Coast Elk Management Plan as necessary. He reiterated that the mammal rulemaking proposal includes reductions in tags for certain deer and antelope hunts.

After the recommendation, Melissa Miller-Henson asked for confirmation that the intent of the recommendation was that the tag refund and preference point restoration be targeted at specific elk and antelope hunts that experienced a significant loss in opportunity due to the wildfires for this year only (as opposed to a broader authority for future years) and Co-Chair Sklar clarified that indeed was the intent.

Recommendation

The Wildlife Resources Committee recommended that the Commission support and issue a notice of proposed rulemaking for the proposed regulation changes for the mammal package as discussed, including (a) targeted reductions in antelope and deer tags, and (b) partial refunds and restoration of preference points for unused elk and antelope tags in selected hunts.

(B) Waterfowl Hunting

Stafford Lehr indicated that although Department and Commission staff had anticipated a waterfowl rulemaking package would not be necessary, a small rulemaking would be necessary to adjust dates so that the number of hunt days will not exceed the federal framework. Modifications to the falconry-only days means that the change must be effected through a rulemaking process.

(C) Central Valley Sport Fishing

Kevin Shaffer said that the Department's proposal includes a typical wide range of bag and possession limits for the different zones. More information will be available in December and upon receiving the Pacific Fishery Management Council recommendations in April 2021. No significant changes are anticipated.

(C) Klamath River Basin Sport Fishing

Kevin Shaffer said that the Department is unsure what the fishery will look like this year. The Department's proposal will contain the typical range of bag and possession limits as well as the size of two-year-old fish.

(D) Inland Sport Fishing

Since the May WRC meeting, Department staff, Commission staff, and the Northern California Guides and Sportsman's Association (NCGASA) have met to discuss boat limits for anadromous waters. There is increased clarity on the proposal, as well as some understanding of the need for potential associated regulatory changes that would be triggered by a change. Further discussions are needed before the Department or Commission staff can bring forth a recommended course of action, but WRC will receive a report on any further progress at its next meeting.

Discussion

A representative of NCGASA stated that the organization is looking forward to additional conversations on boat limits, as it is a long-standing priority for the inland guiding community. NCGASA supports the Department's proposals for the Central Valley sport fishing and Klamath River Basin sport fishing rulemakings. NCGASA was pleased with a three-fish bag limit on the Feather River, but water releases from Oroville Dam have been lacking, making Feather River flows remarkably low. Guides have had conversations with

the California Department of Water Resources about several issues. He stated that the Sacramento River conditions are somewhat better, though also difficult this year.

A representative of the California Waterfowl Association (CWA) agreed that a small, targeted rulemaking is warranted this year, but reminded WRC of CWA's proposal to take two days off the Canada goose season and transfer them to the opening of the late goose season in the Balance of the State Zone to maximize hunter opportunity for resident Canada geese and help with overabundant populations. CWA urged inclusion of the proposal in a future rulemaking. They thanked the Department for efforts to keep Wildlife Areas and refuges open and for the development of guidance for hunting amidst wildfires and COVID this season.

Recommendation

The Wildlife Resources Committee recommended that the Commission support the proposed regulation changes for waterfowl hunting, Central Valley Chinook sport fishing, and Klamath River Basin sport fishing for the 2021-22 seasons, as recommended by the Department.

5. Wildlife Diseases

(A) Disease Informational Items

The Committee received presentations on treponeme-associated hoof disease (TAHD), rabbit hemorrhagic disease, *Lactococcus garvieae*, and adenovirus hemorrhagic disease.

Discussion

A commenter thanked the presenters and asked what the public can look for to detect and report TAHD, what the Department is doing to be proactive, and what is being done to understand transmission. Another commenter asked about plans for testing "spillover" between bovine herds and elk, and whether there are differences between the Washington, Oregon, and California outbreaks. Another commenter asked about links to bovine digital dermatitis (BDD) and stressed the importance of facilitating migration and movement of elk to combat the disease. Another commenter was grateful that herd eradication is not being considered because it was ineffective, was pleased that stakeholders would be included in future management plan updates, stated that the bacteria was present in soil, was concerned about contagion of Tule elk, inquired about the possibility of citizen science initiatives, and stated that deceased animals due to disease should be counted as part of the total hunt quota.

Dr. Brandon Munk responded that the presence of treponeme bacteria does not always manifest in TAHD. Causation from BDD has not yet been definitively established. A major goal of the Department is to support ongoing research, and the Department has been working with disease labs in other states to further knowledge of TAHD. He affirmed that treponemes persist in soil where there is disease, but soil testing is not currently a priority. Dr. Emma Lantz echoed that we are still in the basic foundational stage of understanding these diseases, and the ultimate goal is to facilitate healthy herds and ecosystems that allow populations to withstand disease. Stafford Lehr added that the Department takes these diseases seriously, has top personnel studying and managing diseases, and seeks scientific collaboration as much as possible. Co-chair Sklar and Commissioner Silva expressed appreciation for the work of the Department in disease management.

