

California Grunion Limit and Season Changes
(amendment to subsections 27.60(b) and 28.00, Title 14, CCR)
Attachment 1. Specific Responses to Comments

Responses to unique comments received during the Public Notice period September 18 through December 16, 2021.

- *Each individual comment letter is labeled as “#”*
- *Subjects unrelated to the specifics of the regulation are not included.*
- *Comments may be paraphrased for succinctness.*

#	Name, Format, Date	Comment	Response
1	Karen Martin, Oral comment, 12/16/2021	1a. Limit should be 10 grunion like other sport fishes. Thirty is not a sustainable amount for the recreational crowds normally seen.	1a. The Department of Fish and Wildlife (Department) believes the proposed regulation amendments will provide appropriate protection for grunion, while allowing a reasonable amount of take. Other sport fishes with a 10 fish limit are much larger than grunion. Currently there is unlimited take of grunion, so introducing a bag and possession limit will provide substantial savings for grunion, especially during large spawning runs where it is common for people to take hundreds of grunion per person. It is very possible these large grunion runs are what is sustaining their population. Thus, protecting these large runs from large amounts of take may be important to rebuilding the population. The amount of grunion saved by changing the proposed limit from 30 to 10 fish is minimal compared to the amount saved when going from unlimited take to a 30 fish limit. For example, from our sampling of larger grunion runs, a hypothetical limit of 30 grunion would have reduced take by 85% and a limit of 10 would have reduced take by 92%, both drastically reducing take yet not very different from each other. A bag and possession limit of 10 grunion provides only minimally more protection to spawning grunion, but the Department does not believe it would allow for a satisfying recreational take for consumption or bait. A limit of 10 grunion may in essence close the fishery, since fishers may not deem it worthy of their time to walk the beaches at midnight to only have the opportunity to collect 10 small fish. In our grunion fishery questionnaire, most fishers favored a 50 grunion limit over others. The Department considers a 30 grunion limit as an appropriate compromise between the two viewpoints and the available data.

California Grunion Limit and Season Changes
Attachment 1. Specific Responses to Comments

#	Name, Format, Date	Comment	Response
1 cont	Karen Martin, Oral comment, 12/16/2021	<p>1b. Supports June added to the seasonal closure.</p> <p>c. Does not see an economic downside to the lower limit proposal recommended.</p> <p>d. Adding a limit will have no negative tribal impact unless the fish disappears, no one is harmed by a lower bag limit, but everyone is impacted if this species disappears.</p> <p>e. The lower bag limit can be revisited later if populations rebound.</p>	<p>1b. Adding June to the seasonal closure is part of the Department's recommendation.</p> <p>c. Any adopted amendments to the grunion season or limit will not have a significant statewide adverse economic impact directly affecting business, since no equipment may be used in the take of grunion (CCR, title 14, Section 29.00). The proposed amendments may prompt some grunion fishers to purchase alternatives to grunion for bait use during the closure period, but this is not considered a significant expense on Californians.</p> <p>d. A lower bag limit of 10 grunion may not provide a satisfactory sport fishery, create costs to purchase artificial lures or bait, and be too few fish for those taking grunion for subsistence.</p> <p>e. Comment noted.</p>
2	Julianne Steers, Oral comment, 12/16/2021	<p>2a. Supports a limit of 10 grunion and adding June to the closure.</p> <p>b. Provided a video exhibit about grunion.</p>	<p>2a. See responses 1a and 1b.</p> <p>b. Video noted.</p>
3	Geoff Shester, Oral comment, 12/16/2021	<p>3a. Supports a limit of 10 grunion and adding June to the closure.</p> <p>b. Like for other forage species, it is important to enact strong conservation measures and send a message to anglers that the stock is in decline and needs to recover. Sometimes the runs are tens of fish, sometimes hundreds.</p> <p>c. The 10 grunion bag limit and to allow subsistence fishing to continue in light of the decline; this is consistent with the Commission's Precautionary Forage Fish Policy that accounts for the ecosystem importance of ensuring sustainability of forage species.</p>	<p>3a. See responses 1a and 1b.</p> <p>b. Comment noted.</p> <p>c. Comment noted.</p>

California Grunion Limit and Season Changes
Attachment 1. Specific Responses to Comments

