STAFF SUMMARY FOR JUNE 21-22, 2017

9. WILDLIFE RESOURCES COMMITTEE

Today's Item **Information** ☐ **Action** ☒

Receive summary from the May 24, 2017 WRC meeting and adopt WRC recommendations. Receive update on WRC work plan and draft timeline. Discuss and approve new topics for WRC review.

Summary of Previous/Future Actions

- Most recent WRC meeting — May 24, 2017; WRC, Sacramento
- **Today approve WRC recommendations** — **Jun 21-22, 2017; Smith River**
- Next WRC meeting — Sep 13, 2017; WRC, Riverside

Background

Meeting Summary: FGC directs the work of WRC. WRC met on May 24; a written summary of the meeting is provided in Exhibit 1.

At the May 24 meeting, WRC covered the following topics:

- Draft FGC climate change policy
- Annual regulations for sport fishing
- Falconry regulations
- Wild pig management
- Predator Policy Workgroup

WRC Recommendations: Based on the meeting discussion, WRC has one recommendation for FGC consideration.

1. Authorize publication of a notice of intent to amend the 2018 sport fish regulations consistent with changes discussed during the May 24 WRC meeting and refer Petition 2015-014 to DFW for further evaluation and recommendation.

New Agenda Topics: Current topics already referred to WRC are shown in Exhibit 2. No new agenda topics are recommended at this time.

Significant Public Comments (N/A)

Recommendation

FGC staff: Approve WRC recommendation.

Exhibits

1. May 24, 2017 WRC meeting summary
2. WRC work plan, updated Jun 2017

Motion/Direction

Moved by _____ and seconded by _____ that the Commission approves the recommendations from the May 2017 Wildlife Resources Committee meeting.

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission

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Wildlife Heritage and Conservation
Since 1870

WILDLIFE RESOURCES COMMITTEE

Committee Co-Chairs: Commissioner Williams and Commissioner Burns

May 24, 2017 Meeting Summary

Following is a summary of the meeting as prepared by staff.

Call to order

The meeting was called to order at 1:05 p.m. by Commissioner Williams at the Resources Building Auditorium, 1416 Ninth Street, Sacramento. Commissioner Williams gave welcoming remarks.

Erin Chappell introduced California Fish and Game Commission (FGC) staff and California Department of Fish and Wildlife (DFW) staff, and outlined the meeting procedures and guidelines, noting that the Committee is a non-decision making body that provides recommendations to FGC. She reminded participants that the meeting was being audio-recorded and that the audio-recording will be posted to the FGC website.

Committee Co-Chairs

Anthony Williams	Present
Russell Burns	Present

Commission Staff

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

DFW Staff

Stafford Lehr	Deputy Director, Wildlife and Fisheries Division
T.O. Smith	Chief, Wildlife Branch
Patrick Foy	Captain, Law Enforcement Division
Chris Stoots	Lieutenant, Law Enforcement Division
Scott Gardner	Acting Environmental Program Manager, Wildlife Branch
Karen Mitchell	Senior Environmental Scientist, Fisheries Branch

1. Approve agenda and order of items

The Committee Co-Chairs approved the agenda and the order of items. During the meeting the Co-Chairs approved moving agenda item 7 before agenda item 6 (Note: for this summary, agenda items are presented in original order). Commissioner Williams left the meeting immediately following the staff overview of agenda item 6.

2. Public forum for items not on the agenda

Marilyn Jasper: Commented on GPS dog collars and the use of technology by hunters in general, noting that public trust agencies cannot rely on hunter ethics alone. She also stated that GPS collars increase risks to sensitive wildlife, increase risk of poaching, and that use of GPS dog collars for hunting mammals is neither ethical nor should they be legal in the interest of fair chase.

Dennis Fox: Suggested holding the next meeting in Oregon in order to discuss salmon and wolf issues with Oregon officials.

