

STAFF SUMMARY FOR FEBRUARY 8-9, 2023

4. GENERAL PUBLIC COMMENT**Today's Item****Information** ☒**Action** ☐

Receive public comment regarding topics within the Commission's authority that are not included on the agenda.

Summary of Previous/Future Actions

- **Today receive requests, petitions, and comments** **Feb 8-9, 2023**
- Consider granting, denying, or referring **Apr 19-20, 2023**

Background

This item is to provide the public an opportunity to address the Commission on topics not on the agenda. Staff may include written materials and comments received prior to the meeting as exhibits in the meeting binder (if received by the written comment deadline), or as supplemental comments at the meeting (if received by the supplemental comment deadline).

General public comments are categorized into two types: (1) requests for non-regulatory action and (2) informational-only comments. Under the Bagley-Keene Open Meeting Act, the Commission cannot discuss or take action on any matter not included on the agenda, other than to schedule issues raised by the public for consideration at future meetings. Thus, non-regulatory requests generally follow a two-meeting cycle (receipt and direction); the Commission will determine the outcome of the non-regulatory requests received at today's meeting at the next regularly-scheduled Commission meeting, following staff evaluation (currently April 19-20, 2023).

Significant Public Comments

1. New, non-regulatory requests are summarized in Exhibit 1, and the original request is provided as exhibit 2.
2. Informational comments are provided as exhibits 3 through 18.

Recommendation

FGC staff: Consider whether to add any future agenda items to address issues that are raised during public comment.

Exhibits

1. [Summary of new non-regulatory requests received by January 26, 2023 at 5:00 p.m.](#)
2. [Email from Reese Clay requesting that Commission and Department internal policies be made more informative and accessible to the public, as well as be changed to move away from anthropocentrism and mandate environmental ethics education, received December 15, 2022.](#)
3. [Email from Carol Rose thanking Sonke Mastrup for long and valued service, received December 10, 2022.](#)

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4. [Email from Colin Gallagher stating that petitions calling for any sort of hunting ban should not even be entertained by the Commission, and that calls for certain outdoor activities to be limited to Native American tribes be considered a form of racial discrimination, received December 14, 2022.](#)
5. [Letter from James Stone, Executive Director and President, Northern California Guides and Sportsmen's Association, summarizing data from the fall 2022 inland salmon fishing season and stating that management goals are not being met by state or federal efforts. He states that escapement numbers must be raised and management strategies must be implemented to ensure fish are returning to rivers, and requests a disaster declaration, received December 15, 2022.](#)
6. [Letter from Michael Lopez objecting to recent groundfish regulations and calling for party boats and large fishing vessels to be banned from shallow waters to allow exclusive fishing use by kayakers and other small vessels, received December 21, 2022.](#)
7. [Email from Andrea Schreier transmitting a letter signed by multiple researchers along with a blog post highlighting various threats to white sturgeon, identifying a decline in white sturgeon population in the face of various threats, and calling for urgent Department action, received December 22, 2022.](#)
8. [Email from Cameron Smith forwarding an email to Congressman Mike Thompson, calling for a declaration of disaster in response to inland salmon fishery data for the fall 2022 season, as well as a salmon and trout disaster at Lake Berryessa, received December 23, 2022.](#)
9. [Email from Devin O'Dea, California Chapter Coordinator, Backcountry Hunters and Anglers, transmitting a letter from Backcountry Hunters and Anglers, California Waterfowl, and American Whitewater articulating a dispute with the Department over access to the Truckee River, received December 22, 2022.](#)
10. [Email from Ace Carter lamenting the death of the mountain lion known as P-22 and stating that mountain lions do not thrive in urban environments, received December 31, 2022.](#)
11. [Email from Eric Mills transmitting the text of a letter to the editor sent to multiple newspapers regarding importation of live reptiles and the live animal food markets, received January 7, 2023.](#)
12. [Email from Bill Karr stating that hunting and fishing license fee increases are becoming too high and calling for public elections of the Department director as well as an audit of Department finances and expenditures, received January 8, 2023.](#)
13. [Email from Gary Howard stating that new fishing regulations on the lakes of the Cottonwood Basin make fishing impractical in the area, received January 10, 2023.](#)
14. [Email from Jim Lambert requesting that studies conducted on steelhead involving electrical shocks and tags be stopped, received January 10, 2023.](#)
15. [Email from Eric Mills transmitting a link to a letter to the editor published in the Castro Valley Forum stating that the Department should stop issuing import permits for bullfrogs, received January 11, 2023.](#)

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16. [Email from Janet Davis objecting to an application for a lake and streambed alteration emergency permit and claiming a breach of the original 1993 streambed alteration agreement with the Department, received January 23, 2023. \(Note that a Google Drive link to supporting documents is included at the end of the email, but leads to an 824MB PDF file.\)](#)
17. [Letter from Anthony Emmert, Assistant General Manager, United Water Conservation District, regarding materials submitted to the Commission related to the southern California steelhead California Endangered Species Act listing petition, received January 23, 2023.](#)
18. [Email from Deborah Unser identifying a deer with a collar and tag, and stating that the collar is too tight, is detrimental to the deer's welfare, and should be removed, received January 24, 2023.](#)