#	Name, Format, Date	Comment	Response
3. cont	Geoff Shester, Oral comment, 12/16/2021	3d. Suggests that in the future, staff provide a range of options to keep us better notified in the future so that a comparative analysis can inform decision-making and avoid future delays.	3d. Comment noted.
4	Melissa Studer, Oral comment, 12/16/2021	4a. Supports a limit of 10 grunion and adding June to the closure. b. Strong community excitement over grunion runs. c. No cost or to equipment necessary to capture.	4a. See response 1a and 1b. b. Comment noted c. See response 1c and 1d.
5	Emily Parker, Oral comment, 12/16/2021	5a. Supports a limit of 10 grunion and adding June to the closure. b. Grunions runs in Santa Monica can be frequented by hundreds of people where unrestricted collection regularly occurs; often every fish approaching the shore is taken during the open season run. c. Unrestricted take, data has shown runs across many beaches of California have declined over time.	5a. See response 1a and 1b. b. This is speculation and the Department is unaware of the data that might support this argument. c. The Department agrees that the grunion population has declined over the past decade; however, there are multiple factors besides unrestricted take that may be the cause for this decline. Some of these other factors include sea level rise, pollution, beach grooming, ocean acidification, and increased water temperature.
6	Alex Martin, Oral comment, 12/16/2021	6a. Supports a limit of 10 grunion and adding June to the closure. b. Grunion is an iconic species among surfers. c. Grunion provide a unique fun educational and recreational opportunity for adults and children alike. d. Does not know of any commercial market for grunion. e. It is about the cultural and ecological significance of the species that make them so valuable.	6a. See response 1a and 1b. b. Comment noted. c. Comment noted. d. There is no established commercial fishery for grunion. e. Comment noted.

California Grunion Limit and Season Changes
Attachment 1. Specific Responses to Comments

#	Name, Format, Date	Comment	Response
7	<p>Mark Smith (on behalf of Bill Varney),</p> <p>Oral comment, 12/16/2021</p>	<p>7a. No publicly funded science regarding grunion biomass or spawning habits.</p> <p>b. Supports a limit of 50 grunion.</p> <p>c. No addition to closed season. Believes the combination of closures including private land, public land, the nightly county beach closures have significantly reduced the areas that are available for collection and observation; as a result, this has already limited public consumption and public take of grunion.</p> <p>d. Wants more scientific evidence about population decline rather than citizen science.</p> <p>e. Implement a grunion report card to provide more information about grunion harvesting numbers.</p>	<p>7a. It is correct that grunion biomass has not been quantified; however, there have been multiple studies highlighting the spawning habits of grunion.</p> <p>b. The Department believes the proposed regulation amendments will provide appropriate protection for grunion while allowing a reasonable amount of take. While a 50 grunion limit is favored by the fishing community, the Department recommends a more conservative limit of 30 grunion. Additionally, the Department believes a 30 grunion limit is an appropriate compromise between the two viewpoints and the available data. See response 1a for more information.</p> <p>c. In 1927, this same three month closure allowed for the grunion population to rebound by 1949. Protecting grunion during the peak three months of the spawning season may be important to rebuilding the population. Despite the combination of potential beach closures, there are still instances of very large amounts of take, and the proposed amendments provide a balanced response to this population decline by preventing over harvesting while allowing a satisfying recreational take.</p> <p>d. Comment noted.</p> <p>e. Comment noted.</p>
8	<p>Abel Silvas,</p> <p>Oral comment, 12/16/2021</p>	<p>8a. Support the main issue at hand at providing protections for grunion populations.</p> <p>b. Grunion's history with Native Americans is widely unrepresented but remain an important species to be protected.</p>	<p>8a. Comment noted.</p> <p>b. Comment noted.</p>
9	<p>Dennis Simmons,</p> <p>Written comment, 11/18/2021</p>	<p>9a. Supports a limit of 10 grunion and adding June to the closure.</p> <p>b. Often nearly every fish is caught at grunion runs.</p> <p>c. No one depends on this species for food, subsistence or income.</p>	<p>9a. See response 1a and 1b.</p> <p>b. See response 5b.</p> <p>c. This statement is incorrect as many who harvest grunion use them for food or bait.</p>

