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Fish and Game Commission



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WILDLIFE RESOURCES COMMITTEE Committee Chair: Vice President Zavaleta

May 19, 2022 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 10:30 a.m. by Chair Erika Zavaleta, 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

Erika Zavaleta Present

Commission Staff

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

Department Staff

Chad Dibble Deputy Director, Wildlife and Fisheries Division
Scott Gardner Branch Chief, Wildlife Branch
Jay Rowan Branch Chief, Fisheries Branch
Chris Stoots Assistant Chief and Tribal Advisor, Law Enforcement Division
Brad Burkholder Environmental Program Manager, Wildlife Branch
Jonathan Nelson Environmental Program Manager, Fisheries Branch
Bret Furnas Senior Environmental Scientist (Specialist), Wildlife Branch
Victoria Barr Environmental Scientist, Wildlife Branch
Flower Moy Environmental Scientist, Wildlife Branch

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

There were no public comments for items not on the agenda.

3. Department updates

(A) Wildlife Branch

Brett Furnas provided an update on the Department's progress on a bear management plan revision, which included scope development and four elements of outreach and inclusion. The Department plans to provide to the Commission a revised bear management plan within a year. The Department has identified six states that have recently approved or amended bear management plans: Oregon, Washington, Wisconsin, New York, North Carolina, and Florida. The Department will review these state plans to better evaluate how best to organize and frame the purpose and objective of its revised bear management plan. The Department has identified four elements of outreach and inclusion regarding the plan:

1. Create an internal technical advisory group (TAG), similar to one that was convened for bobcat. The TAG would include a representative from each department region (except marine region) as well as department experts in quantitative ecology, genetics, wildlife health, human wildlife conflict, and social science. The TAG would regularly report to the wildlife branch chief and be responsible for technical development of the management plan.
2. Reach out to at least three academics within the University of California or other research institutions for peer review and feedback regarding the conceptual approach to modeling bear data and the plan. This is a key element to ensure the best available science will be readily available to effectively inform adaptive management and conservation of bears.
3. Initiate communication and consultation with all California Native American tribes within the next month by sending out letters of notification regarding revision of the bear management plan.
4. Build as much consensus as possible by having the Department and Commission develop an equitable and effective process for incorporating stakeholder input. To do this, the Department is planning to scope options for implementing the process and intends to report back to the Commission at the next WRC meeting in September 2022. The Department anticipates reaching out to WRC for assistance in facilitating this type of stakeholder outreach.

Department staff members Victoria Barr and Flower Moy provided a presentation on both the hunting and angling DFW Shared Habitat Alliance for Recreational Enhancement (SHARE) programs.

(B) Fisheries Branch

Jay Rowan highlighted three projects that encapsulate the scale and amount of effort exerted to address drought impacts on sensitive species. The first project highlighted

concerns, reintroduction efforts, and restoration of winter-run Chinook salmon. The Department has been working with Livingston Stone National Fish Hatchery to produce winter-run Chinook for release into Battle Creek. This year, some of those winter-run Chinook have been returning to Coleman National Fish Hatchery. The Department has been capturing some of those adults and moving them up above Eagle Canyon Dam in Battle Creek and this is the first time in over 110 years that California has had anadromous fish in this section of river.

The second project was the rescue of approximately 300 California Endangered Species Act-listed Clear Lake Hitch from drying pools in Adobe Creek by members of the Department, Lake County, California Department of Transportation, and tribes in the Lake County area.

The last project was the clearing of hundreds of yards of habitat in Butte Creek to enable spring run Chinook to make it up to their spawning route, coordinated between the Department, the California Department of Water Resources, and landowners.

(C) Law Enforcement Division

Chris Stoots shared stories of officers apprehending deer poachers, an elk poacher, a person illegally selling and raising venomous snakes, and a felon illegally possessing firearms and deer poaching.

Discussion

Chair Zavaleta stated that WRC would be happy to help facilitate the bear management plan. She asked about the SHARE Program's outreach efforts and for clarification about the different financing structures for the wildlife and fisheries programs. Flower answered that the problem was not user applicants, but rather landowner enrollees. She has created a brochure, worked with the cannabis group, has been in discussions with regional district biologists, and has created a newsletter. She explained the compensation scheme, but that the compensation per quarter mile of river does not provide enough incentive for landowners. An angler does not need the acreage that a hunter does, and the SHARE Program was not designed with angling in mind.

Individual hunters praised the proposals for the bear management plan and suggested also looking into Idaho's plan. They, along with a representative of the California Waterfowl Association, praised the SHARE Program. One hunter suggested a camping SHARE Program. A couple of stakeholders contemplated approaching the legislature with some additions to the program to facilitate angling.