Teri Faulkner: Urged the Co-Chairs to consider community interests in addition to other stakeholder's interests when making decisions and used bears coming too close to homes as an example. She also suggested utilizing DFW scientists to better understand populations.

3. Staff update on draft Commission climate change policy

Executive Director Termini provided a brief update on the development of FGC's climate change policy. The goal of the policy is to provide guidance to FGC in accounting for climate change in a comprehensive manner when making decisions. As part of the update, she provided background and history of FGC highlighting FGC's authority. She also noted California's leadership on climate change and the State's focus on readiness, reduction, and research. She emphasized the unique opportunity provided by FGC and committee meetings to engage with a wide variety of stakeholders on the impacts of climate change and how to address them. In closing, she noted that FGC would like to get a sense of priorities and common concerns from stakeholders and invited stakeholders to engage with FGC staff on this issue.

Commissioner Williams asked about the timeline for developing the policy. Executive Director Termini responded that staff will provide the policy to FGC within the next year.

Public Discussion:

Several questions were asked about increasing temperatures, Pacific oscillation, El Nino, snowpack, and changing vegetation types. Both Executive Director Termini and Erin Chappell noted the extensive work underway by the various State agencies and the wide variety of resources available, including the *Safeguarding California Plan*. T.O. Smith highlighted the climate change information available on DFW's website and that one of DFW Wildlife Branch's priorities is maintaining habitat connectivity in part by using geospatial maps to identify habitat corridors available to facilitate species movements. Executive Director Termini emphasized that the policy is intended to help FGC address climate change in its decision-making capacity.

4. Discuss and approve recommendations for 2018 sport fishing regulations

Erin Chappell provided background information, noting this is the last opportunity for WRC to make any recommendation on the proposed changes before the notice hearing in August, and introduced Karen Mitchell. Karen presented the proposed changes to the freshwater sport fishing regulations for the 2018 season. DFW did not propose any changes to the regulations based on the four petitions referred by FGC for consideration in this rulemaking package.

Public Discussion:

A stakeholder asked if the Rock Creek closure proposed for Shasta crayfish applied to all fishing or just fishing for crayfish. Karen Mitchell responded that the waters would be closed to all fishing. A stakeholder requested confirmation on three bodies of water proposed for bow-fishing of catfish. Karen Mitchell confirmed the proposed change was for the three included in the presentation (Delta, Lake Isabella, and Big Bear). Another stakeholder requested clarification on where to find DFW's evaluation of the petitions. Karen Mitchell responded that they would be included in the initial statement of reasons provided toFGC at the notice hearing in August.

The petitioner for Petition #2016-003, which proposes changes in bag and size limits for striped bass on a portion of the San Joaquin River, provided information on the intent of the petition. He noted that this petition is intended as counter-proposal to the current plan in the San Joaquin Restoration Project to fill in the quarries on the San Joaquin River to reduce predation by striped bass, which is an expensive way to solve the problem.

There was also discussion of Petition #2015-014, which proposes changes to low flow restrictions on coastal streams. A supporter of the petition noted that the current regulations disproportionately impact fly fishers by allowing fishing on the upper river and eliminating fishing on the lower river. He noted that the petition considered various parts of the river and the data indicates that fish are not being trapped as they are on other rivers. He also recommended eliminating bait fishing due to higher mortality and highlighted impacts on smolts. Stafford Lehr responded that the regulations were a result of a long process starting with the National Oceanic and Atmospheric Administration's proposal in 2011, and that DFW is committed to engaging with stakeholders to work through these issues. He suggested pulling the petition from this rulemaking package to give the DFW time to work with all interested stakeholders through a forum or workshop to identify a possible solution. Erin Chappell advised that to do that the WRC could make a recommendation to the remove the petition from the rulemaking package and refer it to DFW for further evaluation in order to give DFW time to meet with stakeholders.

Committee Recommendation: WRC recommends that FGC authorize publication of a notice of its intent to amend the 2018 sport fish regulations consistent with changes approved during today's meeting and recommends referring Petition #2015-014 to DFW for further evaluation and recommendation.

