

California Fish and Game Commission

Wildlife Resources Committee

Meeting Binder



May 24, 2017

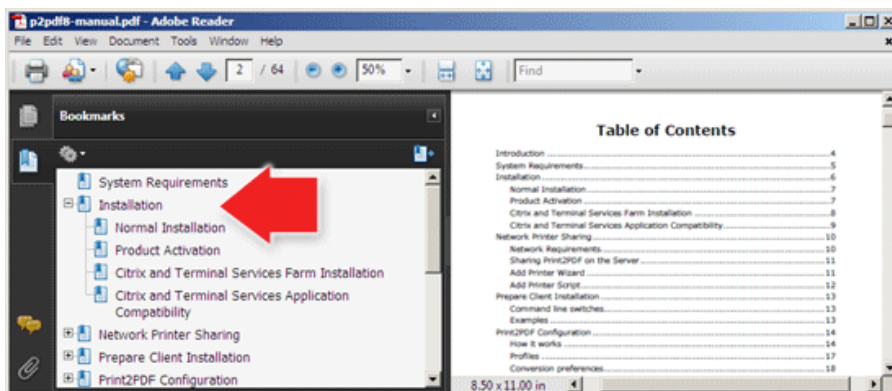
Sacramento

EASY GUIDE TO USING THE BINDER

1. Download and open the binder document using your Adobe Acrobat program/app.
2. If a bookmark panel does not automatically appear on either the top or left side of the screen, click/tap on the “bookmark symbol” located near the top left-hand corner.



3. To make adjustments to the view, use the Page Display option in the View tab. You should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the staff summaries and numerous supporting documents in the binder. It's helpful to think of these bookmarks as a table of contents that allows you to go to specific points in the binder without having to scroll through hundreds of pages.
5. You can resize the two panels by placing your cursor in the dark, vertical line located between the panels and using a long click /tap to move in either direction. ◀|▶
6. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
7. Upon locating a staff summary for an agenda item, notice that you can obtain more information by clicking/tapping on any item underlined in blue.
8. Return to the staff summary by simply clicking/tapping on the item in the bookmark panel.
9. Do not hesitate to contact staff if you have any questions or would like assistance.

OVERVIEW OF FISH AND GAME COMMISSION COMMITTEE MEETING

- Our goal today is informed discussion to guide future decision making, and, we need your cooperation to ensure a lively and comprehensive dialogue.
- We are operating under Bagley-Keene Open Meeting Act, but the Committee is not a decision making body and only makes recommendations to the full Commission for possible action.
- These proceedings may be recorded and posted to our website for reference and archival purposes.
- Items may be heard in any order pursuant to the determination of the Committee Co-Chairs.
- In the unlikely event of an emergency, please locate the nearest emergency exits.
- Restrooms are located _____.
- As a general rule, requests for regulatory change need to be redirected to the full Commission and submitted on the required petition form, FGC 1, titled “Petition to the California Fish and Game Commission for Regulation Change” (Section 662, Title 14, CCR). However, at the Committee’s discretion, the Committee may request that staff follow up on items of potential interest to the Committee and possible recommendation to the Commission.
- Committee meetings operate informally and provide opportunity for everyone to provide comment on agenda items. If you wish to speak on an agenda item, please follow these guidelines:
 1. Raise your hand and wait to be recognized by the Committee.
 2. Provide your name, affiliation (if any), and the number of people you represent.
 3. Time is limited; please keep your comments precise to give others time to speak.
 4. If several speakers have the same concerns, please appoint a group spokesperson.
 5. If you would like to present handouts or written materials to the Committee, please provide five copies to the designated staff member just prior to speaking.
 6. If speaking during public comment, the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Committee members discuss that item).
- **Warning!** Laser pointers may only be used by a speaker doing a presentation.

INTRODUCTIONS FOR FISH AND GAME COMMISSION WILDLIFE RESOURCES COMMITTEE

FISH AND GAME COMMISSIONERS

Anthony C. Williams	Co-Chair (Huntington Beach)
Russell E. Burns	Co-Chair (Napa)

COMMISSION STAFF

Valerie Termini	Executive Director
Erin Chappell	Wildlife Advisor
Heather Benko	Sea Grant Fellow

DEPARTMENT OF FISH AND WILDLIFE

David Bess	Deputy Director and Chief, Law Enforcement Division
Stafford Lehr	Deputy Director, Wildlife and Fisheries Division
Patrick Foy	Captain, Law Enforcement Division
Kevin Shaffer	Chief, Fisheries Branch
T.O. Smith	Chief, Wildlife Branch
Karen Mitchell	Senior Environmental Scientist

I would also like to acknowledge special guests who are present:

(i.e., key DFW staff, elected officials, tribal chairpersons, other special guests)

Commissioners
Eric Sklar, President
Saint Helena
Jacque Hostler-Carmesin, Vice President
McKinleyville
Anthony C. Williams, Member
Huntington Beach
Russell E. Burns, Member
Napa
Peter S. Silva, Member
El Cajon

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Valerie Termini, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
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Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

WILDLIFE RESOURCES COMMITTEE

Committee Co-Chairs: Commissioner Williams and Commissioner Burns

**Meeting Agenda
May 24, 2017, 1:00 p.m.**

**Resources Building – Auditorium
1416 Ninth Street, Sacramento**

This meeting may be audio-recorded

NOTE: Please see important meeting procedures and deadline information at the end of the agenda. All agenda items are informational and/or discussion only. The Committee develops recommendations to the Commission but does not have authority to make policy or regulatory decisions on behalf of the Commission.

Call to order

1. Approve agenda and order of items
2. Public forum for items not on the agenda
The Committee may not discuss or take action on any matter raised during this item, except to consider whether to recommend that the matter be added to the agenda of a future meeting.
[Sections 11125, 11125.7(a), Government Code]
3. Staff update on draft Commission climate change policy
4. Discuss and approve recommendations for 2018 sport fishing regulations
5. Discuss potential options for phase 2 falconry regulation changes
6. Discuss potential wild pig management options
7. Predator Policy Workgroup
 - (A) Update on Predator Policy Workgroup activities
 - (B) Review and discuss draft predator policy

8. Future agenda items

- (A) Review work plan agenda topics and timeline
- (B) Potential new agenda topics for FGC consideration

Adjournment

FISH AND GAME COMMISSION 2017 MEETING SCHEDULE

Note: As meeting dates and locations can change, please visit www.fgc.ca.gov for the most current list of meeting dates and locations.

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING	OTHER MEETINGS
June 20		Tribal Howonquet Hall Community Center 101 Indian Court Smith River, CA 95567	
June 21-22	Howonquet Hall Community Center 101 Indian Court Smith River, CA 95567		
July 13			Predator Policy Workgroup California Department of Parks and Recreation Redwood Conference Room 1416 Ninth Street, 14th floor Sacramento, CA 95814
July 20		Marine Resources Flamingo Conference Resort & Spa 2777 Fourth Street Santa Rosa, CA 95405	
August 16-17	Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		
September 13		Wildlife Resources California Tower 3737 Main Street Highgrove Room 200 Riverside, CA 92501	
October 10		Tribal SpringHill Suites by Marriott 900 El Camino Real Atascadero, CA 93422	
October 11-12	SpringHill Suites by Marriott 900 El Camino Real Atascadero, CA 93422		
November 9		Marine Resources Marina	

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING	OTHER MEETINGS
December 6-7	Handlery Hotel 950 Hotel Circle North San Diego, CA 92108		

OTHER MEETINGS OF INTEREST

Association of Fish and Wildlife Agencies

- September 10-13, Sandy, UT

Pacific Fishery Management Council

- June 7-14, Spokane, WA
- September 12-18, Boise, ID
- November 14-20, Costa Mesa, CA

Pacific Flyway Council

- August 25, Spokane, WA

Western Association of Fish and Wildlife Agencies

- July 6-11, Vail, CO

Wildlife Conservation Board

- May 25, Sacramento
- August 24, Sacramento
- November 30, Sacramento

IMPORTANT COMMITTEE MEETING PROCEDURES INFORMATION

Welcome to a meeting of the California Fish and Game Commission's Wildlife Resources Committee. The Committee is chaired by up to two Commissioners; these assignments are made by the Commission.

The goal of the Committee is to allow greater time to investigate issues before the Commission than would otherwise be possible. Committee meetings are less formal in nature and provide for additional access to the Commission. The Committee follows the noticing requirements of the Bagley-Keene Open Meeting Act. It is important to note that the Committee chairs cannot take action independent of the full Commission; instead, the chairs make recommendations to the full Commission at regularly scheduled meetings.

The Commission's goal is the preservation of our heritage and conservation of our natural resources through informed decision making; Committee meetings are vital in developing recommendations to help the Commission achieve that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome, and please let us know if you have any questions.

PERSONS WITH DISABILITIES

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Reasonable Accommodation Coordinator at (916) 651-1214. Requests for facility and/or meeting accessibility should be received at least 10 working days prior to the meeting to ensure the request can be accommodated.

SUBMITTING WRITTEN MATERIALS

The public is encouraged to attend Committee meetings and engage in the discussion about items on the agenda; the public is also welcome to comment on agenda items in writing. You may submit your written comments by one of the following methods (only one is necessary): **Email** to fgc@fgc.ca.gov; **deliver** to California Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or **hand-deliver to a Committee meeting**.

COMMENT DEADLINES:

The **Written Comment Deadline** for this meeting is **5:00 p.m. on May 11, 2017**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The **Late Comment Deadline** for this meeting is **Noon on May 19, 2017**. Comments received by this deadline will be marked "late" and made available to Commissioners at the meeting.

After these deadlines, written comments may be delivered in person to the meeting – please bring five (5) copies of written comments to the meeting.

The Committee **will not** consider comments regarding proposed changes to regulations that have been noticed by the Commission. If you wish to provide comment on a noticed item, please provide your comments during Commission business meetings, via email, or deliver to the Commission office.

NOTE: Materials provided to the Committee may be made available to the general public.

REGULATION CHANGE PETITIONS

As a general rule, requests for regulatory change need to be redirected to the full Commission and submitted on the required petition form, FGC 1, titled "Petition to the California Fish and Game Commission for Regulation Change" (Section 662, Title 14, CCR). However, at the Committee's discretion, the Committee may request that staff follow up on items of potential interest to the Committee and possible recommendation to the Commission.

SPEAKING AT THE MEETING

Committee meetings operate informally and provide opportunity for everyone to comment on agenda items. If you wish to speak on an agenda item, please follow these guidelines:

1. Raise your hand and wait to be recognized by the Committee co-chair(s).
2. Once recognized, please begin by giving your name and affiliation (if any) and the number of people you represent.
3. Time is limited; please keep your comments concise so that everyone has an opportunity to speak.
4. If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetitive comments.
5. If you would like to present handouts or written materials to the Committee, please provide five copies to the designated staff member just prior to speaking.
6. If speaking during public forum, the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Committee members discuss that item). As a general rule, public forum is an opportunity to bring matters to the attention of the Committee, but you may also do so via email or standard mail. At the discretion of the Committee, staff may be requested to follow up on the subject you raise.

VISUAL PRESENTATIONS/MATERIALS

All electronic presentations must be submitted by the **Late Comment Deadline** and approved by the Commission executive director before the meeting.

1. Electronic presentations must be provided by email or delivered to the Commission on a USB flash drive by the deadline.
2. All electronic formats must be Windows PC compatible.
3. It is recommended that a print copy of any electronic presentation be submitted in case of technical difficulties.
4. A data projector, laptop and presentation mouse will be available.

LASER POINTERS may only be used by a speaker during a presentation.

COMMITTEE STAFF SUMMARY FOR MAY 24, 2017

2. PUBLIC FORUM**Today's Item****Information** ☒**Direction** ☐

Receive public comments for items not on the agenda.

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

The Committee generally receives two types of correspondence or comment under public forum: Requests for the Committee to consider new topics, and informational items. As a general rule, requests for regulatory change need to be redirected to the full Commission and submitted on the required petition form, FGC 1, titled "Petition to the California Fish and Game Commission for Regulation Change" (Section 662, Title 14, CCR). However, at the discretion of the Committee, staff may be requested to follow up on items of potential interest to the Committee and possible recommendation to the Commission.

Significant Public Comments

1. Letter requesting that WRC review regulations and establish harvest limits for muskrat, beaver, rodents, ground squirrels, and small game, which are predators outside the scope of the Predator Policy Workgroup. In addition, requests hunting seasons for marmots and mountain beaver.

Recommendation

FGC staff: If the committee wants to recommend any new future agenda items based on issues raised and within FGC's authority, staff recommends holding for discussion under today's Agenda Item 8, Future Agenda Items.

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

COMMITTEE STAFF SUMMARY FOR MAY 24, 2017

3. CLIMATE CHANGE POLICY**Today's Item****Information** ☒**Direction** ☐

Receive staff update on the draft Commission climate change policy.

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

In Dec 2015, FGC directed staff to work with DFW staff to develop a proposal for a climate change policy. Today, FGC Executive Director Valerie Termini will highlight current efforts to develop a draft FGC policy on climate change.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits (N/A)****Committee Direction/Recommendation (N/A)**

COMMITTEE STAFF SUMMARY FOR MAY 24, 2017

4. 2018 SPORT FISH REGULATIONS**Today's Item****Information** ☐**Direction** ☒

Discuss and approve recommendations for 2018 sport fish regulations.

Summary of Previous/Future Actions

- | | |
|-------------------------------------------------|-------------------------------|
| • Previous WRC discussion | Jan 18, 2017; WRC Redding |
| • Today's discussion and recommendations | May 24, 2017; WRC, Sacramento |
| • FGC notice hearing | Aug 16-17, 2017; Sacramento |

Background

This item is to provide the public an opportunity to discuss proposed changes for the sport fish regulations for the 2018 season.

Today, DFW staff will summarize any proposed regulation changes for the 2018 season, including any recommendations on regulation petitions received by FGC and referred for consideration in the sport fish rulemaking. Four regulation petitions were referred for consideration in this rulemaking; the petitions are summarized in Exhibit 1 and the original petitions provided in exhibits 2-5.

This meeting is the last opportunity for WRC to make recommendations to FGC regarding potential changes to consider in the rulemaking, before the notice hearing in Aug.

Significant Public Comments

A letter with additional considerations for Petition #2016-003 regarding striped bass was received from the petitioner (Exhibit 6). Received a scientific review (Exhibit 7) of a 2013 National Marine Fisheries Service proposal for central coast streams and a 2012 Stillwater Sciences technical memorandum for consideration in the evaluation of Petition #2015-14.

Recommendation

FGC staff: Prior to developing a recommendation, consider recommendations provided by DFW during the meeting and public comments.

Exhibits

1. *Regulation Petitions Referred to Sport Fishing 2018 Rulemaking*, dated Apr 28, 2017
2. Petition #2015-014
3. Petition #2016-003
4. Petition #2016-006
5. Petition #2016-023
6. Letter from Dennis Fox concerning Petition #2016-003, received Apr 11, 2017
7. Email from David Misakian concerning Petition #2015-014, received Apr 20, 2017
8. DFW presentation

COMMITTEE STAFF SUMMARY FOR MAY 24, 2017

Committee Direction/Recommendation

WRC recommends that the Commission authorize publication of a notice of its intent to amend the 2018 sport fish regulations consistent with changes approved during today's meeting.

COMMITTEE STAFF SUMMARY FOR MAY 24, 2017

5. FALCONRY REGULATIONS, PHASE 2**Today's Item****Information** ☒**Direction** ☐

Identify and discuss potential changes to falconry regulations.