Commissioner Silva asked about vaccine deployment in rabbits, and Emma answered that there is a large effort to trap and vaccinate riparian brush rabbits.

(B) Petition #2020-008: Elk hunting suspension

Stafford Lehr acknowledged public concern about population numbers and Department consideration of TAHD. The Committee received two presentations on the status of the North Coast Elk Management Unit and on the consideration of disease in the Department's calculations of harvest quotas and analysis in the supplemental environmental document. Stafford recognized that the Commission does not often get to see the inner workings of how recommendations come to fruition, and Co-chair Sklar added that it was a benefit of the longer, more detailed format of Committee meetings.

Discussion

A representative of the Environmental Protection Information Center expressed concerns that the Department is doing a *post hoc* rationalization for its allocation. He urged creation of a disease management plan (with consequent CEQA analysis) and pointed out that hunting can disrupt social structures, which can exacerbate the spread of diseases. He cited an example of a herd in Prairie Creek Redwood State Park where increases in elk taken resulted in herd disintegration. He urged a better understanding BDD and "spillover" from domestic animals.

A representative of the Rocky Mountain Elk Foundation stated that disease was fully considered in the supplemental environmental document, that TAHD is no threat to hunters who consume infected animals, and that hunter harvest is of great help to surveillance efforts. He urged that the petition be denied. Another commenter praised the Department for performing surveys and for the professionalism of its staff, but was not convinced by the data presented on elk numbers and asked for more transparency. She stated that smaller herds were declining, and some have lost their bulls.

A representative of the Center for Biological Diversity stated that diseased individuals face increased mortality threats, there are unknowns guiding the future of diseased elk herds, and current quotas were not designed with the condition of hunting infected elk; they expressed the hope that further research and management is forthcoming. Another commenter thanked WRC for providing information and stated that the "jury isn't out" concerning the connection between BDD and TAHD. She wondered how elk can get nutrition with damaged hooves, stating such indirect mortality should be taken into account.

A representative for the San Diego County Wildlife Federation opposed the petition because the wildfires have already reduced harvest and because hunters help provide data to the Department. Another commenter remarked that two years of population data is not enough to establish a trend and asked the Rocky Mountain Elk Foundation to collaborate with UC Davis and help to fund some research and monitoring. She offered her recent personal experiences seeing fewer bulls. A county supervisor thanked the state biologists for their transparency. He stated that, like the Commission, county officials try to balance perspectives between landowners and ecological values. He emphasized the importance of ensuring that dispersing elk can use public lands and that high reproduction rates be safeguarded. Another commenter exhorted that hunters provide conservation benefits and that eliminating hunting can cause ecological problems.

President Sklar offered his opinion that all the considerations had been “fully and thoughtfully” considered in the process that the Department used to analyze the elk herds for its hunt tag recommendation. Stafford remarked that he had committed multiple times to the public and WRC to increase transparency and noted that the peer-reviewed models and data that the Department uses are constantly improving. He was unsure if a disease management plan would be pursued, but noted that inputs to the model would be adaptively refined based on real-world conditions. He acknowledged the conflict caused by elk and that the Department is working with local residents, organizations, and tribes to address issues.

Recommendation

The Wildlife Resources Committee recommended that the Commission deny Petition #2020-008, based on the information presented and discussed at the meeting.

6. Restricted species

Stafford Lehr explained that under Commission authority, the Department issues permits for about 230 to 300 organizations that house restricted species; these facilities are also subject to federal rules. In the summer of 2019, a facility known as the Wildlife Waystation near Los Angeles that housed over 450 animals, including many exotic species, closed. Following financial hardship, the county and Department took over operation of the facility, and the Department became the trustee/caretaker. Providing care and finding new homes for the animals required initiating an incident command system involving about 60 employees and a cost of about \$1.6 million. The bulk of the animals were eventually relocated, except for 32 chimpanzees.

Based on this incident, the Department has identified potential regulatory gaps such as the number of animals a facility can house, guarantees of financial stability, the robustness of evacuation plans, and the diversity and types of animals that can be kept. Standards for animal care in Section 671, Title 14 must be brought up to modern standards of animal care. As a start, he affirmed the Department’s commitment to restarting the animal welfare rehabilitation committee identified in statute.

Particularly with the onset of COVID-19, some facilities may not be as stable as they once were; if multiple facilities failed simultaneously, the financial burden would be high. The Department understands the value of these facilities and is committed to working closely with stakeholders on updating the regulations.