5. Discuss potential options for phase 2 falconry regulation changes

Erin Chappell provided background and a brief overview of the discussion at the January WRC meeting. T.O. Smith presented three topics currently being discussed for

consideration with stakeholders: (1) changes the random drawing for prairie falcons; (2) authorizing the transfer of depredating raptors that cannot be released to licensed falconers; and (3) authorizing the transfer of raptors that cannot be released from an approved wildlife rehabilitation facility to licensed falconers. T.O. Smith highlighted DFW concerns about changes to the drawing, noting that the capture of wild prairie falcons is limited to 14 birds per year, so DFW will need to ensure that any changes to the systems would not result in that limit being exceeded. He also noted the need for further discussions with all stakeholders regarding the transfer of rehabilitated birds.

Public Discussion:

During the discussion, comments were made about both the current regulations being too extensive and unnecessary and that raptors are a public trust resource that should be strongly regulated, inspections, and the need for updated data on prairie falcons. Some stakeholders expressed support for changes to drawing for prairie falcons and support for the transfer of both depredating raptors and rehabilitated raptors that cannot be released into the wild to licensed falconers. Stafford Lehr clarified that peregrine falcons and golden eagles are fully protected species and are not being included in the discussion since they cannot be possessed.

DFW and stakeholders will continue to work through the issues discussed today and will provide an update at the September WRC meeting.

6. Discuss potential wild pig management options

Erin Chappell provided background on the previous WRC discussions about wild pig management and presented an overview of the updated proposal. The proposal outlines potential changes in statutes and regulations to address stakeholder concerns and includes two options for consideration. Option 1 would change designation of wild pigs from game mammal to nongame mammal and Option 2 would create a new designation for wild pigs. Following the presentation, Erin requested input from stakeholders on the proposal more broadly and specifically, preferences for either Option 1 or Option 2.

Public Discussion:

Note, for the purposes of this summary the comments are organized by topic area.

Importation and Transportation: Kent Fowler (California Department of Food and Agriculture) noted that addressing wild pigs has been a circular issue that has continued to come up over the years but he is hopeful that we are on a pathway forward at this point. He suggested not using the term “heritage swine” as there are a number of domestic breeds that fall under that terminology, and to use the phenotypic characteristics instead. He also highlighted an issue arising from Canadian outfits that raise wild swine in captivity and legally import them into California as domestic swine noting that they can ultimately contribute to the wild pig problem. Kent discussed the need to track swine to help to ensure that feral swine are not being imported into the state, which is why we need to look at possible options for clearly marking domestic swine with these phenotypic characteristics. However, he noted the provision requiring the castration of male boars being imported may be a problem because the regulations now revolve around disease prevention but overall the proposal is on the right track. A concern was raised about requiring castration of imported swine with these phenotypic

characteristics since there are farmers producing pasture-raised domestic pigs who bring in Russian boars specifically to get those characteristics into their herds. There was no opposition to requiring tattoos or other permanent identification for imported pigs within the domesticated system but concerns were raised about requiring it for the offspring. Finally, there was a comment about making sure that the proposed definition changes will close the current loophole for fenced hunting operations.

Depredation: There was support for eliminating the depredation permit requirement but the commenter highlighted the need for flexibility on other issues, particularly the use of bait and traps. Concern was raised about the requirement to utilize the carcasses due to limitations on how the meat can be used, given that the animals require USDA inspection to be brought to a slaughterhouse and sold for human consumption. Currently there are no USDA inspection facilities in California. There was also support for mandatory removal or burial of wild pigs, in particular until lead ammunition requirement kicks in, but also to reduce potential human-wildlife conflicts arising from the carcasses becoming an attractant or bait for other wildlife. A concern was raised about the use of snares and support for banning or limiting the use of snares.