Summary of Previous/Future Actions

- | | |
|----------------------------------------|--------------------------------------|
| • Phase 1 falconry regulations adopted | Dec 7-8, 2016; San Diego |
| • Previous WRC Phase 2 discussion | Jan 18, 2017; WRC, Redding |
| • Today's Phase 2 discussion | May 24, 2017; WRC, Sacramento |
| • Next WRC meeting | Sep 13, 2017; WRC, Riverside |

Background

In Jun 2016, DFW presented proposed changes to the falconry regulations to bring them more in line with the current practice of falconry in California and conform to federal guidelines. Based on public testimony at that meeting, FGC requested five additional changes be added for consideration in the rulemaking (which was adopted in Dec 2016), and provided direction that any additional amendments to the falconry regulations be discussed by WRC for possible inclusion in a separate rulemaking (referred to as Phase 2), including consideration of Petition #2016-014, which was referred by FGC to WRC (Exhibit 1).

A discussion about possible amendments to falconry regulations was held at the Jan 2016 WRC meeting. Today, DFW will provide a list of proposed changes based on that the Jan discussion, for stakeholder input and further consideration by WRC.

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

1. Petition #2016-14, received Jul 5, 2016

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR MAY 24, 2017

6. WILD PIG MANAGEMENT**Today's Item****Information** ☒**Direction** ☐

Discuss options for regulatory changes related to wild pig management.

Summary of Previous/Future Actions

- | | |
|-----------------------------|--------------------------------------|
| • Previous WRC discussion | May 18, 2016: WRC, West Sacramento |
| • Previous WRC discussion | Sep 21, 2016; WRC, Woodland |
| • Previous WRC discussion | Jan 18, 2017; WRC, Redding |
| • Today's discussion | May 24, 2017; WRC, Sacramento |

Background

Wild pigs are, on the one hand, a popular game animal and, on the other, a destructive animal causing damage to private property and habitat, as well as injury to livestock. In 2015, Assembly Member Bigelow introduced AB 290 to try and resolve some of these issues. In Jan 2016, President Sklar, FGC staff, and DFW staff attended a meeting with Assembly Member Bigelow to discuss the issues raised by the proposed legislation.

In Feb 2016, FGC directed WRC to discuss possible changes in wild pig regulations and identify suggestions for potential legislation to share with Assembly Member Bigelow. The WRC held discussions on wild pig management at its May 2016, Sep 2016, and Jan 2017 meetings. At the Jan 2017 meeting, staff presented an overview of potential changes to statute and regulations for stakeholder input. Following the discussion, WRC directed staff to provide a more detailed proposal at the May 2017 meeting.

Today, staff will present an overview of the proposal (Exhibit 1) which contains:

- information on existing statutes and regulations,
- outlines potential changes to existing statutes and regulations,
- takes into account concerns raised by stakeholders, and
- offers two proposed options.

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

FGC staff: Provide direction, if any, regarding next steps.

Exhibits

1. Staff report on wild pig management options, dated May 12, 2017

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR MAY 24, 2017

7. PREDATOR POLICY WORKGROUP**Today's Item****Information** ☒**Direction** ☐

Provide an update on recent WRC Predator Policy Workgroup (PPWG) activities and discuss the draft predator policy developed by PPWG.

Summary of Previous/Future Actions

- | | |
|---------------------------------|--------------------------------------|
| • Previous PPWG meeting | Feb 21, 2017; PPWG, Sacramento |
| • Previous PPWG meeting | Mar 20, 2017; PPWG, Sacramento |
| • Today's WRC discussion | May 24, 2017; WRC, Sacramento |
| • Next PPWG meeting | Jul 13, 2017; PPWG, Sacramento |

Background

In 2016, PPWG developed a draft predator policy, which PPWG revised in Nov based on reviewer comments. FGC staff presented the revised draft policy to WRC at its Jan 2017 meeting for review and discussion. In response to a letter submitted by a subset of PPWG members and comments made by PPWG members at the WRC meeting, WRC Co-chair Williams provided guidance on the draft policy for PPWG consideration, with the understanding that WRC Co-chair Burns may provide additional guidance at the May WRC meeting. PPWG made revisions to the draft policy at both of its Feb and Mar 2017 meetings, but was not able to reach consensus on the draft policy.

Today FGC staff will present the Feb and Mar versions of the draft policy (exhibits 1 and 2) for WRC discussion, provide an update on recent PPWG activities, and present the revised work plan timeline based on input from FGC at the Apr 2017 meeting.

Significant Public Comments

Received one comment letter regarding the activities and efforts of a subset of the PPWG reviewers, self-referred to as the Conservation Reviewers (Exhibit 3).

Recommendation

FGC staff: Provide input to PPWG on the draft predator policy.

Exhibits

1. Draft predator policy, dated Feb 21, 2017
2. Draft predator policy, dated Mar 20, 2017
3. Letter from Tom O'Key and others, received May 11, 2017

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR MAY 24, 2017

8. FUTURE AGENDA ITEMS**Today's Item**Information ☐Direction ☒

Review upcoming agenda items scheduled for the next and future WRC meetings (WRC work plan; see Exhibit 1), hear requests from DFW and interested stakeholders for future agenda items, and identify new items for consideration.

Summary of Previous/Future Actions

- | | |
|------------------------------------|--------------------------------------|
| • Today's discussion | May 24, 2016; WRC, Sacramento |
| • FGC approves WRC recommendations | Jun 21-22, 2017; Smith River |
| • Next WRC meeting | Sep 13, 2016; WRC, Riverside |

Background

Committee topics are referred by FGC and scheduled as appropriate. FGC-referred topics and the draft schedule are shown in Exhibit 1. WRC agendas currently include several complex and time-intensive topics. The committee has placed emphasis on issues of imminent regulatory importance, and thus consideration of new topics will require planning relative to existing committee workload.

Agenda topics identified for the Sep 2017 WRC meeting include:

1. Annual regulations
 - Upland game birds
 - Mammal hunting
 - Waterfowl hunting
 - Central Valley salmon sport fish
 - Klamath River sport fish
2. Falconry regulations
3. Lead ban implementation
4. Wild pig management
5. Predator Policy Workgroup
6. Delta Fisheries Forum

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

FGC staff: Review draft WRC work plan (Exhibit 1) and current rulemaking timetable (Exhibit 2), consider updates to scheduling of recommended projects, and consider whether any potential new topics could be added to or replace existing topics; decide whether to request FGC refer any new topics for Committee evaluation.

COMMITTEE STAFF SUMMARY FOR MAY 24, 2017

Exhibits

1. WRC 2017 work plan, updated May 2017
2. *Perpetual Timetable for California Fish and Game Commission Anticipated Regulatory Actions*, updated May 3, 2017

Committee Direction/Recommendation (N/A)

CALIFORNIA FISH AND GAME COMMISSION
REGULATION PETITIONS REFERRED TO SPORT FISHING 2018 RULEMAKING
4-28-2017

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

Tracking No.	Date Received	Response Due (10 work days)	Response letter to Petitioner	Accept or Reject	Name of Petitioner	Subject of Request	Code or Title 14 Section Number	Short Description	FGC Decision
2015-014	12/15/2015	12/29/15	12/15/2015	A	Patrick Kallerman	Waters with special fishing regulations and low-flow restrictions	7.50(b) and 8.00(b), T14	Multiple proposed amendments to alphabetical list of waters with special fishing regulations and to Section 8.00(b) waters with low-flow restrictions.	Action Taken: 4/14/2016; referred to 2017 sport fish rulemaking for 2018 season
2016-003	2/11/2016	2/25/2016	3/21/2016	A	Dennis Fox	Striped bass	5.75(d)(1)	Permit take of striped bass to 10 per day and no size limit in the San Joaquin River from Friant Dam to Hwy 170.	Action Taken: 4/14/2016; referred to 2017 sport fish rulemaking for 2018 season
2016-006	4/18/2016	5/1/2016	5/31/2016	A	Dennis Haussler	Fresh water spearfishing	200, 202, 205, 210	Amend fresh water spearfishing regulations to be same as fresh water bow and arrow regulations.	Action Taken: 8/25/2016; referred to 2017 sport fish rulemaking for 2018 season
2016-023	10/3/2016	10/17/2016	10/10/2016	A	Ted Souza	Use of roe; fishing season on Smith River		Ban the use of roe for fishing salmon and steelhead. Close Smith River to all fishing above middle and south forks November through December.	Action Taken: 12/8/2016; referred to 2017 sport fish rulemaking for 2018 season



Tracking Number: 2015-014

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Patrick Kallerman

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested:

Sections 200, 202, 205, 215, 220, 240, 315 and 316.5, Fish and Game Code

3. Overview (Required) - Summarize the proposed changes to regulations:

This proposal would amend subsections of Chapter 3, Article 3, Section 7.50(b) – Alphabetical List of Waters with Special Fishing Regulations – and subsections of Chapter 3, Article 4, Section 8.00(b) – Low-Flow Restrictions Mendocino, Sonoma, and Marin County coastal streams: Stream Closures: Special Low Flow Conditions – Title 14, California Code of Regulations.

Proposed **amendments to subsections of 7.50(b)** would apply to the following streams (north to south): Usal Creek, Cottaneva Creek, Ten Mile River, Noyo River, Big River, Albion River, Navarro River, Greenwood Creek, Elk Creek, Alder Creek, Brush Creek, Garcia River, Gualala River, Russian Gulch, Salmon Creek, Walker Creek, and Sonoma Creek.

For Sonoma Creek (Sonoma County), and all streams tributary to the Pacific Ocean (and its bays) in Mendocino, Sonoma, and Marin counties, except for the Russian River:

- Amend Section 7.50(b) to permit only artificial lures with barbless hooks to be used year-round.
- Amend Section 7.50(b) to close streams to all angling from April 1st through October 31st.



Proposed **amendments to subsections of 8.00(b)** are:

- Amend Section 8.00(b) to leave the Navarro River open to angling on the main stem below the confluence of the North Fork Navarro when the applicable designated gauging station is less than the minimum flows set forth.
- Amend Section 8.00(b) to leave the Garcia River open to angling on the main stem below the Highway 1 bridge when the applicable designated gauging station is less than the minimum flows set forth.
- Amend Section 8.00(b) to leave the Gualala River open to angling on the main stem below the confluence of the North Fork Gualala when the applicable designated gauging station is less than the minimum flows set forth.

4. Rationale (Required) - Describe the problem and the reason for the proposed change:

The problem – Many of the Central Coast streams described in the Overview section are considered ‘focus populations’ for the recovery of ESA-listed salmonids and merit improved protection as habitat and from angling practices and equipment that are statistically more harmful to fish. These rivers are managed as steelhead and coho streams. There are no hatchery fish added to these streams to support a put-and-take fishery.

However, several of these streams – the Gualala, the Garcia, and the Navarro in particular -- are legendary steelhead fisheries that have played a prominent role in the evolution of the culture and techniques of modern steelhead angling. Because these three streams are so important to anglers, the angling regulations for them deserve more consideration in terms of alternative strategies and language that will better protect salmon and steelhead through all of their freshwater life history phases while enhancing angling opportunity.

Currently, these streams remain open to angling from mid-Spring to mid-Fall. The result is that current angling regulations allow catch of salmonid smolts, juveniles, and kelts when they are at their most vulnerable. In addition, the lack of a provision regarding use of barbless hooks on these streams probably elevates catch rates and likely increases stress on salmonid populations throughout the year. Lastly, the current flow triggers for angling closures on these streams, while well-intentioned, lack scientific justification, are needlessly over-restrictive, and dramatically reduce many of the lowest-impact angling opportunities. A simple adjustment in the stream reaches that are open to angling when streamflows drop below the current flow trigger would provide strong protection for fish, preserve a greater variety of angling opportunity, and help reduce poaching and other illegal activities all along these rivers.

The solution – (1) Transition to allowing only artificial lures with barbless hooks for all angling on these waters. This is a simple and pragmatic step to reduce angling impacts regardless of preferred tackle type and spread the use of a limited resource across a greater number of anglers.

(2) Limit angling only to periods when fully mature adult fish are in these streams. A strategically limited angling season will reduce angling pressure when salmon and steelhead are most vulnerable while preserving more angling opportunity in the traditional winter run steelhead season.

(3) Adjust the current regulations to allow angling for steelhead throughout the tidally influenced reaches of the Gualala, Garcia, and Navarro rivers when streamflows drop below the current trigger for



the designated gauging stations. The reaches proposed here to remain open are predominately tidally affected and therefore have adequate volume and flow for fish passage throughout the season. They are also well below the well documented spawning habitat in these rivers.

SECTION II: Optional Information

5. **Date of Petition:** Click here to enter text.
6. **Category of Proposed Change**
☐ Sport Fishing
☐ Commercial Fishing
☐ Hunting
☐ Other, please specify: Click here to enter text.
7. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*
☐ Amend Title 14 Section(s): Click here to enter text.
☐ Add New Title 14 Section(s): Click here to enter text.
☐ Repeal Title 14 Section(s): Click here to enter text.
8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** Click here to enter text.
Or ☐ Not applicable.
9. **Effective date:** If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: Click here to enter text.
10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: Click here to enter text.
11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: Click here to enter text.
12. **Forms:** If applicable, list any forms to be created, amended or repealed:
Click here to enter text.

SECTION 3: FGC Staff Only

Date received: Click here to enter text.

FGC staff action:

- ☒ Accept - complete
☐ Reject - incomplete
☐ Reject - outside scope of FGC authority

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FISH AND GAME
COMMISSION
2015 DEC 15 AM 8:17



Tracking Number

Date petitioner was notified of receipt of petition and pending action: 12/15/15

Meeting date for FGC consideration: Feb 10-11, 2016

FGC action:

☐ Denied by FGC

☐ Denied - same as petition _____

Tracking Number

☒ Granted for consideration of regulation change



Tracking Number: 2016-003

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Deanna Fox

Address: _____

Telephone number: _____

Email address: NA

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: 200, 202, 205 Fish & Game Code,

3. Overview (Required) - Summarize the proposed changes to regulations: To that list of areas with a striped regulation of 10 per day and no size limit, 5.75 section D1 add "the San Joaquin River from Friant Dam to Highway 140".

4. Rationale (Required) - Describe the problem and the reason for the proposed change: On a Grand from the San Joaquin Salmon Restoration Project, Fresno State Biology Dept. determined striped bass residing in river abutting quarry ponds are producing salmon smolts being introduced and propose filling in the quarry. The proposed regulation change does the following: - cost effectively decreases production by striped - keeps the quarry as habitat - Mitigates temperatures during the summer - Reversible and appropriate to adaptive management This ranch does not currently meet the river's minimum staff can determine actual area to be affected and duration of the regulation.



SECTION II: Optional Information

5. Date of Petition: February 11, 2016

6. Category of Proposed Change

☒ Sport Fishing

☐ Commercial Fishing

☐ Hunting

☐ Other, please specify: _____

7. The proposal is to: (To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)

☒ Amend Title 14 Section(s): 5.75 D1

☐ Add New Title 14 Section(s): _____

☐ Repeal Title 14 Section(s): _____

8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition _____

Or ☐ Not applicable.

9. Effective date: If applicable, identify the desired effective date of the regulation.

If the proposed change requires immediate implementation, explain the nature of the emergency: While implementation ought to be determined by

staff, rewatering should be remembered as a probable
determining factor

10. Supporting documentation: Identify and attach to the petition any information supporting the proposal including data, reports and other documents: If any data is

desired it is available from Fresno State's Biology Dept

11. Economic or Fiscal Impacts: Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing:

as a side benefit the change would increase fishing
opportunities with some proportionate increase in license, gear
and bait sales.

12. Forms: If applicable, list any forms to be created, amended or repealed:

regulations booklet would be amended per year adopted.

Fishing



SECTION 3: FGC Staff Only

Date received: 2/11/16

FGC staff action:

- ☒ Accept - complete
- ☐ Reject - incomplete
- ☐ Reject - outside scope of FGC authority

Date petitioner was notified of receipt of petition and pending action: 3/21/16

Meeting date for FGC consideration: 2/11/16 & 4/13-14/16

FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition: _____ Tracking Number
- ☒ Granted for consideration of regulation change

RECEIVED AT
FEB 11 2016
COMMISSION MEETING
AGENDA ITEM 26
Dennis Fox.



