

California Grunion Limit and Season Changes
(amendment to Sections 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 December 14, 2021 through February 16, 2022.

- *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, 2/16/2022	1a. Supports the original petition request of a limit of 10 grunion, but is happy for any type of bag limit.	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.

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1. cont	Karen Martin, Oral comment, 2/16/2022	b. Supports the original petition request of June closure. c. Stated multiple facts about the life history of grunion.	b. Adding June to the seasonal closure is part of the Department's recommendation. c. Comment noted.
2	Melissa Studer, Oral comment, 2/16/2022	2a. Supports June closure, and still supports bag limit of 10 grunion per person, but is also happy for any bag limit. b. Expansive grunion runs are becoming less and less common, which is why better protection for this vulnerable species is needed.	2a. See responses 1a and 1b. b. Comment noted.
3	Geoff Shester, Oral comment, 2/16/2022	3a. Supports a limit of 10 grunion and adding June to the closure. b. Grunion are an important forage species in the Southern California ecosystem. They are orders of magnitude less abundant than other similar sized forage fish like anchovies, topsmelt, sardines, etc. c. The Commission's Forage Species Policy is intended to be precautionary and recognize the importance of forage species in the ecosystem and be responsive to declines. Grunion stock is in decline and many of the runs are in the hundreds and not thousands anymore.	3a. See responses 1a and 1b. b. Comment noted. c. Comment noted.
4	Alex M, Oral comment, 2/16/2022	4a. Supports a limit of 10 grunion and adding June to the closure. b. The data presented was for W3 conditions, but the vast majority of runs are much smaller than those conditions. Grunion populations are spread out and lead to smaller runs.	4a. See response 1a and 1b. b. This statement is incorrect. During the height of the spawning season, the beaches that are consistently monitored have more than half of their runs as a W3 or greater.

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5	Bill Varney, Oral comment, 2/16/2022	<p>5a. Supports a bag limit of 50 grunion.</p> <p>b. Asks to not add the additional June closure. Current restrictions and closures in Santa Monica to Newport (with a few exceptions in between) are closed with defacto closures from 10pm to sunrise every day, these are already in place to protect grunion.</p> <p>c. To his knowledge, there is no publicly funded science done on grunion.</p> <p>d. Data used by the Department comes from Grunion Greeters, a nonscientific organization.</p> <p>e. Asks to implement report cards, which are currently used for lobster.</p>	<p>5a. 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>b. 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>c. The Grunion Greeters have received grants from both state and federal agencies.</p> <p>d. Comment noted.</p> <p>e. While report cards may be a good method for obtaining information about a fishery, they can also be very inaccurate. The Department does not believe they are an appropriate tool for grunion. Many grunion fishers are subsistence fishers and may not be able to afford the fee associated with the card. Additionally, the Department would incur costs associated with the implementation and enforcement of report cards.</p>
6	Devin O, Oral comment, 2/16/2022	<p>6a. Supports a limit of 30 grunion.</p> <p>b. Does not support June closure. The June closure occurs right at one of the most productive months. By closing June the fishery is really going to be hampered since the fishery is only open when they are least productive.</p>	<p>6a. Supports the Department's limit recommendation.</p> <p>b. See response 5b.</p>

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6. cont	Devin O, Oral comment, 2/16/2022	6c. Supports the idea of a report card, and more research to be done.	6c. See response 5e.
7	Karen Martin, Written comment, 2/03/2022	7a. Supports a limit for grunion and adding June to the closure. b. Multiple facts about the life history of grunion and history of the fishery and regulations.	7a. Supports the Department's recommendations. b. Comment noted.
8	Robert N Lea, Written comment, 2/03/2022	8a. Supports a limit for grunion and thinks 25 grunion is a good limit. b. Supports adding June to the closure. c. Conservation of California's natural resources is a mandate that scientists take seriously.	8a. See responses 1a. Additionally, a limit of 25 grunion is very similar to the Department's recommendation. b. See responses 1b. c. Comment noted.
9	Bill Varney, Written comment, 12/14/2021	9a. Supports a limit of 50 grunion and does not want June added to the closure. b. Author of surf fishing books and more than 400 published articles about surf fishing. c. ICES Journal of Marine Science's article: "Population trends of beach-spawning California grunion <i>Leuresthes tenuis</i> monitored by citizen scientists," is inaccurate and not a scientific study. Decisions about the management of this resource should not be solely based upon "observations" of the Grunion Greeters.	9a. See responses 5a and 5b. b. Comment noted. c. While the commentator may disagree with the findings and methods used in this study, it is published in a peer reviewed scientific journal. This means other scientists who have knowledge in this field critically assessed the author's work for technical and scientific quality and accuracy. Additionally, this is the only published study that documents the abundance of grunion, and is thus the best available science we have, so the Department deems it valid for use in this regulatory process.

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9. cont	Bill Varney, Written comment, 12/14/2021	<p>d. Many Orange County and all LA County beaches close at 10pm---providing a “de-facto” closure of those beaches for grunion collection and observation. These closures encompass the majority of beaches available for grunion collection and observation. Large sections of the coast are inaccessible due to private and government land closures. The largest being from Gaviota to Point Sal State Beach where both private and public land (Hollister, Cojo and Vandenberg) are off limits to anglers and observers. This represents 92 miles of coastline. Camp Pendleton adds another 13 miles of closed or restricted coastline.</p> <p>e. Believes sandworms are responsible for the demise of grunion by eating their eggs.</p> <p>f. Grunion populations fluctuate as they move up and down the coast under the influence of both El Nino and La Nina periods.</p> <p>g. Institute a “Grunion Report Card”. Charge a nominal fee (\$10/season?) and require a card similar to the Lobster Report Card, for anglers. By including sections on date, location, time, take, etc. this will both help to educate licensed anglers on grunion behavior but also provide valuable on-site information about landings, take, time of day and location.</p>	<p>d. See response 5b.</p> <p>e. Comment noted.</p> <p>f. Comment noted.</p> <p>g. See comment 5e.</p>