A representative of the Ballona Grassroots Coalition and other commenters indicated that they appreciated the Law Enforcement Division report. She suggested a role for non-consumptive users in the SHARE Program and many commenters echoed support for the idea. A commenter asked if the Department had pursued outside funding for the SHARE Program. The Department responded that the funding mechanisms for SHARE generally are not structured to accept outside grant money. Commenters suggested the SHARE Program work with environmental groups on conservation projects, and that it seek out landlocked areas to allow access to public lands. A commenter suggested the Department look to universities outside California and look at bear plans from Utah and Colorado. Scott Gardner responded that the Department wants good peer review wherever it resides.

The California chapter of the Humane Society of the United States thanked the Department for the bear plan revisions. The society opposes bear baiting, hounding, and spring hunting. HOWL for Wildlife sent a thank you email to the Commission, Commission staff, and the Department for their work on the recent petition for a temporary ban on black bear hunting.

Chair Zavaleta suggested that WRC get another update on the SHARE Program in the future and that stakeholders work together to address the program's financial difficulties.

4. Initial recommendations for regulations

(A) Game Fish Contests

Scott Gardner stated that the Big Game Management Program is focusing on the sheep management plan, deer management plan, collaring efforts, and other upcoming regulation changes. Concepts for potential future regulation changes include expanding certain elk opportunities and applying import regulations to prevent the spread of chronic wasting disease to other cervid species.

(B) Waterfowl Hunting

There was no update for this topic.

Discussion

A hunter asked the Department to review the assumption of a 100% harvest rate and review the limits and seasons accordingly. Hunters were in support of increased elk hunting opportunities. The California Waterfowl Association requested early and late goose seasons be added to the Southern San Joaquin Zone. A hunter spoke about a citizen science bear collaring program that was also a fundraiser, and asked the Department to consider something similar.

Chair Zavaleta asked about the timeline for any Department recommendations for elk hunts. Scott responded that the big game program is retooling after some retirements in the program, but September is the goal.

(C) Central Valley sport fishing

(D) Klamath River Basin sport fishing

Jay Rowan said that ocean harvest data is just starting to materialize, so it is too early for forecasting next season, but there will be Central Valley and Klamath River Basin rulemakings next year.

Discussion

The Northern California Guides and Sportsman's Association (NCGASA) praised the Department for working on raising the Sacramento fall escapement goal to 180,000 fish. It will help with angler enthusiasm and opportunity, and will protect salmon.

(E) *Inland sport fishing*

I. Boat limits

Jay Rowan recapped a short background of the issue and explained that the Department had been meeting with NCGASA on the proposal. He explained why the Department recommends that the Commission not pursue a regulation change to implement inland boat limits. Ari noted that a Department memo with a full rationale had been furnished to WRC in the May supplemental materials. Copies are available upon request.

Discussion

NCGASA asked for parity between ocean and inland fisheries. They are seeking access to “unused” hatchery fish and look forward to possible future dialogue.

Ari stated that Commission staff anticipates that a recommendation on this topic will be made at the September WRC meeting. Chair Zavaleta concurred.

II. Striped bass

Jon Nelson gave a presentation on potential striped bass slot limits. The presentation covered both the Department’s Central Valley angler survey and pilot striped bass angler preference survey. The Department is considering a public town hall to solicit opinions, and will strive to make a recommendation on slot limits at the September WRC meeting.

Discussion

NCGASA remarked that some recent Commission policy changes were unfavorable to striped bass management. NGASA’s recommendation (20 to 30 inches) came from a survey of the community’s preference, while still trying to provide some protection for striped bass. He outlined the biological rationale for NGASA’s suggestion and stressed the importance of the striped bass fishery.

III. Klamath River above Iron Gate Dam post-dam removal

Jay noted that a regulation would likely be considered for 2023-2024 but would be coming to WRC in the spring of 2023. The Department will start outreach in the fall.

Discussion

There was no discussion.

IV. 365-day license and mobile app

The Department has formed an internal work team to handle issues related to the 365-day license and mobile app. Phase I, the 365-day fishing licenses, will be rolled out in the spring of 2023; implementation does not need regulation change other than a small change currently before the Commission. It will, however, require significant technological changes to the Department’s licensing system. Phase II is the mobile application, which will require further technological changes and some regulation changes. The schedule for that rulemaking is anticipated to be an October 2022 notice hearing and February 2023 adoption. Phase III, report cards on the

mobile app, is scheduled for 2025 and may have significant technological and logistical hurdles.