2016-006

Tracking Number: (Freshwater spearfishing change)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Dennis Haussler

Address:

Telephone:

Email address:

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Fish and Game code, sections 200, 202, 205, 210.

3. Overview (Required) - Summarize the proposed changes to regulations: Make the freshwater spearfishing regs the same as freshwater bow and arrow regs.

4. Rationale (Required) - Describe the problem and the reason for the proposed change: Bow and arrow is allowed all year, and any waters with the exception of designated salmon spawning areas. Freshwater spearfishing is allowed may 1 thru sept 15, valley district only, excepting designated salmon spawning areas. There are a lot of lakes and rivers where we could be hunting invasive species such as suckers, squawfish, carp, if we were allowed the same regs as bow and arrow. We have the ability to take some of the predacious fish out of the systems where they feed on trout, salmon and steelhead. Allowing this opportunity will also decrease the pressure on the saltwater fish, as divers from the valley will use this as an opportunity to hunt without having to travel 5 hrs or more to spear. We also have the opportunity to contribute the take to organic farms to use in composting.

SECTION II: Optional Information

5. Date of Petition: 4/15/16

6. Category of Proposed Change

☒ Sport Fishing



- ☐ Commercial Fishing
- ☐ Hunting
- ☐ Other, please specify: Click here to enter text.

7. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*
- ☒ Amend Title 14 Section(s):2.30
- ☐ Add New Title 14 Section(s): Click here to enter text.
- ☐ Repeal Title 14 Section(s): Click here to enter text.
8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** Click here to enter text.
- Or ☒ Not applicable.
9. **Effective date:** If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: 2017
10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: Click here to enter text.
11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: none
12. **Forms:** If applicable, list any forms to be created, amended or repealed:
Click here to enter text.

SECTION 3: FGC Staff Only

Date received: Click here to enter text.

FGC staff action:

- ☒ Accept - complete
- ☐ Reject - incomplete
- ☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action:

May 31, 2016

Meeting date for FGC consideration: June 22-23, 2016

FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition

Tracking Number

- ☒ Granted for consideration of regulation change

RECEIVED
CALIFORNIA
FISH AND GAME
COMMISSION
2016 MAY 31 AM 8:27



2016-023
Tracking Number: (Not sure???)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Ted Souza

As per Title 14 CCR 7.5
sections 200 & 205

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: ~~Unsure of what this means~~

3. Overview (Required) - Summarize the proposed changes to regulations: 1) Ban the use of Roe for fishing salmon and steelhead 2) **Second, close the Smith to all fishing above the Middle and South Forks of the Smith starting in November and lasting to the end of December.**

4. Rationale (Required) - Describe the problem and the reason for the proposed change: There's two problems we see with using roe. There is no doubt that the use of fresh roe reduces the effort hours per fish. As a result, fresh roe is the bait of choice for salmon fishermen. Consequently, many hens are killed solely for their roe. Using roe results in more deeply hooked fish than with an artificial lure. A 1997/98 Smith River Survey Summary, California Department of Fish and Game states, "...swallowed hook for bait was 26%, lures 12% and flies 0%." That means that even if the angler intends to release the salmon, the chance of fatally harming the fish in retrieving the hook is more than double than if caught on a lure. **November and December the two months that salmon are spawning above the forks. And there is no doubt about it, salmon are spawning in the main stems of the North, Middle and South forks during this time. Reports by Mike McCain of the USFS and Justin Garwood, a fisheries biologist for the Department of Fish & Game, both attest that salmon are spawning in the main stream. Also, since the guides rarely, if ever, fish above the forks, the financial impact on them would be negligible. This gives at least some**



protection to our spawning salmon without hurting the guides. After December, when salmon spawning is about over, the river could then be opened for steelhead fishing.

SECTION II: Optional Information

5. Date of Petition: April 13, 2016

6. Category of Proposed Change

- ☒ Sport Fishing
- ☐ Commercial Fishing
- ☐ Hunting
- ☐ Other, please specify: [Click here to enter text.](#)

7. The proposal is to: *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*

- ☐ Amend Title 14 Section(s): Not sure how this works
- ☐ Add New Title 14 Section(s): Not sure what is meant
- ☐ Repeal Title 14 Section(s): This was a complete mystery to me.

8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition [Click here to enter text.](#)

Or ☒ Not applicable.

9. Effective date: If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: This needs to be implemented as soon as possible.

10. Supporting documentation: Identify and attach to the petition any information supporting the proposal including data, reports and other documents: In 1973 there were over 528 sport boats at dock in Crescent City. Now there are only 100 slots even available for boats. On July 4th in the 1970's the line to launch your boat at the Crescent City harbor for ocean salmon fishing went all the way to Hwy 101—over 300 yards. Now there is no line at all. Ship Ashore, at the mouth of the Smith, used to sell fishing supplies, rent boats and had a big sign saying "World Class Salmon Caught Here". Now the tackle shop is gone, no boats are rented and the sign is gone. As far back as 1997, the late Hank Westbrook, owner of Ship Ashore said, "It's been some years since we rented



boats.”

The above photo is what it used to look like at the mouth of the Smith! No one comes to fish for salmon any more at Salmon Harbor! The Wagon Wheel in Gasquet used to be a major sport fishing motel. Now it's closed. In years past, the beaches of the Smith were littered with the carcasses of spent salmon. Now it's rare to see more than a couple all season. Veterinarians have reported that salmon poisoning of dogs (common when there were numerous salmon) has dropped to almost zero. The deep pools below the confluence of the Middle and South Fork of the Smith were once loaded with rolling salmon during October and November. Now you can watch for over an hour without see a single salmon roll. The same is true at the confluence of the North and Middle Forks of the Smith. The fish used to stack up there and roll day and night during October and November. In the past four years maybe one would roll every 45 minutes or so—or not at all! Not even 6 years ago, it was common to see 50 or more drift boats go down the river a day. For the past two years it is rare to see more than dozen a day. Your own Fish & Game put out a report in 1970 called “*Environmental Tragedy*” warning then of a collapsing salmon fishery. In 1986 Fish & Game put out another advisory called, “*The Tragedy Continues*” as well as numerous other reports warning of an impending collapse of the fishery. In 1988 your own Fish & Game reported an 80% decline in salmon and steelhead since 1954. Rowdy Creek Fish Hatchery only reported 98 salmon returned last season. As little as 10 years ago it was common for over five times that amount of fish to return. **This is strong evidence that unless we do more than we're doing, the Smith River Salmon is heading for the Endangered List!**

11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: There may be minimal impact on guides but if nothing is done, the guides will go out of business anyway.

12. **Forms:** If applicable, list any forms to be created, amended or repealed:

Not informed in this area

SECTION 3: FGC Staff Only

Date received: [Click here to enter text.](#)

FGC staff action:

- ☒ Accept - complete
- ☐ Reject - incomplete
- ☐ Reject - outside scope of FGC authority

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FISH AND GAME
COMMISSION
2016 OCT -3 PM 1:46



State of California – Fish and Game Commission

PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE

FGC 1 (NEW 10/23/14) Page 4 of 4

Tracking Number 2016-023

Date petitioner was notified of receipt of petition and pending action: Oct 10, 2016

Meeting date for FGC consideration: Dec 7-8, 2016

FGC action:

☐ Denied by FGC

☐ Denied - same as petition _____

Tracking Number

☒ Granted for consideration of regulation change

during 2017 sportfish rulemaking cycle for 2018 season

RECEIVED
CALIFORNIA
FISH AND GAME
COMMISSION

2017 APR 11 PM 3:34

Wildlife Resources Committee
California Fish and Game Commission
1416 Ninth Street, Suite 2320
Sacramento, CA 95814

Subject: Striped Bass Regulation Change

Mister Chairman, Committee Member and Staff

Proposal is based on the assumption that the San Joaquin River from Friant Dam to Highway 45 is a de facto lake and striped bass regulations mirror that fact. Take would be raised from 2 to 10 per day with no size limit as applies to other lakes in the southern half of the State.

Background: It has been proposed by the San Joaquin Restoration Program to fill in the quarries adjacent to the river in this reach because they are a refuge for striped bass who lurk in them and emerge to pounce upon the salmon smolts trucked to the area and released.

Rationale: The proposed regulation change is an alternative to digging quarries to fill in the current ones, which is neither cost effective, or environmentally sound. I will refer to the 5 "H"s that impact salmon survival of Heat, Harvest, Habitat, Hydropower and Hatcheries. This restoration proposal would negatively affect 3 of these impacts:

- Heat; The salmon run to be restored would be in the river during the summer in a valley euphemistically termed toasty. Shading of the river by riparian revegetation is not on the Program's agenda, a major flaw
- Habitat; In addition to being a respite from heat, the quarries would provide salmon habitat as they already are for stripers.
- Harvest; A main focus of the new regulation is to reduce salmon harvest by striper predation. Secondly there are the following benefits:
 - Determining that stripers are a negative factor or not. Making sure they are not a benefit by reducing other exotic predators, such as bluegill.
 - Allowing and increased sport fishing opportunity.
 - Probable increase in license/stamp sales and local economic activity of sales of bait etc.

If concern is expressed over striped bass being overharvested, this would only be a viable concern when the lake is connected to the Northern California riverine systems. The commission may wish to consider a sunset clause that the proposal would be reconsidered a year following the permanent re-watering of the river based on the following three factors; 1) the stripers have returned to the reach of concern. 2) 2) striper take versus salmon impact. 3) the re-watering has become permanent and beneficial to the salmon, stripers and their ecosystem. This would promote oversight of the Restoration Program by the Commission, a definite benefit.

Sincerely,

Dennis Fox

From: [David Misakian](#)
To: [FGC](#)
Subject: Petition 2015-014 Low-Flow Restrictions Mendocino, Sonoma and Marin County coastal streams.
Date: Thursday, April 20, 2017 6:46:17 AM
Attachments: [Flow Closure Analysis Review_Final.pdf](#)

To Whom It may Concern,

The attached scientific review was conducted by an independent Aquatic Ecologist and funded by a concerned local Gualala merchant. It is requested that it be submitted in your review of petition number 2015-014 Low-Flow Restrictions Mendocino, Sonoma and Marin County coastal streams.

It is also felt that since a scientific approach was used in the flow closure analysis, that the information should be completely accurate.

This submitted information states that it is not completely accurate.

Please review and confirm that you have received the provided information.

Thank you,

David Misakian

Mike Podlech
Aquatic Ecologist

April 19, 2017

Subject: *2013 North Coast District Fishing Regulation Proposal: Central Coast Streams*

To Whom It May Concern:

At the request of a group of concerned fly fishermen, I have reviewed an August 7, 2013 National Marine Fisheries Service (NMFS) document entitled North Coast District Fishing Regulation Proposal: Central Coast Streams, as well as a technical memorandum prepared by Stillwater Sciences (2012) that formed the scientific basis and justification for the NMFS (2013) proposal. The purpose of this review was to provide my professional opinion as to the accuracy, scientific soundness, and applicability of the analysis supporting the fishing regulation proposal. The focus of my review was limited to the 2013 NMFS proposal and 2012 Stillwater Sciences report, and did not include an independent analysis of the data underlying the two documents.

Summary

While efforts to shift low-flow closure triggering away from the regulated hydrology of the Russian River appear appropriate, basing the proposal for a South Fork Gualala River or Navarro River flow trigger largely on professional judgment and selective application of the results presented in one gray literature report focusing on one 4,200-ft study reach on the North Fork Gualala River, and extending those results to other watershed by means of a simplistic (and at least partly erroneous) regression analysis of available daily mean flow data, is scientifically unsupportable. I would expect a more rigorous analysis, incorporating additional available data or data collected specifically for this analysis, to form the basis for such an important and far-reaching shift in fishing regulations. The following observations are based on my review and are discussed in more detail below.

- Stillwater Sciences (2012) applied the Thompson (1972) critical riffle methodology and estimated that a streamflow of 40 cfs would meet the 25% total width criterion, and a streamflow of 23 cfs would meet the 10% contiguous width criterion.
- Although not specifically called out by Stillwater Sciences (2012), strict application of the Thompson (1972) methodology would set the adult steelhead passage flow for the North Fork Gualala River study reach at 40 cfs.
- NMFS (2013) interpret the Stillwater Sciences (2012) report as indicating that 60 cfs are required on the North Fork Gualala River for adult steelhead passage.

- NMFS (2013) applied simple linear regression of available flow gaging data to estimate that 60 cfs on the North Fork Gualala River is equivalent to 150 cfs on the South Fork Gualala River, and that this flow is, in turn, equivalent to 200 cfs on the Navarro River.
- By applying only one linear regression across all observed flows in the available hydrologic record, the presented “best fit” lines and equations do not appear to provide an accurate or reliable tool to estimate equivalent stream flows across watersheds or subbasins.
- The cause of an apparent error in the linear regression comparison of South Fork Gualala River and Navarro River flows should be identified and rectified.

Qualifications

I have been an independent consulting aquatic ecologist/fisheries biologist based in Santa Cruz, California, since 2007. Prior to becoming an independent consultant, I was employed as senior technical associate at Environmental Science Associates, a leading environmental science and planning firm based in San Francisco, for over 10 years. I have over 20 years of experience in sensitive aquatic resource assessments, watershed management, stream and estuarine restoration, impact analyses, and compliance monitoring. In addition to conducting applied research projects related to anadromous fisheries, I have authored fisheries impact analyses for numerous large California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) review documents and regularly engages in formal and informal agency consultations under Sections 7 and 10 of the Endangered Species Act (ESA), including the preparation of Biological Assessments (BA) and Action Specific Implementation Plans (ASIP). Particularly pertinent to my review of the North Coast District Fishing Regulation Proposal: Central Coast Streams is my extensive experience in the development of instream flow recommendations for a wide variety of projects, including water rights applications, reservoir operations, and fish passage remediation.

Results of Review

North Gualala Water Company Site-Specific Studies Report (Stillwater Sciences, 2012)

In 2011, Stillwater Sciences conducted site-specific studies on the North Fork Gualala River in support of a water rights application submitted to the State Water Resource Control Board (SWRCB) by the North Gualala Water Company (NGWC). The study included, among other assessments, an evaluation of adult steelhead passage requirements upstream and downstream of NGWC’s water supply facilities. The assessment was based on the widely applied “critical riffle” methodology developed by Thompson (1972) to estimate the minimum flow necessary for upstream adult steelhead and coho salmon migration passage. The methodology consists of identifying a transect along a riffle’s shallowest course from bank to bank, and measuring water depths at multiple locations across the transect. Depth measurements are compared to species- and life-stage specific water depth criteria meeting specific percentages of critical riffle widths available for fish passage. In order for a riffle to be considered “passable” to an adult steelhead or coho salmon under the Thompson (1972) method, a minimum water depth of 0.6 ft must be present over at least 25% of the total riffle width, with at least 10% of the riffle width meeting

that depth criterion contiguously. Any riffle cross-section not meeting the depth criterion across both riffle width thresholds is considered to be “not passable.”

Stillwater Sciences (2012) established transects at six shallow (critical) riffles within a 4,200 ft study reach and measured depths across the transects at streamflows of 10 cubic feet per second (cfs), 20 cfs, 40 cfs, and 60 cfs. Per the Thompson (19972) methodology, Stillwater Sciences (2012) plotted the measured percentages meeting the depth criterion against the streamflows under which they were measured to determine an average passage flow. This analysis indicates that a streamflow of 40 cfs would meet the 25% total width criterion, and a streamflow of 23 cfs would meet the 10% contiguous width criterion (Stillwater Sciences, 2012). Since both width criteria must be met per the Thompson (1972) methodology, the passage flow recommendation developed pursuant to the Stillwater Sciences (2012) assessment would be 40 cfs, although Stillwater Sciences (2012) never actually provide a final passage flow recommendation.