Recreational Take and Access: There was support for increasing hunting opportunities, keeping the current regulations in place, and for switching from individual tags to a validation. It was noted that the provision in the proposal still says $15 per tag and would need to be revised. Concern was raised about the use of dogs while hunting due to concerns about safety and there was a suggestion to either ban the use of dogs or limit the number of dogs from three per hunter to three per hunting party. It was also suggested that use of dogs by landowners should also require a hunting license.

Revenue: Questions were raised about how the Big Game Management Account (BGMA) funds were allocated and whether revenue from the sale of wild pig tags/validation could go specifically to population control or habitat restoration. Stafford Lehr responded that the BGMA focuses on the big charismatic megafauna, habitat restoration and improvement, and support for the big game program. T.O. Smith responded that from manager's perspective the BGMA allows for management at the landscape level as well as providing matching funds for federal money. Erin Chappell noted that there is a grant program associated with the BGMA, which distributes about $1 million a year for projects; therefore, there may be potential to fund some targeted projects through that process.

Options: Several stakeholders supported Option 2 and one stakeholder opposed Option 1.

Following the discussion, Erin Chappell proposed working with the stakeholders on the remaining issues raised today and revising the proposal to focus on Option 2.

Committee Direction: Commissioner Burns directed staff to work with stakeholders on the remaining issues and modify the proposal using Option 2.

7. Predator Policy Workgroup (PPWG)

Erin Chappell provided an overview of the February and March PPWG meetings and the status of the draft predator policy. In February, PPWG made additional changes draft policy based on the input from the January WRC meeting but did not reach consensus on the revised language. PPWG made further revisions to the draft policy in March but were still unable to

reach consensus. While there is agreement on most aspects of the draft policy there is still some debate about a couple of aspects, including the word “humane” and how that would be interpreted by future commissioners and whether or not to specify certain methods when addressing human-wildlife conflicts.

Commissioner Williams suggested that since it seems unlikely PPWG will reach consensus on the draft policy that it would be helpful to get feedback from PPWG on where there is consensus on the policy and to outline the differing perspectives where there is not consensus. Commissioner Burns supported the approach and asked about the timeline. Erin Chappell responded that PPWG has a meeting scheduled in July and could develop recommendations on the policy for presentation at the September WRC meeting. She also noted the progress being made on the regulations and suggested that PPWG could include recommendations on next steps for those as well. Commissioner Williams then suggested providing time at the September meeting to allow PPWG members to provide a balanced representation of the different views.

Public Discussion:

Two PPWG members expressed support for the proposed approach. There was also recognition of the work that the reviewers have contributed. A reviewer provided a handout with a compilation of scientific peer-reviewed papers on predators and predator management and expressed the desire of some reviewers to continue working on this issue. The reviewer also spoke on behalf of another reviewer emphasizing the importance of modernizing California’s predator policies. Another reviewer recommended that the human-wildlife interface be considered more explicitly. Commission Williams thanked all the reviewers for their work on this effort.

8. Future agenda items

(A) Review work plan agenda topics and timeline

Erin Chappell reviewed the current work plan and proposed agenda topics for the September WRC meeting, which include discussion of five regulatory packages, falconry, lead ban implementation, wild pig management, Predator Policy Workgroup, and the Delta Fisheries Forum. Given the large number of topics, Erin recommended removing lead ban implementation from the list. Stafford Lehr suggested that the Russian River sport fishing regulations discussion scheduled for January could be included in the stakeholder forum being planned (see agenda item #4) due to the similarities. Erin Chappell suggested that FGC and DFW staff review both petitions to make sure that combining the two would work.

(B) Potential new agenda topics for FGC consideration

No new agenda topics were proposed for consideration.

Adjournment

Commissioner Burns adjourned the meeting at approximately 4:00 p.m.

Wildlife Resources Committee (WRC) 2016-2017 Draft Work Plan: Schedule topics and timeline for items referred to WRC (Updated for Jun 2017 FGC 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
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