Discussion

Chair Zavaleta asked what could be learned by other apps, and Jay answered that the Department was studying other apps. A commenter asked about a similar initiative for hunting licenses, and Chad Dibble answered that the Department was learning from other implementations and exploring options, but that it was a complicated task. NCGASA and several anglers expressed support for 365-day licenses and the mobile app. NCGASA urged the Department to move to electronic guide logbooks. A commenter asked the Department to make the mobile app optional, and another urged the Department to adhere to its timeline. Jay stated that the decision on whether it would be optional had not yet been made, and the Department would try its best to stick to the timeline, but that some things would be dictated by budgets and meeting technological milestones.

Ari noted that since the rulemaking is more administrative in nature and there were no serious concerns raised, it is not anticipated that a WRC recommendation would be necessary. The issue will be vetted at the next MRC and a similar disposition is expected, keeping the rulemaking on track for an October notice hearing.

5. Bullfrogs and non-native turtles

Ari Cornman gave a short background on the stakeholder process, presented the staff analysis of the various strategies developed by the process participants, and gave an update on the most recent meeting of all three stakeholder groups together. The meeting was quite successful, and the attendees requested that meetings continue so that they can keep coming to understandings, vet and debate ideas, and work on solutions. Commission staff has agreed to facilitate the meetings going forward. Chair Zavaleta expressed a desire to attend the next meeting.

Discussion

There was no discussion.

6. Regulation Change Petition 2021-017

Ari gave a recap of the issue and noted that the recent workshop put on by the committee was productive. Scott Gardner stated that the bear petition had taken a great deal of the big game program's bandwidth, and the Department was not ready to make recommendations. However, Brad Burkholder ran through all of the petition's proposals and provided the Department's initial impressions. Most notably, he stated that the Department's recommendation on a second bear tag would likely be dependent on the outcome of the bear management plan.

Discussion

The petitioner offered his support to clarify any of the proposals and to help with the Department's deliberations. Another commenter expressed disappointment at the Department's lack of recommendations, and many urged the Department to make recommendations on some of the easier, less controversial proposals.

With respect to the “grandma” rule, commenters did not agree whether addressing it should be a priority because there was uncertainty about whether it was actually being used.

Regarding the reallocation of tags, commenters stated that some people may still take tags when alternate lists are exhausted and noted that Nevada recently analyzed its unused tags.

A commenter wondered why elk seasons were so short, especially in light of fire closures. Other commenters urged support for traditional archery in elk hunts.

Regarding sheep and antelope hunts, a commenter stated that hunting should be a tool to prevent die offs. Some believe that some tags should go to non-residents, and others disagreed that residents should get priority.

With respect to the proposal for second bear tags, a commenter remarked that without a recommendation the Commission cannot act. Many commenters urged the Department to recommend allowing second bear tags.

A commenter urged action on the Bass Hill boundary change.

There was disagreement about splitting deer hunts into archery and general seasons because some felt it may limit opportunities, not create new ones.

Ari clarified that the Commission can take action on a second bear tag regardless of WRC action. While it is unlikely that the Commission would take action before receiving a recommendation from WRC, nothing precludes it from action in the future, regardless of the recommendation from WRC. A commenter stated that he had been coaching people to speak to the Department before submitting a petition, and Ari agreed that was good practice. An attendee asked if there was flexibility in the granting of a petition, and Ari answered that there is. Ari also explained that petitions may be granted for variations on the petition’s proposal or granted in concept. Chair Zavaleta asked if the petition can be split up, and Melissa Miller-Henson answered that a petition needs to be voted on as an entire package, but that the Commission can direct Commission staff to work with the Department and stakeholders to explore denied proposals. Scott Gardner offered to work with stakeholders to find a way forward on making recommendations for September. Ari discussed making WRC a place that stakeholders feel comfortable bringing their ideas for regulation change. Chair Zavaleta urged the Department to bring recommendations for as many of the petition’s proposals to WRC in September.

7. Future agenda items

Ari reviewed the topics for the next meeting, including:

- Recommendations for periodic rulemakings
 - mammal hunting;
 - waterfowl hunting;
 - Central Valley and Klamath River Basin sport fishing; and
 - inland sport fishing
- Receive an update and further discuss the bullfrog and non-native turtle stakeholder engagement process

- Recommendations for referred Petition 2021-017 regarding various big game hunting proposals

Discussion

There was no discussion.

Recommendation

The Wildlife Resources Committee recommends that the Commission refer two regulatory topics (wildlife rehabilitation updates and upland game hunting draws) and refer the bear management plan development topic as a standing agenda item.

Adjourn

WRC adjourned at 5:00 p.m.