Overall, I conclude that the Stillwater Sciences (2012) assessment was conducted consistent with the Thompson (1972) methodology. Moreover, based on my own professional experience applying critical riffle assessment methodologies to passage flow determinations, I fully agree with the Stillwater Science (2012) discussion of the adequate passage opportunities afforded to adult steelhead at streamflows that only meet the 10% contiguous width criterion in situations where that contiguous width extends over several feet and thus provides a sufficiently wide passage lane (pp. 29-30).

It should be noted that the California Department of Fish and Wildlife (CDFW; formerly California Department of Fish and Game [CDFG]) published a Standard Operating Procedure (SOP) for Critical Riffle Analyses in October 2012 (i.e., after Stillwater Sciences conducted the 2011 field assessments). The current CDFW SOP (CDFG, 2012) is largely based on the Thompson (1972) methodology, but includes two significant modifications: (1) the minimum passage depth for adult steelhead and coho salmon is set at 0.7 ft; and (2) rather than using the average passage percentages from all measured transects to determine a suitable passage flow, the CDFG (2012) protocol stipulates that a passage flow must be calculated for each measured riffle, and the highest passage flow must be selected as the reach-wide passage flow. A discussion of the merits of these deviations from the Thompson (1972) methodology are beyond the scope of this review, but it is worth noting that these changes typically result in significantly more conservative passage flow estimates than the original Thompson (1972) methodology that the SOP is based on.

North Coast District Fishing Regulation Proposal: Central Coast Streams (NMFS, 2013)

This NMFS (2013) document proposes potential revisions to existing low-flow fishing restrictions on central coast streams tributary to the Pacific Ocean in Mendocino, Sonoma, and Marin counties (except Russian River). Currently, low-flow closures of central coast streams are triggered by a 500 cfs threshold measured at the Russian River Hacienda/Guerneville gauge. However, the author of the NMFS (2013) proposal correctly notes that the highly regulated flows in the Russian River (due to the presence and operation of large reservoirs in the watershed) do not accurately represent natural variations in central coast stream flows accurately. In other words, reservoir management in the Russian River regularly results in artificial stream flows of 500 cfs or greater at the Hacienda/Guerneville gauge during the wet season at times when

streamflows in central coast streams have already declined significantly (e.g., after the end of precipitation events).

NMFS (2013) proposes to improve the low-flow closure determinations for central coast streams by setting a new streamflow trigger of either (a) 200 cfs at a streamflow gage on the Navarro River (USGS 11468000) or (b) 150 cfs at a South Fork Gualala River (USGS 11467510) gage. NMFS (2013) notes that these alternative trigger flows are substantiated by available data, and summarizes the basis for the recommendations as follows: “1) the experience of NMFS fisheries biologists, 2) their extensive local angling experience, 3) North Fork Gualala adult steelhead passage studies, and 4) collaboration with local angling groups.” I do not question the professional and angling experience of NMFS fisheries biologists or local angling groups, but note that the only data-based source of information used in the development of the revised low-flow trigger proposals for all central coast streams is the Stillwater Sciences (2012) passage assessment conducted on a 4,200 ft (0.8 mile) reach of the North Fork Gualala River. Although NMFS (2013) does not provide a description of the methodologies used to extrapolate Navarro River and South Fork Gualala River flow triggers from the Stillwater Sciences (2012) adult passage data, a series of graphs presented in the report suggest that this was accomplished largely through the use of regression analysis of the available streamflow records for the Navarro, South Fork Gualala, and North Fork Gualala River. The following discussion summarizes my professional opinion regarding (a) the author’s use of the Stillwater (2012) data to suggest an adult passage flow for the North Fork Gualala River; and (b) the analysis used to extend that adult passage flow to the Navarro River and South Fork Gualala River stream gages for use as low-flow triggers.

(a) Application of Stillwater Sciences (2012) data

NMFS (2013) states that the Stillwater Sciences (2012) report “indicates at 60 cfs the lower reaches of NF Gualala become passable based on the Thompson (1972) criteria (p. 18).” While not entirely incorrect, there are a couple of subtle problems with this interpretation of the Stillwater Sciences (2012) data. First, the term “became passable” at 60 cfs suggests that the study reach would not be passable at flows lower than 60 cfs. However, nothing in the Stillwater Sciences report indicates that the reach would not be passable at flows less than 60 cfs. The table on page 18 of the Stillwater Sciences report being referenced in the above statement summarizes which riffles within the study reach met both Thompson (1972) criteria (25% total width and 10% continuous width) at flows of 60 cfs, 40 cfs, 20 cfs, and 10 cfs. Based on this table, all but one of the riffles met both criteria at 60 cfs, and only one riffle met both criteria at 40 cfs. No transect depth measurements were collected at the riffles at intermediary flows between 40 cfs and 60 cfs. As such, it is unknown, based on the data presented in Stillwater Sciences (2012) at what streamflow individual riffles “became passable”. It is possible that both criteria would have been met at 59 cfs, or at 41 cfs, or at any flow in between.

The second issue with the above statement is that while all but one riffle met the Thompson (1972) criteria at 60 cfs, interpreting the 60 cfs streamflow as the adult steelhead passage flow in the study reach is not consistent with the Thompson (1972) methodology, which calls for averaging the total and continuous widths recorded at each riffle. This integral step in the

methodology is depicted in Figure 5 of the Thompson (1972) publication, and applied in Figures 3-2 and 3-3 of the Stillwater Sciences (2012) report. As indicated above, the (Stillwater Sciences, 2012) analysis indicates that a streamflow of 40 cfs would meet the 25% total width criterion, and a streamflow of 23 cfs would meet the 10% contiguous width criterion. Since both width criteria must be met, the adult steelhead (and coho salmon) passage flow for the Stillwater Sciences (2012) study reach would be 40 cfs under strict adherence to the Thompson (1972) methodology. As noted above, the CDFG (2012) critical riffle analysis protocol differs from Thompson (1972) in that it requires the streamflow level that allows all assessed riffles to meet both width criteria to be used as the passage flow, similar to the approach taken by NMFS (2013) in selecting 60 cfs as the passage flow. While this approach can be supported as the most protective, NMFS (2013) does not disclose this deviation from the Thompson (1972) methodology that formed the basis of the data collection being used to justify (through hydrologic extrapolation) the proposed low-flow closure levels.

(b) Hydrologic analysis used to extrapolate South Fork Gualala River and Navarro River streamflow triggers from interpreted North Fork Gualala River passage flow

As noted above, the methodology used to determine South Fork Gualala River and Navarro River streamflows equivalent to a 60 cfs North Fork Gualala River flow is not described in NMFS (2013). However, based on a review of Figures 5 and 6, a simple linear regression analysis of available gaging data from the three drainages was used. Figure 6(b) plots available (October 2009 – March 2013) average daily flow data for the North Fork Gualala River (x-axis) and South Fork Gualala River (y-axis), applies a linear regression (“best fit”) line to the data, and provides the regression equation. Based on this equation ($y = 3.0229x - 24.114$), a 60 cfs flow on the North Fork was determined to be equivalent to a South Fork flow of about 157 cfs, rounded down to 150 cfs for purposes of the proposed recommendation. Conducting my own analysis of the available flow data was beyond the scope of this review, but a visual analysis of Figure 6(b) reveals that of all the data points representing North Fork flows of 60 cfs or above (shown in blue on the graph), 22% fall above the regression line and 78% fall below the line. In other words, for 78% of the data points for which North Fork flows exceeded 60 cfs, South Fork flows measured on the same days were lower than the presented statistical analysis would indicate. As such, the regression line overestimates South Fork flows on more than 3 out of 4 days when North Fork flows are at or above the 60 cfs North Fork flows chosen by NMFS (2013) as representative of passage.

Figure 6(a) reverses the axes on the graph and provides the regression equation ($y = 0.2671x + 20.076$) for determining North Fork flows from observed South Fork flows. Presumably, this was done to check the validity of the regression presented in Figure 6(b) (i.e., to verify that a South Fork flow of about 150 cfs is equivalent to a North Fork flow of about 60 cfs). The most interesting aspect of Figure 6(a), however, is that the vast majority of lower flows (South Fork flow < 150 cfs) data points fall below the regression line, while most of the higher flows (South Fork flow > 150 cfs) fall above the line. Typically, one would expect the above-line and below-line data points to be distributed more evenly across the range of data. The most likely explanation for the grouped data distribution observed in Figures 6(a) and 6(b) is that the relationship between low flows and high flows across two watersheds is not linear. While low

flows in the summer/fall would be expected to change more or less relative to each across two similar watersheds (assuming no significant differences in surface water diversion practices), higher winter/spring flow are largely dependent on local rainfall totals that can vary significantly across watersheds, or even across subbasins of the same watershed. Attempting to represent high and low flow seasons within the same linear regression can lead to the results depicted in Figure 6, and some hydrologists will typically conduct separate regression analyses, with separate regression line and equations, for the two hydrologic seasons.

Figure 5 depicts the analysis used to extend the 150 cfs South Fork flow to the Navarro River. Figure 5(b) highlights the same problem with analyzing all observed flows with one regression. While the data are fairly well distributed above and below the best fit line for South Fork Flows above 150 cfs, the vast majority (visually approx. 95%) of South Fork flows below 150 cfs have equivalent Navarro River flows well below the level that would be suggested by the regression line and equation ($y = 0.9449x + 68.211$).

Furthermore, there appears to be an error in the regressions presented in Figure 5. Applying a South Fork low of 150 cfs (equivalent to 60 cfs on the North Fork per Figure 6 analysis) to the regression equation of $y = 0.9449x + 68.211$ yields an estimated equivalent Navarro River flow of about 200 cfs, as summarized in the results bullet list on p. 3 of NMFS (2013). Similar to the process used in Figure 6, Figure 5(a) reverses the axes used in Figure 5(b) and provides the regression the respective regression equation of $y = 0.8167x + 50.894$. If correct, applying a Navarro River flow of 200 cfs to this equation should yield a South Fork flow of about 150 cfs. However, applying the 200 cfs Navarro River flow to the presented equation yields a South Fork flow of almost 215 cfs (i.e., based on these two equations, 150 cfs South Fork = 200 cfs Navarro = 215 cfs South Fork). While the cause of this error could not be determined without re-analysis of the data, a visual analysis of Figure 5(a) shows that the regression line does not correlate well with the available data, with the vast majority of data points (for low and high flows) falling below the “best fit” line.

References

- California Department of Fish and Game (CDFG). 2012 (Updated February 2015). Critical Riffle Analysis for Fish Passage in California. California Department of Fish and Game Instream Flow Program Standard Operating Procedure DFG-IFP-001, 24 p.
- Stillwater Sciences. 2012. North Gualala Water Company Site-Specific Studies Report. Prepared for North Gualala Water Company, Gualala, CA.
- Thompson, K., 1972. Determining Stream Flows for Fish Life in Pacific Northwest River Basins Commission Instream Flow Requirement Workshop, March 15-16.

Proposed Changes to the Freshwater Sport Fishing Regulations



**Wildlife Resources Committee Meeting
May 24, 2017**

**Karen Mitchell, Regulations Specialist
Fisheries Branch**



Overview

- Close Rock Creek to fishing to protect Shasta crayfish
- Prohibit take of Shasta crayfish in Rock Creek
- Revise artificial lure definition and add bait definition
- Allow bow and arrow fishing for catfish in certain waters
- Revise low-flow closure time period
- Clarify no take of salmon in upper Sacramento and McCloud rivers
- Close Nimbus Basin to fishing
- Restrict leader length to reduce foul-hooking
- Public Petitions

Close Rock Creek to Fishing

- Shasta crayfish is a federal and state listed endangered species
- Prohibit fishing all year to protect Shasta crayfish
- From Rock Creek Spring downstream to Baum Lake
- Area recently restored to provide a refuge and aid in survival of the species

Prohibit Take of Shasta Crayfish in Rock Creek

- Prohibit take of crayfish in Rock Creek to protect state and federally endangered Shasta crayfish
- Add Rock Creek to current list of waters closed to fishing for crayfish (Title 14, Section 5.35)

Clarify No Take of Salmon

- Upper Sacramento and McCloud rivers
- Reintroduction of winter-run and spring-run Chinook Salmon into the upper Sacramento River
- Experimental releases in the McCloud River in 2018
- Imperative that anglers are unable to take any salmon from the Sacramento River and its tributaries above Lake Shasta

Close Nimbus Basin to Fishing

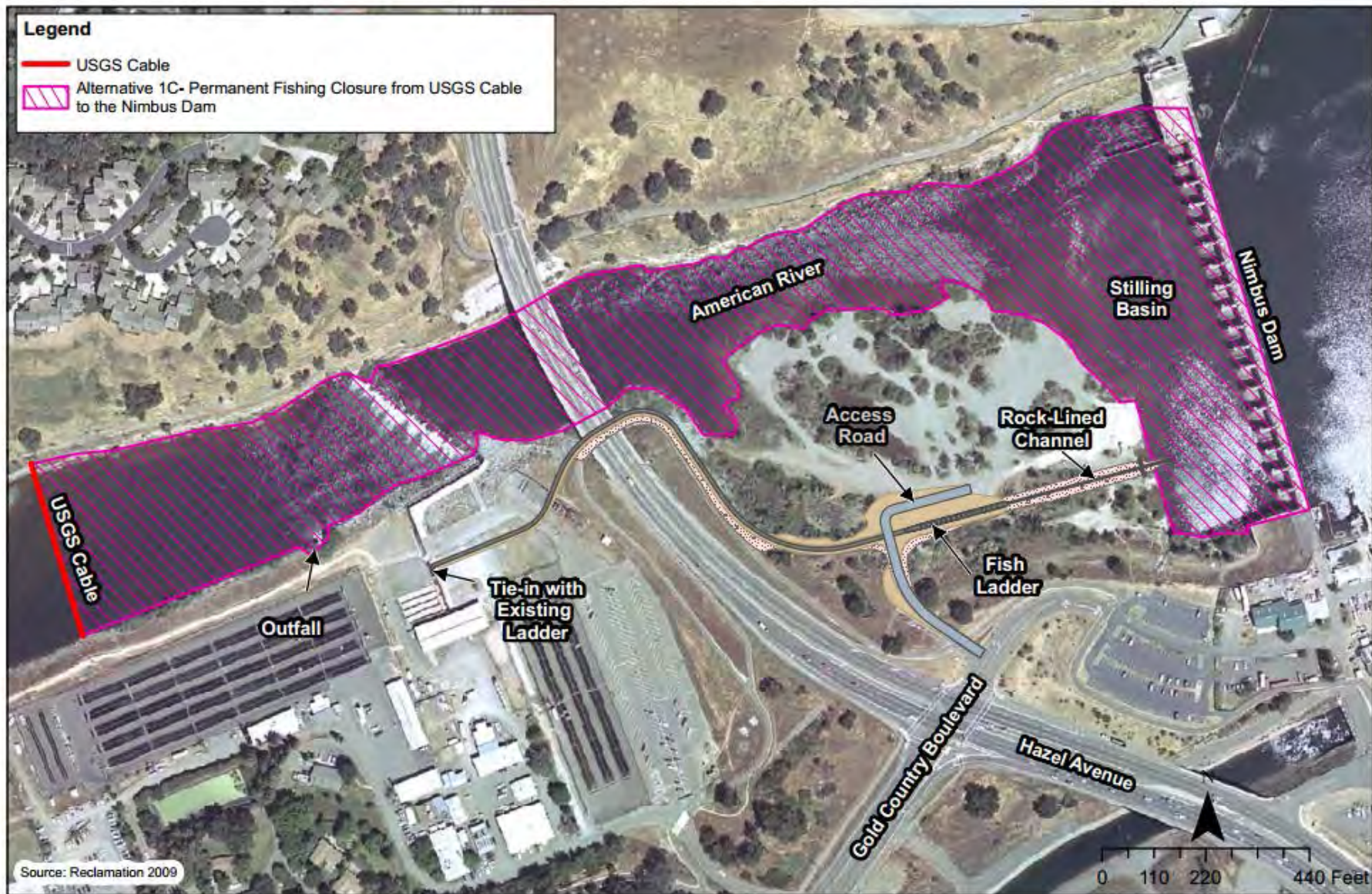
- U.S. Bureau of Reclamation and DFW have completed a joint EIS/EIR for the Nimbus Hatchery Fish Passage Project
- Project will extend fish ladder into Nimbus Basin and remove existing fish weir
- Spawning and rearing salmon/steelhead will now be concentrated in the Nimbus Basin
- Propose to close Lower American River From Nimbus Dam to the U.S. Geological Survey gauging station
- Need to protect Chinook Salmon and steelhead trout that hold in the area prior to spawning



