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*Wildlife Heritage and Conservation
Since 1870*

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WILDLIFE RESOURCES COMMITTEE

Committee Chair: Commissioner Sklar

May 11, 2021 Meeting Summary

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

Call to order

The meeting was called to order at 11:40 a.m. by Chair Eric Sklar, who gave welcoming remarks.

Wildlife Advisor Ari Cornman outlined instructions for participating in Committee discussions and gave introductory remarks. The following commissioners, Commission staff, and California Department of Fish and Wildlife (Department) staff, participated:

Committee Chair

Eric Sklar Present

Commission Members

Erika Zavaleta Present

Commission Staff

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

Department Staff

David Bess Deputy Director and Chief, Law Enforcement Division
Stafford Lehr Deputy Director, Wildlife and Fisheries Division
Jay Rowan Acting Branch Chief, Fisheries Branch
Scott Gardner Branch Chief, Wildlife Branch
Chris Stoots Captain, Law Enforcement Division
Jonathan Nelson Environmental Program Manager, Fisheries Branch
Brad Burkholder Environmental Program Manager, Wildlife Branch
Melanie Weaver Waterfowl Program Biologist

1. Approve agenda and order of items

The Committee approved the agenda and order of items.

2. Public comment for items not on the agenda

Samantha Arthur, of Audubon California, raised concerns that implementation of the Sustainable Groundwater Management Act (SGMA), will reduce groundwater supplies to managed wetlands in the Central Valley, thereby reducing critical bird habitat within the Pacific flyway. She asked the Department and Commission to take a more active role in oversight of SGMA implementation and its impact to wildlife. Chair Sklar suggested that the Commission schedule a discussion of the impact of water supplies on wildlife for a future Commission meeting, and consider writing a letter to the Department and legislature. Commissioner Zavaleta pointed out that the current drought conditions are “the new normal” and asked whether the discussion could be part of a larger discussion on water issues. Chair Sklar echoed her sentiments about the future and urged re-adjustment of expectations for water in the future. Stafford Lehr offered a presentation at a future meeting on the Department’s activities with respect to water.

3. Department updates

Stafford Lehr spoke about wildfire resiliency and drought preparation. The Department will begin to address fire hazards on Department lands, particularly in the wildland-urban interface, and will also be looking at post-wildfire restoration opportunities. Increasing resiliency to wildfire through addressing invasive species issues will also be a priority. With respect to drought preparation, the Department is setting up response teams, moving fish or bringing them into captivity, taking steps to reduce impacts to in-stream environments, exploring options for wetlands, and ensuring water gets to where it is needed. The Department may have conversations about voluntary fishing “pauses” in certain critically stressed fisheries.

(A) Wildlife Branch

Scott Gardner added that the coming budget may have resources to implement wildfire resiliency and drought preparation. The four key areas of wildfire resiliency are prevention, post-fire assessment, remediation, and restoration. Scott mentioned that certain Wildlife Branch programs will be renamed in the near future. Additionally, with the 2021-22 budget, the Department Lands Program will receive much-needed support. Chair Sklar encouraged growth and support of Department lands, particularly in light of the new 30-by-30 initiative.

(B) Fisheries Branch

Jay Rowen mentioned that the Department is increasing its communications with agencies important for fisheries, such as the U.S. Fish and Wildlife Service and the State Water Resources Control Board, in preparation for the coming drought. The Department is already seeing some low flows and smaller waterways cut off from the ocean, stranding fish. Hatcheries have been upgraded to take on extra fish as needed. Warm water is expected to affect hatchery intakes and environmental conditions, but the Department will continue to try to facilitate angling opportunities as conditions permit. Trucking of fish has commenced in the Central Valley and likely will be necessary in the Klamath River Basin as well. Stafford added that disease loading is an important confounding factor in drought conditions, and Jay added that the Department is preparing for such disease cycles.

Discussion

A commenter stated that fish need to imprint on the rivers in order to return. Trucking fish may be necessary, but also makes it difficult for the fish to “do what they normally do.” Commissioner Zavaleta commented that resiliency is the paradigm for guiding response to the short-term crisis and the longer term “new normal,” and that resilience means the system can “bounce back” from perturbation; there are always bounds on that, and she encouraged focusing on avoiding crossing below critical thresholds. She asked if there were opportunities for the Commission to help the Department respond nimbly to the various challenges that had been discussed. Stafford stated that while regulatory tools were developed in the last drought, there may be circumstances that were not contemplated, and the Department needs to be prepared to respond quickly to move into new regulatory spaces if conditions require it. The Commission has demonstrated nimbleness with recent emergency regulations, and placing trust in the Director to respond to certain situations with delegated authority, such as COVID and drought closures. The Department and Commission still need to consider how to respond nimbly to wildlife and hunting concerns. Chair Sklar stated that emergency regulations should be a last resort and suggested the Commission consider both regulatory and legislative changes to allow rapid adaptation.

(C) Law Enforcement Division

Chris Stoots gave updates on the new cadets in training and the 2021 hiring cycle. The 2020 nominee for the Wildlife Officer of the Year is Warden Jonathan Garcia. Chris provided an update on cases related to illegal take of western Joshua tree, which could result in severe fines and penalties. He also conveyed a story about a seizure of a great horned owl from captivity, which was eventually re-released into the wild. Stafford added that the Law Enforcement Division is receiving resources for drought response, particularly related to illegal cannabis grows and water misappropriation. He also noted that in a drought, human-wildlife conflict increases, and law enforcement personnel are often the front-line responders in such cases.