Discussion

A wildlife rehabilitator expressed appreciation that the Department and Commission will be exploring welfare issues for wildlife in long-term care and hopes to be involved in future discussions.

7. Human-wildlife conflicts

The Department presented on its human-wildlife conflict programs, providing an overview, and describing tracking and reporting, the Human Dimensions of Wildlife Conservation Unit, and other efforts and partnerships in which the Department is engaged.

Discussion

The Committee received presentations on urban coyote science from a stakeholder and a researcher.

A representative of the newly launched Cougar Conservancy introduced the organization and its mission to prevent and intervene in conflicts, empower communities through education, and work with landowners after incidents. They spoke about partnerships and projects in which they are currently engaged.

A retired Wildlife Services employee dismissed the idea of coexistence with coyotes in an urban environment. He recounted the story of a coyote that attacked humans due to being fed, stated that coyotes are not pack animals, rejected the efficacy of hazing coyotes, and encouraged communities to implement an action plan. Another commenter stated that as rabbits become rarer, coyotes will invade cities and prey upon cats; he advocated for raising rabbits to counteract this phenomenon. A wildlife rehabilitator remarked that coyotes are easy to deal with because they are intelligent, scare easily, and can be controlled through predator-proof fencing. She condemned feral cat feeding and “trap-neuter-reabandonment” programs, stating that removing food and shelter resources would control coyotes. She further stated communities should take responsibility for coyote issues instead of looking to the Commission. A commenter urged the Commission to have a roundtable on coyote issues, mentioned an online tracker to document coyote incidents, and urged the Committee to keep the topic on its agendas.

Stafford Lehr acknowledged the diversity of animals that create conflicts and the variety of incident types the Department confronts, with limited resources. The Human-Wildlife Conflict Working Group of the Association of Fish and Wildlife Agencies is collating peer-reviewed publications on urban coyote conflicts. Such conflicts have the attention of the Department at the highest levels, though there are no easy answers; California attitudes toward wildlife have changed rapidly.

Co-Chair Sklar offered that the process of refining regulations will be ongoing as we learn more and do better; he mentioned the Commission’s Terrestrial Predator Policy as a concrete step that had been taken previously. Commissioner Silva emphasized the importance of collecting good data to inform a management plan.

8. Bullfrogs and non-native turtles

Ari Cornman stated that the industry group had convened, had met three times, and was making good progress on target identification and assessment of threats. The agency group had met twice since the last WRC meeting, and was continuing threat identification. He indicated that the environmental/animal welfare group had taken a hiatus to allow the other groups to progress, but would start meetings again soon.

Ari also gave a presentation introducing the *Open Standards for the Practice of Conservation* and outlined the rationale for choosing that system. He gave a partial overview of the process being used by the stakeholder groups to develop various strategies and recommendations to the WRC.

Discussion

A representative of the Center for Biological Diversity (CBD) explained that Senate Bill 1175, concerning live markets, was passed with bipartisan support but was not signed into law due to a technicality. CBD urged the Department and Commission to implement the substance of the bill under existing authorities.

9. Future agenda items

The next WRC meeting is scheduled for January 17, 2020 by webinar/teleconference. Scheduled topics include:

- Update on progress of boat limit discussions
- Update on bullfrog and non-native turtle stakeholder engagement process

At the next Commission meeting, Commission staff will provide recommendations to continue some of the items from this meeting. Melissa Miller-Henson indicated that most likely those recommendations will include restricted species, further discussion of human-wildlife conflicts, and potentially an update from the Department on any new information regarding wildlife diseases.

Adjourn

The Committee adjourned at 1:21 p.m.

Wildlife Resources Committee (WRC) 2020-1 Work Plan
Scheduled Topics and Timeline for Items Referred to WRC by the California Fish and Game Commission

Updated October 5, 2020

		May 2020 Webinar/ Teleconference	Sep 2020 Webinar/ Teleconference	Jan 2021 Webinar/ Teleconference
Periodic Regulations				
Upland (Resident) Game Birds	Annual			
Inland Sport Fishing	Annual		X	X
Mammal Hunting	Annual	X	X/R	
Waterfowl	Annual	X	X/R	
Central Valley Salmon Sport Fishing	Annual	X	X/R	
Klamath River Basin Sport Fishing	Annual	X	X/R	
Regulations & Legislative Mandates				
Falconry	Referral for Review			
Restricted Species	Regulatory		X	X
Special Projects				
American Bullfrog and Non-native Turtle Stakeholder Engagement Project	Referral for Review	X	X	X
Wildlife Diseases	Referral for Review		X	
Human-Wildlife Conflict	Information		X	X

KEY: X Discussion scheduled X/R Recommendation developed and moved to FGC