Existing Fishing Closures

Nimbus Hatchery Fish Passage Project

Figure 2-4



Alternative 1C: Modified Fish Passageway and Fishing Closures

Nimbus Hatchery Fish Passage Project

Figure 2-8

Amend Artificial Lure and Bait Definitions

- To clarify that no scents shall be used on lures on waters where only artificial lures with barbless hooks may be used
- Definition of lure would be removed and only “artificial lure” would be used
- Currently no definition of “bait” in Title 14
- Definition of bait is needed to clarify when scents and flavors can be used

Allow Bow and Arrow Fishing for Catfish

- Amend Section 2.25 to include take of catfish in the following waters:
 - Delta
 - Lake Isabella
 - Clear Lake
 - Big Bear

Revise Low-Flow Closure Timeline

- Mendocino, Sonoma, and Marin County coastal streams
- Current end date extends past the adult steelhead fishing season on most coastal streams (except Russian River)
- Propose to change the low-flow closure season end date from April 30 to March 31
- Most coastal streams are closed to fishing from April 1 though the fourth Saturday in May

Leader Length Restriction

- DFW study showed elevated (>80%) foul-hooking across all leader lengths
- Shorter leader length reduces number of foul-hooked salmon (CPUE)
- Intent is to reduce snagging/foul-hooking
- Restrict leader length to less than six feet
- Anadromous waters only

Public Petitions

- DFW does not support the following proposed regulation changes:
 - Increase bag limit/no size limit for striped bass on San Joaquin River
 - Allow spearfishing year-round in inland waters
 - Coastal streams: gear change, seasonal closure, removal of low-flow restriction on Navarro, Gualala, and Garcia rivers
 - Ban use of roe on Smith River and close river above middle and south forks

Questions / Thank You





Tracking Number: (2016-014)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. **Person or organization requesting the change (Required)**
Name of primary contact person: Douglas R Alton

2. **Rulemaking Authority (Required)** - Reference to the statutory or constitutional authority of the Commission to take the action requested: Fish and Game Code Section 200

3. **Overview (Required)** - Summarize the proposed changes to regulations: Add Falconers and raptor breeders to the list of legal recipients for non-releasable birds from rehab facilities.

4. **Rationale (Required)** - Describe the problem and the reason for the proposed change: presently not allowed to the detriment of the birds and the falconers, breeders.

SECTION II: Optional Information

5. **Date of Petition: June 28, 2016**

6. **Category of Proposed Change**
 - ☐ Sport Fishing
 - ☐ Commercial Fishing
 - ☐ Hunting
 - ☒ Other, please specify: Falconry / Rehab.



7. **The proposal is to:** (To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)
☒ Amend Title 14 Section(s): 679.(f) (4) Possession of Wildlife and Wildlife Rehabilitation
☐ Add New Title 14 Section(s): Click here to enter text.
☐ Repeal Title 14 Section(s): Click here to enter text.
8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** Click here to enter text.
Or ☒ Not applicable.
9. **Effective date:** If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: Within reason
10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: Click here to enter text.
11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: None
12. **Forms:** If applicable, list any forms to be created, amended or repealed:
Click here to enter text.

SECTION 3: FGC Staff Only

Date received: July 5, 2016

FGC staff action:

- ☒ Accept - complete
☐ Reject - incomplete
☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: July 6, 2016

Meeting date for FGC consideration: August 24-25, 2016

FGC action:

- ☐ Denied by FGC
☐ Denied - same as petition _____
Tracking Number
☐ Granted for consideration of regulation change

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California Fish and Game Commission
Wildlife Resources Committee
Staff Proposal on Wild Pig Management Options
May 12, 2017

Background

Wild pigs are managed to reduce impacts from depredation (Fish and Game Code, Section 4181 and California Code of Regulations Title 14, Section 401) and as game mammals (Fish and Game Code, Sections 3950 and 4650-4657, and Title 14, Sections 350 and 368). Depredation take involves permits and reporting requirements. Hunting as game requires a license, tags, reporting, and fees. Wild pigs are on one hand a valued game animal and on the other, a destructive, non-native animal that causes damage to private property and habitat, as well as injury to livestock. In California, its popularity as a game species generates about \$1.2 million a year in revenue from the sale of wild pig tags alone, while reported damage to agriculture is estimated at \$2 million per year in California damage nationwide is estimated and around \$2.5 billion per year. In 2015 Assembly Member Bigelow introduced AB 290, in an effort to resolve some of these issues.

In September 2015, the California Fish and Game Commission's (Commission) Wildlife Resources Committee (WRC) discussed elements of AB 290; the discussion focused on how to protect revenues coming into the California Department of Fish and Wildlife (DFW), maintaining hunting opportunities, streamlining depredation, and minimizing waste of game meat. WRC recommended that the Commission support legislative efforts to increase efficiency in addressing depredation by wild pigs; the Commission approved that recommendation in October 2015.

In January 2016, Commissioner Sklar, Commission staff, and DFW staff attended a meeting with Assembly Member Bigelow to discuss some of the issues raised by the proposed legislation, where it was suggested that the Commission work with interested stakeholders through WRC to craft a potential solution. In February 2016, the Commission directed WRC to discuss possible changes in pig regulations and to provide suggestions for potential legislation to share with Assembly Member Bigelow. WRC held discussions on wild pig management at the May 2016 and September 2016 meetings. At the September 2016 meeting, WRC directed staff to come back to WRC in January 2017 with additional data and options for further discussion. In January 2017, staff presented an overview of potential changes to statutes and regulations for stakeholder input and, following discussion, WRC directed staff to provide a more detailed proposal at its May 2017 meeting.

The purpose of this document is to provide a proposal that is consistent with Commission direction and offers potential statutory and regulatory changes to achieve the goal of reducing wild pig populations to benefit native species, their habitats as well as to protect public and private property, while maintaining hunting opportunities. This document contains information on existing statutes and regulations, summarizes concerns raised by stakeholders, and outlines two options for potential statutory and regulatory changes that take into account stakeholder concerns.

Option 1 would change the designation of wild pigs from a game mammal to a nongame mammal, which would result in changes to how wild pigs are regulated for both recreational take and take for depredation purposes. In general, game mammals are more stringently regulated than nongame mammals for which take is permitted.

Option 2 would create a new, separate designation for wild pigs. Broadly speaking, game is any animal hunted for sport or food. In the Fish and Game Code, game mammals include species such as deer and elk, primarily hunted for food, while nongame mammals include species hunted more for non-consumptive purposes. Wild pigs are valued and hunted primarily for their meat and, therefore, do not fit as well into the nongame mammal designation as they might in a new designation. Also, a new designation could more clearly acknowledge and define the different management objectives for wild pigs compared to other game and nongame mammals.

Statutes and Regulations Relevant to Wild Pig

Wild pigs are currently designated as a game mammal under Fish and Game Code, Section 3950. Key statutes and regulations that apply generally to game mammals or specifically to wild pigs that may require revision under the two proposed options are identified here; a more detailed description of these code and regulation sections is provided in Appendix A.

Fish and Game Code Statutes

- Section 2005 – use of artificial lights; infrared lights; night vision equipment
- Section 3000 – prohibits take of mammals at night
- Section 3004.5 – prohibits use of lead projectiles and ammunition for take of wildlife
- Section 3950 – enumerates game mammals
- Section 4181 – requires DFW permit to take elk, bear, beaver, wild pig, or gray squirrels damaging or destroying, or threatening to damage or destroy, land or property
- Section 4181.1 – allows for immediate take of bear or wild pig inflicting injury to livestock or damage to property
- Section 4181.2 – defines damage and requires DFW develop guidelines for determining damage by wild pigs
- Section 4188 – option for allowing licensed hunters to take wild pigs, wild turkeys, or deer damaging or threatening to damage property (references Section 4181)
- Section 4304 – prohibits waste of game mammals due to carelessness or neglect
- Section 4650 – defines wild pig
- Section 4651 – requires DFW develop a plan for wild pig management
- Section 4652 – requires hunters to have a wild pig tag
- Section 4653 – allows DFW to design the wild pig tag and determine the procedures for issuing and using tags
- Section 4654 – sets age requirement for procuring wild pig tags and establishes wild pig tag fees
- Section 4655 – establishes time period when the wild pig tag is valid

- Section 4656 – directs revenue from wild pig tags to the Big Game Management Account
- Section 4657 – establishes possession, information, affixing, and reporting requirements for wild pig tags

Title 14 Regulations

- Section 250.1 – phases in the prohibition on the use of lead projectiles and ammunition for take of wildlife
- Section 251.3 – prohibits knowingly feeding big game mammals
- Section 251.8 – permits tribal members to transport game mammals off tribal lands with a tribe-issued permit
- Section 257.5 – prohibits the use of bait to take game mammals
- Section 260.2 – permits hunting of game species on Lake Oroville Recreational Area with some restrictions
- Section 265 – regulates the use of dogs for the pursuit/take of mammals for depredation and hunting
- Section 352 – establishes the hours for hunting big game mammals
- Section 353 – authorizes methods of take for big game mammals
- Section 368 – establishes season, bag, and possession limits for wild pigs
- Section 401 – regulates the issuance of depredation permits for game mammals and bobcats
- Section 465.5 – regulates the use of traps for game mammals, nongame mammals, and furbearing mammals
- Section 551 – permits hunting of wild pigs on DFW wildlife areas with some restrictions
- Section 671 – requires permit to import, transport, or possess live restricted animals, including wild pigs
- Section 671.3 – establishes facility standards for live restricted species, including wild pigs
- Section 708.13 – establishes requirements for procuring wild pig tags, time period when tags are valid, and tagging requirements

Management Concerns Associated with a Change in Designation

Stakeholders raised concerns during development of AB 290 and at recent WRC meetings regarding how a change in designation from game mammal to nongame mammal could impact wild pig management in four areas: (1) importation and transportation; (2) methods, hours, and access for recreational take; (3) depredation; and (4) revenue. There are a number of potential statutory and regulatory changes to address the concerns, which could be integrated into either Option 1 or Option 2.

(1) Importation and Transportation

Wild pigs are a valued game animal and, as such, there are concerns about wild pigs being imported and released or being moved from one area to another in order to establish a local population for hunting purposes.

Currently, wild pigs are regulated as restricted species and designated as “detrimental animals” under Section 2118 of the Fish and Game Code and Section 671(c)(2)(Q) of Title 14 because they are considered undesirable and pose a threat to native wildlife, agriculture, or public health or safety. As a restricted species, importing, transporting, and possessing live wild pigs is only authorized under a permit issued by the California Department of Fish and Wildlife (DFW). However, under the current definition (Fish and Game Code Section 4650), only “free-roaming” pigs are considered wild; therefore, any pig contained in a cage, pen, fence, or truck is no longer considered wild. This loophole enables people to import, transport, and release wild pigs under the guise of domestic swine, which limits effective enforcement of the current law and regulations.

The importation of domestic swine is regulated by the California Department of Food and Agriculture (CDFA). CDFA requires an Interstate Livestock Entry Permit and a Certificate of Veterinary Inspection for importing swine into the state, except for swine being moved directly to a state- or federally-approved slaughter facility. All swine are also required to have official identification. Approved identification methods vary by importation purpose. Breeding and show swine or feeder swine must have eartags, ear notches, or tattoos (ear or inner flank). Slaughter swine must have eartags, tattoos, or U.S. Department of Agriculture backtags. Companion and pet swine may have electronic implants or microchips. There are concerns about domestically-raised European or Russian wild boars, imported under domestic swine permits, being intentionally released or used for hunting purposes. Once in California, tracking these swine to ensure compliance with the importation permit can be challenging since eartags are easily removed and damaged ears are common for pigs, making ear notches difficult to identify.

Marking domestic swine is usually done using ear tags, ear notches, paint, or tattoo. However, permanent identification marks are only required for swine being imported into California, not swine raised within California, making it difficult to distinguish domestic swine from wild or feral pigs in cases where a domestic swine has escaped or been intentionally released into the wild. In addition, there are a small number of swine producers in California engaged in producing domestic swine, referred to hereafter as heritage swine, which have been bred with and may contain varying amounts of European wild boar genes. The heritage swine may exhibit the phenotypic characteristics of wild pigs, making it difficult to distinguish them for the enforcement of both CDFA and DFW regulations.

Proposed Solution

To improve enforcement of existing regulations related to importing, transporting, and possessing wild pigs and to reduce the transportation and release of wild pigs into new areas or supplementing existing populations, the following is proposed:

- Modify the existing definition of wild pig, in Section 4650 of the Fish and Game Code, using phenotypic characteristics to differentiate wild pigs from domestic swine. A proposed definition is provided in Appendix B.
- Create new CDFA regulations to identify what types of permanent marks shall be used by producers of heritage swine to facilitate differentiation.
- Modify existing CDFA regulations governing importation permits to require that domestically-raised European or Russian wild boars have a visible, permanent mark for easier identification while in transport and to require males be castrated to prevent contribution to wild pig populations if accidentally or intentionally released.

(2) *Recreational Take and Access*

The proposed change in wild pig designation from a game mammal to a nongame mammal in AB 290 raised concerns about the use of lead ammunition, methods of take, night hunting, the use of dogs, and limited access to private lands.

Use of lead ammunition for the take of wildlife is being phased out pursuant to Section 3004.5 of the Fish and Game Code and Section 250.1 of Title 14. Under current regulations, non-lead ammunition is required for the take of big game with a rifle or pistol and when taking coyotes within the California condor range. Non-lead ammunition is also required for the take of all wildlife in any wildlife area or ecological reserve and when using a shotgun to take nongame mammals or any wildlife for depredation purposes. Under current regulations, non-lead ammunition will be required for the take of all wildlife starting July 1, 2019; however, Section 3004.5 provides for earlier implementation, if practicable. Some stakeholders expressed interest in incorporating early implementation of the non-lead requirements for the take of wild pigs under AB 290. At this point in time, enacting legislation and adopting regulations associated with this proposal would likely require an effective date of July 1, 2019, making early implementation impracticable.

Methods of take for game mammals is more restrictive than methods of take permitted for nongame mammals, raising concerns about inappropriate or ineffective methods being allowed for the take of wild pigs with a change in designation. The concerns can be addressed in regulation by limiting the methods of take to those allowed for game mammals, as is currently done for nongame mammals such as sambar and fallow deer.

Stakeholder comments were divided on whether to allow night hunting and whether to loosen or tighten regulations for the use of dogs. While night hunting can be effective, especially during the warmer summer months, there are concerns about safety, enforcement, and the accidental take of non-target species. Dogs can be an effective tool for hunters in pursuing wild pigs; however, the use of dogs also raises concerns about the health and safety of the dogs, fair chase, and impacts to non-target wildlife. Stakeholder agreement on making changes to the night hunting and use of dogs provisions is unlikely. Integrating the current regulations into this proposal would maintain the status quo and, at such time as changes are deemed warranted, the regulations could be revised by the Commission.