4. Periodic Rulemakings

(A) Mammal Hunting

Scott Gardner noted that the department has started trepaneme-associated hoof disease (TAHD) surveillance by receiving hooves from hunters, and has commenced removal of animals along the north coast that were visibly diseased; the meat was donated. The Department will continue these efforts, in coordination with stakeholders, including the Environmental Protection Information Center and other organizations that have expressed concerns in the past.

Discussion

A commenter referred to his written comments and a petition, requesting the allowance of “big-bore BB rifles” to hunt wild pig. He also suggested ammunition flexibility and a tag waiver. Two representatives of the California Bowmen Hunters/State Archery Association noted that archery can be a tool to control TAHD, and requested an increase in the number of SHARE tags in that area to help deal with depredation issues. A representative of the California Rifle and Pistol Association supported the previous commenters with respect to SHARE tags and urged support of AB 645, a bill to increase penalties for certain wildlife

crimes. A representative of the California Waterfowl Association (CWA) also supported expansion of the SHARE program. Commissioner Zavaleta inquired about why feral pigs are classified as big game. Chair Sklar explained that unlike native species where the goal is to preserve populations, the goal of non-native feral pig hunting is to reduce populations. Stafford Lehr clarified that wild pigs are designated as big game in the California Fish and Game Code. He recounted previous, unsuccessful legislative efforts to reclassify and manage the species. Ari Cornman reminded the Committee that there is an active petition on airguns that was referred to the Department for review and recommendation.

Brad Burkholder stated that the Department is considering some larger changes to mammal hunting regulations, but they may not be ripe for this rulemaking cycle and would likely be proposed at a future time.

Commissioner Zavaleta asked about AB 645, and Captain Stoots gave some background on the bill. Chair Sklar and Commissioner Zavaleta agreed that a discussion of support for AB 645 should be added to the June Commission meeting agenda.

(B) Waterfowl Hunting

Melanie Weaver gave a presentation on the flyway process, breeding population surveys, and mallard management. She noted that waterfowl is managed with the best available scientific data, and that mallard populations are driven more by hunt days (i.e., season length) than by bag limits.

Discussion

A representative of CWA requested (1) that two days from the end of the early Canada goose season in the Balance of the State Zone be transferred to the opening weekend of the late goose season, and (2) to start both the late goose season and the veterans' hunt in the Balance of the State Zone on the second weekend in February. CWA would like to convene a meeting with the Department to examine factors affecting the potential mallard decline. A representative of the Tulare Basin Wetlands Association, the Suisun Resource Conservation District and the Cal-Ore Wetlands & Waterfowl Council expressed support for the two CWA proposals, and urged the Commission to consider support for AB 614, regarding the Nesting Bird Habitat Incentive Program.

Commissioner Zavaleta asked if there were any other species to which the Commission should pay attention, and Melanie explained that the Department uses mallards as a surrogate for most other waterfowl. Scaup and pintail have been in decline, but harvest strategies are developed at the nationwide level, rather than the individual flyways. With the exception of a couple of populations, most goose populations are doing well. Stafford added that the Department is working with the U.S. Fish and Wildlife Service on pintail issues and eelgrass habitat (which is important to black brant).

(C) Central Valley Sport Fishing

Jay Rowen recapped the decisions made at the Commission meeting earlier that day, and anticipated that drought would have major impacts to Central Valley angling going forward.

Discussion

There was no public discussion.

(D) Klamath River Basin Sport Fishing

Jay recapped the decisions made at the Commission meeting earlier that day, and recalled the potential for trucking fish may be necessary.

Discussion

There was no public discussion.

(E) Inland Sport Fishing

Chair Sklar recounted the development and recent adoption of the sportfish simplification rulemaking. Chair Sklar and Stafford Lehr explained that, while there may be some changes necessary in the wake of its adoption, the lack of widespread outcry speaks to the overwhelming support from the public. Jay mentioned that the Department has gathered data on striped bass and met with the NorCal Guide and Sportsman's Association (NCGASA) to discuss slot limits. Additionally, talks on inland boat limits are continuing.

A representative from NCGASA expressed a desire to keep inland boat limits moving forward. He said that guides fill out logbooks, but it remains unclear if and how they are used. He urged the use of app-based solutions to facilitate data collection, particularly for striped bass. A representative of the California Bowmen Hunters/State Archery Association recommended exempting carp from the restrictions on wanton waste and allowing bowfishing of gizzard shad. Jay Rowen indicated that guide logbooks are not particularly useful for creel surveys but are used by law enforcement.

Commissioner Zavaleta echoed the sentiment that carp and gizzard shad are harmful, invasive species, and that encouraging their harvest and disposal by anglers should be supported. A commenter stated that one angler was cited for fileting a bass downstream of the launch because there was no dock to tie onto, and recommended the construction of fish cleaning stations or appropriate garbage receptacles at boating facilities.

5. Bullfrogs and non-native turtles

Ari provided an update on the progress of the bullfrog and non-native turtle stakeholder engagement process. The three teams are at the final stages of solution development, the theory of change (i.e., "results chains"). Staff is working on a strategy to facilitate cross-dialogue among the three groups. Finally, staff is consulting on how to initiate legislative outreach, to inform legislative members of the progress and receive input.

Discussion

Stafford suggested the Commissioners look at the Department's 2014 report on bullfrogs. He explicated the difficulties of the issue, which mingles biological, social, and cultural matters, and offered his hope that some meaningful progress can be made.

6. Future agenda items

Staff agreed to work on adding the requested legislative items to the June FGC meeting agenda as part of the regular legislative update. Topics for the next WRC meeting will include: discussion and potential recommendations for mammal hunting, waterfowl hunting, Central Valley sport fishing, Klamath river basin sport fishing, and inland sport fishing, as well as another update on the bullfrog stakeholder process.

Adjourn

WRC adjourned at 1:06 p.m.