California Grunion Limit and Season Changes
Attachment 1. Specific Responses to Comments

#	Name, Format, Date	Comment	Response
9. cont	Dennis Simmons, Written comment, 11/18/2021	d. Additionally, there are benefits to changing fishing regulations such as a safer environment for people to watch undisturbed runs. The fish would be protected during spawning, a critical life cycle event. Many other species prey on grunion, such as game fish, marine mammals, shorebirds and sharks. Not only does this mean they are important ecologically, but beachgoers who are fortunate enough to see predators will have a better understanding of the food web as well as the fact that beaches are habitat.	9d. Comment noted.
10	Lisa Bock, Written comment, 11/22/2021	10a. Supports a limit of 10 grunion and adding June to the closure. b. Wants more warden presence at grunion runs.	10a. See responses 1a and 1b. b. Comment noted.
11	Mike Schaadt, Written comment, 11/22/2021	11a. Supports a limit of 10 grunion and adding June to the closure.	11a. See responses 1a and 1b.
12	Karen Martin, Written comment, 12/1/2021	12a. Return the closed season to its original timing of April through June, and set a bag limit. b. On many nights, literally hundreds of people line the shores of some beaches waiting for grunion. Families often bring children to hunt grunion on the beach. Unlike most sport fish, every individual can catch, including licensed adults and children under the age of 16. Given concern about the declining population of this species, a lower bag limit is strongly recommended.	12a. The Department has proposed these regulation amendments. b. Persons under the age of 16 do not need a sportfishing license and are lawfully allowed to harvest any fish or invertebrate if they abide by the sportfishing regulations.

California Grunion Limit and Season Changes
Attachment 1. Specific Responses to Comments

#	Name, Format, Date	Comment	Response
12. cont	Karen Martin, Written comment, 12/1/2021	<p>12c. The petition requests a bag limit of 10 fish, similar to other sport fish. With a bag limit of 10 fish, a family of 4 or a group of 4 children could catch up to 40 fish. Increasing that limit to 30 fish each, that same family could remove up to 120 fish from that population. Considering the large numbers of people that attend beaches for runs, the potential effects on the grunion population are clear.</p> <p>d. There is no organized opposition to regulation changes, and no group relies on this species for food or subsistence.</p> <p>e. The value of grunion for Tribes is only on their appearance, not on its catch or consumption.</p>	<p>12c. See response 1a.</p> <p>d. See commentor 7 representing grunion fishers and response 9c.</p> <p>e. Comment noted.</p>
13	John Phibbs, Written comment, 9/18/2021	<p>13a. Supports a limit of 5 grunion.</p> <p>b. Add June to the closure.</p> <p>c. There should be an educational outreach program.</p>	<p>13a. See response 1a.</p> <p>b. See response 1b.</p> <p>c. Comment noted.</p>
14	Melissa Studer, Written comment, 12/2/2021	<p>14a. Supports a limit of 10 grunion and adding June to the closure.</p> <p>b. Refers to the Grunion Greeter program and the impact it has had on her and others.</p> <p>c. States most grunion hunters waste their catch and those using grunion for food or other reasons are in the minority.</p>	<p>14a. See responses 1a and 1b.</p> <p>b. Comment noted.</p> <p>c. There are no data to support this claim.</p>
15	Melissa Studer, Non-FGC public petition, 12/2/2021	<p>15a. A public petition with 385 signatures which supports a limit of 10 grunion and adding June to the closure.</p> <p>b. Kenneth Lin: from first-hand experience, I have witnessed poaching happening for months that are supposed to be closed for fishing. More needs to be done to protect the fish.</p>	<p>15a. See responses 1a and 1b.</p> <p>b. Comment noted.</p>

California Grunion Limit and Season Changes
Attachment 1. Specific Responses to Comments

#	Name, Format, Date	Comment	Response
15. cont	Melissa Studer, Non-FGC public petition, 12/2/2021	15c. Emily Pierce: Help protect the grunion! I have seen first-hand what a group of people can do. Worse yet, game wardens never check the beaches at this time, so many people catch the fish illegally with laundry hampers or colanders.... we need to do what we can to protect them.	c. Comment noted.