Section 4188 of the Fish and Game Code requires that DFW notify a landowner or tenant applying for a depredation permit about options for allowing access to licensed hunters to take wild pigs that are damaging property or threatening damage. Under AB 290, a depredation permit would no longer be required, raising concerns over a loss of incentive to provide hunters access to properties, especially given liability concerns by some landowners. DFW's Shared Habitat Alliance for Recreational Enhancement (SHARE) program is designed to improve public access to private or landlocked public land via compensation and liability protection for providing access to or through their land for recreational use and enjoyment of wildlife. Increasing participation through the SHARE program may provide opportunities to address the loss of incentives concern.

Proposed Solution

- Modify Section 3004.5(a) to add wild pigs to the list of mammals where take requires use of non-lead ammunition in the condor range. This modification would keep current requirements for the use of non-lead ammunition for the take of wild pigs, as big game, in place for the intervening period between enactment of the proposed legislation and adoption of regulations by the Commission.
- Create a subsection for take from one-half hour before sunrise to one-half hour after sunset, with an exemption for take for depredation purposes by the property owner, tenant, employee or designated agent (see Section 3, Depredation).
- Keep the current methods of take under sections 353 and 465.5 of Title 14.
- Keep the current regulations for the use of dogs for hunting under Section 265(c)(2)) of Title 14.
- Improve hunter access by increasing private property owner participation in the SHARE program and look for opportunities to increase the number of hunts on public land, where feasible.

(3) *Depredation*

The proposed change in wild pig designation from a game mammal to a nongame mammal in AB 290 raised concerns about changes in depredation requirements, including permits, reporting, methods of take, use of lead ammunition, and disposal. Support for lifting of permit requirements. Fish and Game Code sections 4181, 4181.1, 4181.2, and 4188 govern the take of wild pigs pursuant to a depredation permit issued by DFW. Section 401, Title 14, CCR, outlines the process for applying for and the terms and conditions of a depredation permit, including permit period, use of dogs, methods of take, use of Government employees and designated agents, reporting requirements, utilization of the carcass, and tagging requirements for the take of wild pigs causing or threatening to cause damage. While there was support from agricultural stakeholders to remove the permit requirement for wild pigs other stakeholders were concerned that removing the requirement without adequate provisions would result in the wanton waste of useable meat, use of methods not currently authorized, impacts from lead ammunition, and health impacts to both humans and wildlife if large numbers of carcasses were left in the field to rot. These impacts could be addressed by integrating some of the current requirements under the depredation permits into the regulations while at the same time removing the permit requirement.

Proposed Solution

- Modify language in Subsection 265(b)(3) of Title 14 to allow the use of dogs when pursuing/taking depredating pigs, consistent with the use of dogs under a depredation permit issued pursuant to this subsection.
- Create a subsection related to methods of take pursuant to sections 353 and 465.5 of Title 14. Add a provision allowing take at night by private landowners, their tenants, paid employees, or designated agents for animals causing damage or that pose an immediate threat to livestock (see draft regulatory text provided in Appendix C). Include the use of artificial lights to assist in taking pigs at night but, if using spotlights at night, the property owner shall notify DFW of night operations. Require designated agents to have a hunting license and validation.
- Create a subsection to require utilization of the carcass, consistent with the current requirements under Section 401 of Title 14, to minimize issues associated with disposal of carcasses and reduce waste of meat.
- Create a subsection requiring a property owner, tenant, or paid employee to tag any animal prior to being transported off the property. DFW would need to create the tag.
- Eliminate all requirements for depredation permits and reporting take.

(4) Revenue

Recreational take of a wild pig requires a wild pig tag pursuant to Section 4652 of the Fish and Game Code. Fish and Game Code Section 4656 requires that the revenues received be deposited into the Big Game Management Account (BGMA), while the expenditure of those funds is addressed in Fish and Game Code Section 3953. AB 290 proposed changing the individual wild pig tag to a one-year validation, which would allow unlimited take of wild pigs as a way to incentivize the take of more wild pigs. While there was support for replacing the tag with the validation, there was mixed support for a provision that would continue directing revenues to BGMA. Some stakeholders proposed redirecting the fund to a separate account and stipulating that those funds be spent on projects to restore habitat damaged by pigs, research, or alternative population control methods.

All revenue from the sale of antelope, deer, elk, wild pig, bear, and sheep tags are deposited into BGMA, which receives approximately \$1.2 million per year from the sale of wild pig tags. BGMA funds can be used by DFW to acquire land, complete projects, and implement programs to benefit these species, expand hunting opportunities, conduct related outreach, and administer and enforce the programs. DFW may also award grants to fund projects that benefit big game populations and the habitat upon which they depend. Annually, DFW distributes approximately \$1 million in grant funding for projects, including habitat restoration, research, and monitoring improvements. Redirecting funds from the sale of wild pig validations could impact DFW programs that benefit native game species and reduce funds available for the grant program.

There is uncertainty around whether the one-year validation would generate the same level of revenue as wild pig tags. If revenues significantly decline, there would not be adequate revenue to fund a separate, distinct program targeted at mitigating wild pig damage. Even if revenues were maintained or increased slightly with the switch, it is unclear whether there would be adequate revenue to support a wild pig program. However, if revenues continue to be directed to BGMA, a change in funding level would be buffered to some extent and the revenue could still be directed, either through program activities or grant funding, to support habitat restoration, research, and targeted control programs. Other funding sources could also be explored to address and mitigate the impacts wild pigs are having on public and private lands.

Proposed Solution

- Modify language in code and regulation sections to switch from individual tags to a one-year validation stamp; this also requires an adjustment to the existing fees and tagging requirements.
- Maintain the current age requirement to obtain a validation at a minimum age of 12.
- Continue directing funds to BGMA and pursue additional funding opportunities, such as state- or federally-funded grants, for research, local eradication efforts, habitat restoration, or other efforts to minimize damage caused by wild pigs.

Other Considerations

There are several game mammal regulations in Title 14 which may need to be modified if there is a desire to expand those regulations to still include wild pigs under a new status designation: sections 251.3 (feeding), 251.8 (tribal take), 257.5 (baiting), 260.2 (Lake Oroville Recreation Area), and 551 (Wildlife Areas). Under the non-game regulations, Section 475 of Title 14 contains provisions related to baiting that, while different than those in Section 257.5, are similar enough that modifying 257.5 may not be necessary under Option 1.

Changes under the Proposed Options

Option 1: Change Designation from Game Mammal to Nongame Mammal

A number of statutory and regulatory changes would be required under this option to integrate the solutions proposed to address identified management concerns. Appendix D contains proposed changes to statutory and regulatory text that is generally described here.

Changes to Fish and Game Code Statutes under Option 1

- Modify Section 3004.5(a)(1) to add wild pig to the list of mammals where take requires use of non-lead ammunition in the condor range
- Remove wild pig from Section 3950 (definition of game mammal)
- Modify Section 3953(c) (BGMA, use of funds) to remove wild pig from the list of species for implementing beneficial programs

- Remove all references to wild pig in sections 4181 and 4181.1 (required permits and reporting for depredation)
- Repeal Section 4181.2 (damage definition)
- Remove all reference to wild pig in Section 4188 (permits for licensed hunters)
- Modify Section 4304 to add wild pig to game mammals and game birds (waste of game carcass prohibited)
- Modify definition of wild pig in Section 4650 (see Appendix B)
- Modify Section 4651 (management plan) to simplify requirements to those identified in (b)(1), (b)(2), (b)(3) and (b)(4)
- Modify Section 4654(a) and (b) to adjust for the new base fee for the validation, modify language regarding the number of tags, and update license year from 2004 to 2019
- Modify Section 4657 to remove all language related to affixing tags to pigs and the reporting requirement and modify the possession requirement to include language pursuant to regulations adopted by the Commission

Changes to Title 14 Regulations under Option 1

- Modify sections 251.3, 251.8, 257.5, and 260.2 to include wild pig
- Remove references to wild pig from sections 350, 352, and 401
- Repeal Section 368
- Add wild pig to sections 472, 474, and 475 (see example in Appendix C)
- Add new section(s) specifically for wild pig for licensing/tag requirements, hunting provisions, and depredation provision (see example in Appendix C)
- Repeal section 708.13 and integrate tag requirements into new subsection specifically for wild pig licensing/tag requirements (see example in Appendix C)

Option 2: Change Designation from Game to New Designation

A number of statutory and regulatory changes would be required under this option to integrate the solutions proposed to address identified management concerns. Appendix D contains proposed changes to statutory and regulatory text that is generally described here.

Changes to Fish and Game Statutes under Option 2

Statutory changes proposed under Option 1 would also be necessary under this option.

Changes to Title 14 Regulations under Option 2

- Modify sections 251.3, 251.8, 257.5, and 260.2 to include wild pig
- Remove references to wild pig from sections 350, 352, 353, and 401
- Repeal Section 368
- Create a chapter in subdivision 2 specifically for wild pig regulations

- Within the new chapter, add sections to establish bag and season, methods of take, hours for take, licensing and validation, and depredation provisions proposed under Option 1
- Repeal section 708.13 and integrate tag requirements into new subsection specifically for wild pig licensing/tag requirements (see example in Appendix C)

Appendix A. Descriptions of Relevant Wild Pig Statutes and Regulations

Fish and Game Code Statutes		
Section	Title	Brief Description
2005	Lights and Sniperscopes - exemptions	Unlawful to use artificial light for take of game mammal; unlawful to throw or cast rays of light while in possession of a firearm; unlawful to use or possess night vision equipment for take of mammal; exception for depredation
3000	Take Game During Hours of Darkness	Unlawful to take any mammal, except nongame mammal, between one-half hour after sunset and one-half hour before sunrise, except as otherwise provided in this code or under regulations adopted by the Commission (to limit take of nongame mammals)
3004.5	Nonlead Centerfire Ammunition Required	Nonlead rifle and pistol ammunition required when taking big game or coyotes in condor range; phasing of nonlead via regulations adopted by Commission; required for take of all wildlife effective July 1, 2019
3950	Definitions of Game Mammals	Defines wild pigs, including feral pigs and European wild boars (genus <i>Sus</i>) as a game mammal
4181	Kill elk, bear, beaver, wild pig, or gray squirrels damaging property; permit required	Except as provided in 4181.1, any landowner or tenant may apply to DFW for permit to take wild pigs damaging or threatening to damage property; permit conditions
4181.1	Take bear or wild pig in act of injuring livestock, reporting requirements, etc.	Allows for the immediate take of a wild pig caught impacting livestock or posing an immediate threat to property and report it to DFW no later than the next working day
4181.2	Damage by wild pigs defined	Defines damage as loss or harm resulting from injury to person or property; requires DFW develop statewide guidelines for determining damage
4188	Permits for licensed hunter to take wild pigs or deer	Option for landowners that allows for access by licensed hunters to control wild pigs under a depredation permit

Appendix A. Descriptions of Relevant Wild Pig Statutes and Regulations

Fish and Game Code Statutes (continued)		
Section	Title	Brief Description
4651	Management plan	Requires DFW prepare a plan for the management of wild pigs
4652	License to take	Unlawful to take a pig, except as provided in Section 4181, without a tag
4653	License design, information, and procedures for issuance	DFW may determine the design and type of information included on the wild pig tag and prescribe the procedures for the issuance and use of the tag
4654	Tag procurement by licensed hunter; age limit and fee	Sets 12 as the minimum age for procuring a wild pig tag and establishes the fees for residents and nonresident wild pig tags
4655	License tags only valid during current hunting season	Tags are only valid during the portion of the current hunting license year in which wild pigs make by taken or possessed in any area of the state
4656	Revenues and expenditures	Directs revenue from the tags to the Big Game Management Account
4657	Tags; possession, affixing, and other requirements	Requires tag holder to keep the tag in their possession while hunting; make date of kill on the tag; attach tag to carcass before transporting; and report take to DFW

Appendix A. Descriptions of Relevant Wild Pig Statutes and Regulations

Title 14, California Code of Regulations		
Section	Title	Brief Description
250.1	Prohibition on use of lead projectiles for take of wildlife	Pursuant to Section 3004.5, Fish and Game Code, prohibits use of lead ammunition for take of game mammals in California condor range; phased approach to prohibit the use of lead ammunition for take of wildlife
251.3	Prohibition against feeding big game mammals	Prohibits knowingly feeding big game mammals
251.8	Transportation of game birds and game mammals off reservations	Permits the transportation of game mammals taken by tribal members on tribal land off tribal land with a tribe-issued permit
257.5	Prohibition on the take of resident game birds and mammals with the aid of bait	Prohibits the take of game mammals within 400 yards of any baited area
260.2	Hunting restrictions on Lake Oroville Recreational Area	Permits hunting of game species on the Lake Oroville State Recreation Area with some restrictions
265	Use of dogs for pursuit/take of mammals or for dog training	(b)(3) Permits use of dogs to pursue/take depredating mammals by fed/county officer or permittee under depredation permit (c)(2) Permits use of dogs to take wild pigs with some restrictions (3/hunter, except 1/hunter during deer season, closure applies)
352	Shooting hours on big game	Permits hunting and shooting from one half hour before sunrise to one half hour after sunset
353	Methods authorized for take of big game	Authorizes use of rifle (expanding), bow and arrow, wheellock, matchlock, flintlock or percussion type muzzleloader, shotgun, pistol/revolvers (expanding), and crossbow (regular season only); prohibits devices that throw/cast/project light to visibility enhance or visible point of aim (sniperscopes, night vision scopes/bino, infra-red); permits use of laser rangefinders and use of disabled muzzleloader scope with a permit.
368	Wild pig	Season open all year; no daily bag or possession limit for wild pigs

Appendix A. Descriptions of Relevant Wild Pig Statutes and Regulations

Title 14, California Code of Regulations (continued)		
Section	Title	Brief Description
401	Issuance of permit to take animals causing damage	Establishes application requirements, permit period, permit conditions, authorized methods of take, government employees and designated agents, reporting requirements, tagging requirements, and utilization of carcasses for DFW issued permits
465.5	Use of traps	Establishes the types of traps and restrictions on use of traps for the take of furbearing mammals, game mammals, and nongame mammals
551	Additional visitor use regulations for DFW wildlife areas	Permits hunting of wild pigs on specific wildlife areas; special drawings; use of dogs
671	Import, transport, or possession of live restricted animals	(c)(2)(Q) Order Artiodactyla - requires DFW issued permit for importation, transportation, or possession of 'swine' except domestic swine (<i>Sus scrofa domestica</i>)
671.3	Minimum facility and caging standards for wild animals housed at permanent facilities	Establishes space and fence height requirements for holding a 'wild pig' under a DFW issued permit pursuant to Section 671
708.13	Wild Pig License Tags	Allows licensed hunter (12 or older) to purchase pig tag; defines period for which tag valid; and tagging requirements

Appendix B: Sample Fish and Game Code Text for Wild Pigs Definition

The following is an example of how the definition of wild pigs could be modified to more clearly differentiate wild pigs from domestic swine.

Fish and Game Code
Division 4 Birds and Mammals
Part 3 Mammals
Chapter 7 Wild Pigs

4650. Wild Pigs

- (a) Wild pigs, as used in this chapter, means any pig having two or more phenotypical characteristics as specified in subsection (c) of these regulations with no brand, tattoo, or other permanent mark pursuant to regulations adopted by the California Department of Food and Agriculture; or free-roaming pigs having no visible tags, markings, or characteristics indicating that such swine is from a domestic herd.
- (b) Wild pigs include feral pigs and European wild boars
- (c) Phenotypic characteristics of wild pigs:
 - (1) Coat: long, dark, coarse bristles and guard hairs; the undercoat, when present, is lighter in color than the overlaying coat; individual hairs have bristle tips that are lighter in color than the rest of the hair shaft.
 - (2) Dark "Point" Coloration: distal portion of the snout, ears, legs, and tail are dark brown to black in coloration.
 - (3) Skeletal appearance: skull is large, measuring up to one-third the total body length; short massive trunk with underdeveloped hindquarters.
 - (4) Head: small, deep set eyes and elongated snout.
 - (5) Tail: tails are held straight or slightly curved but contain muscular structure to curl the tail.
 - (6) Teeth: males have well-developed canine teeth; upper canines are relatively short and grow sideways early in life and gradually curl upwards with age; lower canines are sharper and longer with exposed parts measuring up to 10 to 12 cm (3.9 to 4.7 inches) in length.

Appendix C: Sample Regulation Text for Wild Pigs under a Nongame Designation

The following is an example of how wild pigs could be integrated into the current nongame mammal regulations. Potential new regulation language, offered only as an example, is denoted by italicized text. For purposes of brevity only the relevant subsections are provided.

472. General provisions.

Except as otherwise provided in Sections 478, 485, and 4XX, and subsections (a) through (d) below, nongame birds and mammals may not be taken.

474. Hours for Taking

Nongame mammals may be taken at any time except as provided in this section.

(e) Wild pig may be taken only from one-half hour before sunrise to one-half hour after sunset, except as provided for in Section 4XX(c).

475. Methods of Take for Nongame Birds and Nongame Mammals.

Nongame birds and nongame mammals may be taken in any manner except as follows:

(c) Fallow deer, sambar deer, axis deer, sika deer, aoudad, mouflon, tahr, feral goats, and *wild pigs* may be taken only with the equipment and ammunition specified in Section 353 of these regulations.

(e) No feed, bait or other material capable of attracting a nongame mammal may be placed or used in conjunction with dogs for the purpose of taking any nongame mammals. Nothing in this section shall prohibit an individual operating in accordance with the provisions of Section 465.5 from using a dog to follow a trap drag and taking the nongame mammal caught in that trap. *The take of wild pig shall be in accordance with Section 3950 of the Fish and Game Code and Section 257.5 of these regulations.*

4XX. Wild Pig. (Note: used bobcat regulations as model)

(a) It shall be unlawful to pursue, take, or possess any wild pig without first procuring a hunting license and wild pig hunting validation. This section shall not apply to wild pigs taken pursuant to Section 4152 of the Fish and Game Code and subsection (c) of this section.

(b) Hunting: The pursuit, take, or possession of a wild pig under the authority of a hunting license and a wild pig hunting validation shall be in accordance with the provisions of Section 3960 of the Fish and Game Code, this Section, and sections 472, 473, 474, 475, and 4XX.1 of these regulations. Wild pigs may be taken statewide under the authority of a hunting license and wild pig hunting validation at any time of year and in any number.

(c) Depredation: A person who is a property owner, tenant, or paid employee may take wild pigs that are damaging or destroying or immediately threatening to damage or destroy, land or property without a hunting license and hunting tag/validation under the following conditions.

1. Methods of Take.

- i. Wild pigs may be taken by any method in accordance with sections 465.5 and 475(c) of these regulations.*
- ii. Use of dogs shall be in accordance with the provisions of section 265 of these regulations.*
- iii. Artificial lights may be used to assist in taking wild pigs. If using spotlights at night, the property owner shall notify DFW to inform them of night operations and location.*

2. Government Employees and Designated Agents.

- i. A landowner may authorize an employee of a federal, State, or local government agency or local district with responsibilities including but not limited to animal control, animal damage control, irrigation, flood, or natural resources reclamation, while acting in their official capacity to take depredating wild pigs on the property.*
- ii. A landowner may designate other persons, including any dog handler who will be utilized in any pursuit, as their agent to take depredating wild pigs on the property. The designated agent must have a hunting license and wild pig hunting validation.*

3. Tagging Animals. Wild pigs shall be tagged prior to being transported from the property by the property owner or tenant. Tags shall clearly show the property owner's name, address, date and location the animal was taken and shall include the signature of the person taking the animal.

4. Utilization of the Carcass. Animals taken shall be utilized by the property owner, tenant, or designated agent except the property owner, tenant, or designated agent may leave the carcass of any wild pig where it was taken for reasons of high air temperature, disease, parasites, or conditions which preclude use of the carcass.

4XX.1 Wild Pig Hunting Validation. Any licensed hunter, 12 years of age or older taking wild pigs, including feral pigs and European wild boars (genus Sus), must have a current state wild pig hunting validation in possession.

Appendix D: Proposed Changes to Fish and Game Code and Title 14, CCR Sections Related to Wild Pigs under Option 1

Note: Strikethrough denotes deleted text and italicized denotes new text.

Fish and Game Code Statutes	
Section	Proposed Revision
3004.5	(a) (1) Nonlead centerfire rifle and pistol ammunition, as determined by the commission, shall be required when taking big game, as defined in the department's mammal hunting regulations (14 Cal. Code Regs. 350), with rifle or pistol, and when taking coyote <i>and wild pigs</i> , within the California condor range.
3950	(a) Game mammals are: deer (genus <i>Odocoileus</i>), elk (genus <i>Cervus</i>), prong-horned antelope (genus <i>Antilocapra</i>), wild pigs, including feral pigs and European wild boars (genus <i>Sus</i>) , black and brown or cinnamon bears (genus <i>Euarctos</i>), mountain lions (genus <i>Felis</i>), jackrabbits and varying hares (genus <i>Lepus</i>), cottontails, brush rabbits, pigmy rabbits (genus <i>Sylvilagus</i>), and tree squirrels (genus <i>Sciurus</i> and <i>Tamiasciurus</i>).
3953	(c) Funds deposited in the Big Game Management Account shall be available for expenditure upon appropriation by the Legislature to the department. These funds shall be expended solely for the purposes set forth in this section and Sections 3951 and 3952, and Chapter 5 (commencing with Section 450) of Division 1, Chapter 7 (commencing with Section 4650), and Chapter 11 (commencing with Section 4900), including acquiring land, completing projects, and implementing programs to benefit antelope, elk, deer, wild pigs , bear, and sheep, and expanding public hunting opportunities and related public outreach. Any land acquired with funds from the Big Game Management Account shall be acquired in fee title or protected with a conservation easement and, to the extent possible, be open or provide access to the public for antelope, elk, deer, wild pig, bear, or sheep hunting. The department may also use funds from the Big Game Management Account to pay for administrative and enforcement costs of the programs and activities described in this section. The amount allocated from the account for administrative costs shall be limited to the reasonable costs associated with administration of the programs and activities described in this section.

Appendix D: Proposed Changes to Fish and Game Code and Title 14, CCR Sections Related to Wild Pigs under Option 1

Fish and Game Code Statutes (continued)	
Section	Proposed Revision
4181	<p>(a) Except as provided in Section 4181.1, any owner or tenant of land or property that is being damaged or destroyed or is in danger of being damaged or destroyed by elk, bear, beaver, wild pig, wild turkeys, or gray squirrels, may apply to the department for a permit to kill the animals...</p> <p>(c) With respect to wild pigs, the department shall provide an applicant for a depredation permit to take wild pigs or a person who reports taking wild pigs pursuant to subdivision (b) of Section 4181.1 with written information that sets forth available options for wild pig control, including, but not limited to, depredation permits, allowing periodic access to licensed hunters, and holding special hunts authorized pursuant to Section 4188. The department may maintain and make available to these persons lists of licensed hunters interested in wild pig hunting and lists of nonprofit organizations that are available to take possession of depredating wild pig carcasses.</p>
4181.1(b)	<p>(b) Notwithstanding Section 4652, any wild pig that is encountered while in the act of inflicting injury to, molesting, pursuing, worrying, or killing livestock or damaging or destroying, or threatening to immediately damage or destroy, land or other property, including, but not limited to, rare, threatened, or endangered native plants, wildlife, or aquatic species, may be taken immediately by the owner of the livestock, land, or property or the owner's agent or employee, or by an agent or employee of any federal, state, county, or city entity when acting in his or her official capacity. The person taking the wild pig shall report the taking no later than the next working day to the department and shall make the carcass available to the department. Unless otherwise directed by the department and notwithstanding Section 4657, the person taking a wild pig pursuant to this subdivision, or to whom the carcass of a wild pig taken pursuant to this subdivision is transferred pursuant to subdivision (c), may possess the carcass of the wild pig. The person in possession of the carcass shall make use of the carcass, which may include an arrangement for the transfer of the carcass to another person or entity, such as a nonprofit organization, without compensation. The person who arranges this transfer shall be deemed to be in compliance with Section 4304. A violation of this subdivision is punishable pursuant to Section 12000. It is the intent of the Legislature that nothing in this subdivision shall be interpreted to authorize a person to take wild pigs pursuant to this subdivision in violation of a state statute or regulation or a local zoning or other ordinance that is adopted pursuant to other provisions of law and that restricts the discharge of firearms.</p>

Appendix D: Proposed Changes to Fish and Game Code and Title 14, CCR Sections Related to Wild Pigs under Option 1

Fish and Game Code Statutes (continued)	
Section	Proposed Revision
4181.1(c)	(c) The department shall make a record of each report made pursuant to subdivision (a) or (b) and may have an employee of the department investigate the taking or cause the taking to be investigated. The person taking a wild pig shall provide information as deemed necessary by the department. Upon completion of the investigation, the investigator may, upon a finding that the requirements of this section have been met with respect to the particular bear or wild pig taken under subdivision (a) or (b) , issue a written statement to the person confirming that the requirements of this section have been met. The person who took the wild pig may transfer the carcass to another person without compensation.
4182	Repeal entire section.
4188	(a) If a landowner or tenant applies for a permit under Section 4181 for wild pigs or wild turkeys, or under Section 4181.5 for deer, the department shall notify the landowner or tenant about available options for allowing access by licensed hunters, including, but not limited to, access authorized pursuant to Article 3 (commencing with Section 1570) of Chapter 5 of Division 2 to control wild pigs , wild turkeys, and deer. (b) The commission, in lieu of a permit as described in subdivision (a), and with the consent of, or upon the request of, the landowner or tenant, under appropriate regulations, may authorize the issuance of permits to persons holding valid hunting licenses to take wild pigs , wild turkeys, or deer in sufficient numbers to stop the damage or threatened damage. Before issuing permits to licensed hunters, the department shall investigate and determine the number of permits necessary, the territory involved, the dates of the proposed hunt, the manner of issuing the permits, and the fee for the permit.
4304	No person shall at any time capture or destroy any deer and detach or remove from the carcass only the head, hide, antlers, or horns; nor shall any person at any time leave through carelessness or neglect any game mammal or game bird <i>or wild pig</i> which is in his possession, or any portion of the flesh thereof usually eaten by humans, to go needlessly to waste. The provisions of this section shall not apply to game mammals <i>or wild pigs</i> taken under the authority of Sections 4152 and 4183 of this code.
4650	<i>Replace text with revised definition proposed in Appendix B</i>

Appendix D: Proposed Changes to Fish and Game Code and Title 14, CCR Sections Related to Wild Pigs under Option 1

Fish and Game Code Statutes (continued)	
Section	Proposed Revision
4651	<p>(a) The department shall prepare a plan for the management of wild pigs. Under the plan, the status and trend of wild pig populations shall be determined and management units shall be designated within the state. The plan may establish pig management zones to address regional needs and opportunities. In preparing the plan, the department shall consider available, existing information and literature relative to wild pigs.</p> <p>(b) The plan may include all of the following:</p> <p>(1) The distribution and abundance of wild pigs, as described in Section 3950.</p> <p>(2) A survey of range conditions.</p> <p>(3) Recommendations for investigations and utilization of wild pigs.</p> <p>(4) Encouraging mitigation of depredation by sport hunting pursuant to this chapter.</p> <p>(5) Live trapping and relocation of wild pigs to areas suitable and accessible to mitigation of depredation, with the consent of the landowner and after prior consultation with adjacent landowners who, in the department's opinion may be impacted, pursuant to this chapter.</p>
4652	It is unlawful to take any wild pig, except as provided in Section 4184 4152, without first procuring a tag authorizing the taking of that wild pig in accordance with this chapter.
4654	<p>(a) Any resident of this state, 12 years of age or older, who possesses a valid hunting license, may procure the number of a <u>a</u> wild pig tags corresponding to the number of wild pigs that may legally be taken by one person during the license year upon payment of a base fee of fifteen dollars (\$15), for each wild pig tag.</p> <p>(b) Any nonresident, 12 years of age or older, who possesses a valid California nonresident hunting license, may procure the number of a <u>a</u> wild pig tags corresponding to the number of wild pigs that may legally be taken by one person during the license year upon payment of a base fee of fifty dollars (\$50), for each wild pig tag.</p> <p>(c) The base fees specified in this section are applicable to the 2004 2018 license year, and shall be adjusted annually thereafter pursuant to Section 713.</p>
4655	Tags are only valid during the portion of the current hunting license year in which wild pigs make by taken or possessed in any area of the state

Appendix D: Proposed Changes to Fish and Game Code and Title 14, CCR Sections Related to Wild Pigs under Option 1

Fish and Game Code Statutes (continued)	
Section	Proposed Revision
4657	<p>The holder of a wild pig tag shall keep the tag in his or her possession while hunting wild pig. <i>The commission may adopt such regulations as it deems necessary to govern the transportation of the carcass and any harvest reporting.</i> Before the taking of any wild pig, the holder of a wild pig tag, except for wild pig tags issued through the Automated License Data System, shall legibly write or otherwise affix his or her hunting license number to the wild pig tag. Upon the killing of any wild pig, the date of the kill shall be clearly marked by the holder of the tag on both parts of the tag. Before transporting the pig, a tag shall be attached to the carcass by the holder of the tag. The holder of the wild pig tag shall immediately, upon harvesting a pig, notify the department in a manner specified by the commission.</p>

Appendix D: Proposed Changes to Fish and Game Code and Title 14, CCR Sections Related to Wild Pigs under Option 1

Title 14, California Code of Regulations	
Section	Brief Description
251.3	No person shall knowingly feed big game mammals, as defined in Section 350 of these regulations, <i>or wild pigs</i> .
251.8	<p>(a) Pursuant to the provisions of sections 3080 and 3081(b) of the Fish and Game Code, game birds, game mammals, <i>and wild pigs</i> taken by California Indians on reservations under those circumstances wherein the taking of such animals is excepted from the application of the California Fish and Game Code in accordance with the provisions of section 12300 of the Fish and Game Code may be transported off the reservation and possessed within the state subject to the following conditions:</p> <p>(1) A permit, in such form as shall be prescribed by the Department of Fish and Game, to transport the carcass of a game bird or mammal, <i>or wild pig</i>, or parts thereof off a particular California Indian reservations shall first be obtained from tribal members designated by the tribal council of the reservation. Copies of the permit shall be maintained and distributed by the designated tribal members in accordance with instructions issued by the Department of Fish and Game.</p> <p>(b) The carcass of each game bird or mammal, <i>or wild pig</i>, or parts thereof shall be suitably stamped and/or tagged in such manner as shall be designated by the Department of Fish and Game prior to the transportation off the reservation.</p>
257.5	Except as otherwise provided in these regulations or in the Fish and Game Code, resident game birds and mammals, <i>and wild pigs</i> , may not be taken within 400 yards of any baited area.
260.2	<p>Game species <i>and wild pigs</i> may be taken on the Lake Oroville State Recreation Area only as follows:</p> <p>(c) Game species <i>and wild pigs</i> may be taken only during their respective open seasons or portions thereof falling within the period September 15 through January 31; and as provided in (a) above; and as otherwise provided by state Parks and Recreation are regulations (see area regulations).</p>
350	"Big game" means the following: deer (genus <i>Odocoileus</i>), elk (genus <i>Cervus</i>), pronghorn antelope (genus <i>Antilocarpa</i>), wild pig (feral pigs, European wild pigs and their hybrids (genus <i>Sus</i>), black bear (genus <i>Ursus</i>), and Nelson bighorn sheep (subspecies <i>Ovis canadensis nelsoni</i>) in the areas described in subsection 4902(b) of the Fish and Game Code.
352	Hunting and shooting hours for big game, including but not limited to deer, antelope, elk, and bear, and wild pig , shall be from one half hour before sunrise to one half hour after sunset.
368	Repeal entire section; move wild pig season and bag and possession limit to Chapter 6 Nongame Animals. See example in Appendix C.

Appendix D: Proposed Changes to Fish and Game Code and Title 14, CCR Sections Related to Wild Pigs under Option 1

Title 14, California Code of Regulations (continued)	
Section	Brief Description
401	<p>(a) Application. A person who is a property owner or tenant may apply to the department for a permit to take elk, bear, bobcat, beaver, wild pigs, deer, wild turkeys, or gray squirrels that are damaging or destroying, or immediately threatening to damage or destroy, land or property...</p> <p>(b)(1) Permits issued pursuant to this section for beaver, wild pigs, or gray squirrels shall be valid for a period not to exceed one year.</p> <p>(g)(1) Holders of permits authorizing take of wild pigs shall provide a report listing the date and sex of each wild pig taken. A report shall be submitted whether or not any animals were taken. The reporting period shall be by calendar month. Their permittee or designated agent shall complete and submit the report to the department on or before the 15th day of the following month. Reports shall be submitted to the address provided by the department.</p> <p>(h) Tagging Animals. All animals taken pursuant to a permit, except wild pigs, shall be immediately tagged with tags provided by the department. Wild pigs shall be tagged prior to being transported from the property designated in the permit. Tags for animals except wild pigs shall be completed at the time the animal is taken. Tags for wild pigs shall be completed before the wild pigs are removed from the property...</p> <p>(i) Utilization of Carcass. Animals taken pursuant to this permit must be disposed of as required by the permit. No animals, except wild pigs, may be utilized by the permittee or designated agent. The permittee or designated agent may leave the carcass of any wild pig where it was taken for reasons of high temperatures, disease, parasites, or conditions which preclude use of the carcass. A person who makes every reasonable attempt to utilize the carcass of any wild pig as required in this subsection shall be deemed to be in compliance with Section 4304 of the Fish and Game Code.</p>
472	<i>Add wild pig; see example in Appendix C</i>
474	<i>Add wild pig; see example in Appendix C</i>
475	<i>Add wild pig; see example in Appendix C</i>
708.13	<i>Repeal entire section; move wild pig tag requirements to Chapter 6 Nongame Animals. See example in Appendix C.</i>

California Fish and Game Commission

DRAFT Terrestrial Predators Policy

Developed by the Wildlife Resources Committee's Predator Policy Workgroup

Revised Feb 21, 2017¹

It is the policy of the Fish and Game Commission that:

- I. For the purposes of this policy, terrestrial predators are defined as all native, wildlife species in the Order Carnivora, except those in the Family Otariidae (seals, sea lions) and the Family Phocidae (true seals).
- II. Pursuant to the objectives in Section 1801 of Fish and Game Code, the Fish and Game Commission (Commission) acknowledges that native terrestrial predators are an integral part of California's natural wildlife and possess intrinsic, biological, historical, and cultural value which benefit society and ecosystems. The Commission shall promote the ecological, scientific, aesthetic, recreational, and educational value of native terrestrial predators in the context of ecosystem-based management while minimizing adverse impacts on wildlife and reducing conflicts that result in adverse impacts to humans, including health and safety, private property, agriculture, and other public and private economic impacts.
- III. The Commission further recognizes that sustainable conservation and management strategies are necessary to encourage the coexistence of humans and wildlife. It is, therefore, the policy and practice of the Fish and Game Commission that:
 - A. Existing native terrestrial predator communities and their habitats are monitored, maintained, restored, and/or enhanced using the best available science. The department shall protect, conserve, and provide consumptive and non-consumptive recreational opportunities. The recreational take of native terrestrial predator species shall be managed in a way that ensures sustainable populations of predator and prey are maintained.
 - B. Human-predator conflicts shall rely on management strategies that avoid and reduce conflict that results in adverse impacts to human health and safety, private property, agriculture, and public and private economic impacts. Efforts should be made to minimize habituation of predators especially where it is leading to conflict. Human safety shall be considered a priority. Management decisions regarding human-predator conflicts shall evaluate and consider lethal and nonlethal controls that are efficacious, humane, feasible, and in compliance with all applicable state and federal laws and regulations.
 - C. Native terrestrial predator management shall be consistent with the goals and objectives of existing management and conservation plans. Management strategies shall recognize the ecological interactions between predators and other wildlife species and consider all available management tools, best available science, affected habitat, and other constraints.

¹ A minor revision was made to Section III.B. at the March 2017 Predator Policy Workgroup meeting, but the revision date remains unchanged to more clearly differentiate the February and March drafts currently under consideration by the Predator Policy Workgroup.

California Fish and Game Commission

DRAFT Terrestrial Predators Policy

Developed by the Wildlife Resources Committee's Predator Policy Workgroup

Revised March 20, 2017

Under Consideration by Workgroup

It is the policy of the Fish and Game Commission that:

- I. For the purposes of this policy, terrestrial predators are defined as all native, wildlife species in the Order Carnivora, except those in the Family Otariidae (seals, sea lions) and the Family Phocidae (true seals).
- II. Pursuant to the objectives in Section 1801 of Fish and Game Code, the Fish and Game Commission (Commission) acknowledges that native terrestrial predators are an integral part of California's natural wildlife and possess intrinsic, biological, historical, and cultural value which benefit society and ecosystems. The Commission shall promote the ecological, scientific, aesthetic, recreational, and educational value of native terrestrial predators in the context of ecosystem-based management while minimizing adverse impacts on wildlife and reducing conflicts that result in adverse impacts to humans, including health and safety, private property, agriculture, and other public and private economic impacts.
- III. The Commission further recognizes that sustainable conservation and management strategies are necessary to encourage the coexistence of humans and wildlife. It is, therefore, the policy and practice of the Fish and Game Commission that:
 - A. Existing native terrestrial predator communities and their habitats are monitored, maintained, restored, and/or enhanced using the best available science. The department shall protect, conserve, and provide consumptive and non-consumptive recreational opportunities. The recreational take of native terrestrial predator species shall be managed in a way that ensures sustainable populations of predator and prey are maintained.
 - B. Human-predator conflicts shall rely on management strategies that avoid and reduce conflict that results in adverse impacts to human health and safety, private property, agriculture, and public and private economic impacts. Efforts should be made to minimize habituation of predators especially where it is leading to conflict. Human safety shall be considered a priority. Management decisions regarding human-predator conflicts shall evaluate and consider various forms of lethal and nonlethal controls that are efficacious, humane, feasible and in compliance with all applicable state and federal laws and regulations. A diverse set of management tools should be considered including but not limited to recreational take, wildlife control methods, and exclusionary methods.
 - C. Native terrestrial predator management shall be consistent with the goals and objectives of existing management and conservation plans. Management strategies shall recognize the ecological interactions between predators and other wildlife species and consider all available management tools, best available science, affected habitat, species, and ecosystems and other factors.

California Fish and Game Commission
PO Box 944209
Sacramento, CA 94344-2090
fgc@fgc.ca.gov

Tom O'Key

May 7, 2017

Dear Commissioners,

Thank you for the opportunity to address the Commission with our comments and please accept our sincere gratitude for your continued dedication and leadership defending our wildlife and wild lands.

I am responding as a member of the PPWG "Conservation Reviewers" with this submission before the May 11 deadline for public comments regarding the Wildlife Resources Committee meeting scheduled for May 24, 2017. The comments being offered here are following item 7 (A) on the agenda; "Update Predator Policy Workgroup activity."

Our Conservation review group will be submitting a larger packet for your consideration at the Wildlife Resources Committee meeting on May 24, 2017.

As the WRC agenda item 7 (A) suggests by its wording - an update - we thought our comments might best be addressed by submitting documents showing the level and extent of our work as the conservation review group of the Predator Policy, up to this point. Among the data that we plan to submit at the meeting will be copies of our call notes from the weekly meetings our group has held for discussing Predator Policy proceedings since this process began.

A key function of our comments is that the Commissioners be made fully aware of the full scope and depth of the effort that has been made by our Review Group to this point. The PPWG conservation review group is a strong, knowledgeable and committed resource and we have been working with dedication and diligence on the tasks as assigned during the entire PPWG process.

We believe there is good reason to review the work that has been thoughtfully proposed and compiled by the conservation Reviewers. At the very least, the insights gained as to what has actually been accomplished by the Work Group to date should constructively inform the timeline for our expectations about completing the work for better wildlife policy and management in the future.

We believe the end result of our work is to update California's predator policy to reflect the changing paradigm of management strategies for all predators, and to improve the laws and regulations related to predator management that are overdue for reconsideration.

Please accept this letter as part of our complete submission for the WRC meeting on May 24.

Thank you,
Tom O'Key

A handwritten signature in black ink, appearing to be 'Tom O'Key', with a stylized flourish at the end.

PPWG Reviewer,
On behalf of the PPWG Conservation Reviewers group:
Erin Hauge

Sharon Ponsford
Fauna Tomlinson
Keli Hendricks

Cc: Erin Chappell, Wildlife Advisor, CDFW

Wildlife Resources Committee (WRC) 2016-2017 Draft Work Plan: Scheduled topics and timeline for items referred to WRC (Updated for May 2017 WRC meeting)

Topic	Type of Topic	2017			2018
		JAN (Redding)	MAY (Sacramento)	SEP (Riverside)	JAN (TBD)
Annual Regulations					
Upland Game Birds	Annual	X / R		X	X / R
Sport Fish	Annual	X	X / R		X
Mammals	Annual			X / R	
Waterfowl	Annual			X / R	
Central Valley Salmon	Annual			X / R	
Klamath River Sport Fish	Annual			X / R	
Regulations & Legislative Mandates					
Falconry	Referral for review	X	X	X / R	
Russian River sport fishing	Referral for review				X
Emerging Management Issues					
Lead Ban Implementation	DFW project	X	X	X	X
Wild Pig Management	Referral for review	X	X	X / R	
Special Projects					
Predator Policy Workgroup	WRC workgroup	X	X	X / R	
Delta Fisheries Forum (May 24, 2017)	Referral			X / R	

KEY **X** Discussion scheduled **R** Recommendation developed and moved to FGC

California Fish and Game Commission – Perpetual Timetable for Anticipated Regulatory Actions

(Dates shown reflect the date intended for the subject regulatory action.)

Updated: 5/3/17

Updated: 5/3/17						2017												2018							
For FGC Staff Use				REGULATORY CHANGE CATEGORY	ACTION DATE, TYPE AND LOCATION	APR 26 27	MAY 24	JUN 20	JUN 21 22	JUL 20	2017 AUG 16 17	SEP 13	OCT 10	OCT 11 12	NOV 9	DEC 6 7	JAN TBD	FEB TBD	MAR TBD	MAR TBD	APR TBD	APR TBD			
QUARTERLY EFFECTIVE	DFW RU ANALYST	FGC ANALYST	LEAD			FGC VAN NUYS	WRC SACRAMENTO	TC CRESCENT CITY	FGC CRESCENT CITY	MRC SANTA ROSA	FGC SACRAMENTO	WRC RIVERSIDE	TC ATASCADERO	FGC ATASCADERO	MRC MARINA	FGC SAN DIEGO	WRC TBD	FGC TBD	FGC TELECONFERENCE	MRC TBD	FGC TELECONFERENCE	FGC TBD			
						File Notice w/OAL by Notice Published					02/28/17 03/10/17	04/25/17 05/05/17	06/20/17 06/30/17	8/15/17 8/25/17	10/10/17 10/20/17	TBD TBD	TBD TBD	TBD TBD	TBD TBD						
						Title 14 Section(s)																			
	SB	JS	FB	Sport Fishing (Annual)	1.05 et al.		R			N				D		A			E 3/1						
*	SB	MMH	LED	Enhance Penalties for Game Illegal Take	748.6 (new)				E 7/1																
*	CM	ST	HC	Livermore Tarplant	670.2				E 7/1																
*	MR	JS	WLB	Falconry Clean-up	670				E 7/1																
	SB	SF	FB	Klamath River Sport Fishing (Annual)	7.50(b)(91.1)					E 8/1	R					N		D		A					
	SB	MMH	FB	Central Valley Salmon Sport Fishing (Annual)	7.50(b)		E 5/17				R					N		D		A					
	SB	SF	MR	Ocean Salmon Sport Fishing (April 2017) (Annual)	27.80(c)											N			A	E 4/1 X					
	SB	SF	MR	Ocean Salmon Sport Fishing (May - November 2017) (Annual)	27.80(d)		E 5/1 X									N				A					
	SB	SF	MR	Pacific Halibut Sport Fishing (2017 season)	28.20		E 5/1 X																		
	CM	JS	FGC	Use of Dogs for Pursuit/Take of Mammals or for Dog Training	265	A														E 4/1					
	MR	JS	WLB	Mammal Hunting (Annual)	360 et al.	A				E 7/1		R				N		D			A				
	MR	JS	WLB	Deer Tag Reporting Requirements	708.5	A				E 7/1															
	MR	JS	WLB	Waterfowl (Annual)	502	A				E 7/1		R				N		D			A				
	MR	JS	WLB	Upland (Resident) Game Bird (Annual)	300	D			A			E9/1 V					R	N			D				
*	SB	ST	MR	Dungeness Crab and Lobster Recreational Gear Marking and Commercial Lobster Harbor Restricted Fishing Areas	29.80, 122		D		A					E 10/1											
	ST	WB		Tricolored Blackbird Emergency - 180 Day	749.9							EE 9/7													
	SB	ST	MR	Abalone Emergency - 180 DAY	29.15							EE 9/28													
	CM	JS	FGC	Use of Dogs for Pursuit/Take of Mammals or for Dog Training	265	N								D		A				E 4/1					
	SB	SF		Process for Automatic Conformance to Federal Recreational Fishing Regulations	1.95		N		D		A				E 11/1										
*	SB	ST	FB	Commercial Take of Rattlesnakes	TBD				N					D/A			E 1/1								
*	SB	SA/ST	MR	Nearshore and Deeper Nearshore Fishing Permits	150,150.01,150.02,705				N		D				A										
*	MR	ST	MR	Commercial Fisheries Electronic Reporting	TBD				N						D/A		E 1/1								
*	MR	SF	MR	Commercial Sea Cucumber	128				N						D/A		E 1/1								
*	MR	SF	MR	Commercial Herring (Annual)	163, 164						N				D/A	E 12/26 X									
RULEMAKING SCHEDULE TO BE DETERMINED																									
*		MR		Kelp and Algae Harvest Management	165, 165.5, 704					V					V										
*	MR	ST	MR	Commercial Sea Urchin (Phase II)	120.7																				
*				Possess Game / Process Into Food	TBD																				
*			OGC	AZA / ZAA	671.1																				
				Night Hunting in Gray Wolf Range	474																				
				Shellfish Best Management Practices	TBD					V															
			WB	Trapping Fees	TBD																				
*		ST	WB	Tricolored Blackbird	749.9																				
	SB	ST	MR	Abalone	29.15																				
*		SF	FGC	Tribal Take in MPAs	632																				

EM = Emergency, EE = Emergency Expires, E = Anticipated Effective Date (RED "X" = expedited OAL review), N = Notice Hearing, D = Discussion Hearing, A = Adoption Hearing,
V = Vetting, R = Committee Recommendation, WRC = Wildlife Resources Committee, MRC = Marine Resources Committee, TC = Tribal Committee