Motion (N/A)

CALIFORNIA FISH AND GAME COMMISSION
RECEIPT LIST FOR NON-REGULATORY REQUESTS: RECEIVED BY 5:00 PM ON JANUARY 26, 203
FGC - California Fish and Game Commission DFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee

Date Received	Name/Organization of Requestor	Subject of Request	Short Description	FGC Receipt Scheduled	FGC Action Scheduled
12/15/2022	Reese Clay	Commission and Department Policies	Requests that FGC and DFW internal policies be made more informative and accessible to the public, as well as be changed to move away from anthropocentrism and mandate environmental ethics education.	2/8-9/22	4/19-20/22

Policy change request, mandating environmental education

Reesejclay [REDACTED]

Thu 12/15/2022 06:26 AM

To: FGC <FGC@fgc.ca.gov>

Dear Melissa Miller-Henson

My name is Reese from saddleback college. I am writing this email to ask for a change in policy, regarding native wildlife and the education to the public.

Our politicians and fellow citizens have differing environmental ethics but most of the population does not have access to the importance of preserving native species of plants and animals. Some have an anthropocentric view on the environment, while others have an ecocentric perspective. From an uneducated, anthropocentric point of view, environmental policy doesn't seem to have much point-- sure humans may have a connection to nature, but to a business man, surviving and thriving in society is surely more important. Furthermore, they might ask, what can nature do that we as humans cannot? There are many subjects in the environment that the public will not understand unless they are educated, and as the worlds population is expected to continue to grow (professor Miller) a mandate for environmental education is essential.

I am asking to change the fish and wildlife policies to make them more informative and accessible to the public, and that a pragmatic environmental ethic be mandatory in educating people who have an impact on the environment. The pragmatic environmental ethic focuses on natures capital and eco-services. Natures functions can be taught to the anthropocentric as an essential role for our survival on this planet by revealing the services that are not seen, and that we are truly better with, then without.

Sent with [REDACTED] secure email.

Meeting Dec 14-15

CAROL ROSE [REDACTED]

Sat 12/10/2022 09:26 PM

To: FGC <FGC@fgc.ca.gov>

I do hope someone will be acknowledging and thanking/honoring Sonke Mastrup for his long and valued service

Carol Rose
Secretary CenCal Dive Council

Re: Supplemental Comment on FGC December 15, 2022 Agenda Item 22(B)(II), Petition 2022-16: My view is the requesting petitioners should not never have had their petition entertained

Colin Gallagher [REDACTED]

Wed 12/14/2022 05:46 PM

To: FGC <FGC@fgc.ca.gov>

Additional remarks (provided in addition to the Supplemental Comment which I provided timely on 12/09/2022 consistent with the supplemental comment deadlines):

After the tirade on December 14, 2022 from an individual (who if I recall correctly was named Roy van der hoek, and who indicated that he was originally from Holland) who used his comment time to engage in racial attacks against hunters, in which he demanded that hunting be promoted only for Native Americans and where he demanded that hunting be denied to white persons (I am not quoting him exactly, but I believe you know of his comments), and the comments of other petitioners whose views appealed to the Commission to, if you were to summarize their comments, "ban hunting," which as we know is not within the Commission's purview, I must say I am getting tired of the racism and anti-hunting tirades of those who are being allowed to: 1) submit regulation petitions proposing to ban hunting (that somehow get Commission consideration for such petitions, which isn't necessary) and 2) hog the microphone.

Imagine if someone were to suggest that Native Americans were to not be allowed to use their lands in the same way as everyone else could (that is in fact what the Roy person was suggesting). That's clearly discriminatory and racist. Imagine if someone were to suggest that people who are African American, or persons with Asian American heritage would not be allowed to hunt. **Whoever would suggest such a thing would be immediately admonished, correctly so, and would likely (and properly) be banned from the room.** But if someone steps up and suggests that people who are "white," or persons who are "Caucasian" should not be allowed to hunt, that gets crickets (silence) and a very gentle admonishment from the Director at the end - where the director simply said to "be civil" and didn't even bother to call out the individual who was responsible for this behavior. This means that the individual will likely do it again, and others with similar beliefs and ideologies will come up to the podium (or virtually participate) and again demand in a discriminatory way that people of a certain race or heritage be excluded from participating in full uses of California's public lands.

That is horrible and wrong. I really would like to see this change. It seems to me that since the FGC adopted the so-called "JEDI," that things got worse, not better. Again, **as I said in my Supplemental Comment on 12/09/2022, "it's concerning that there are so many people who think they can run roughshod over the interests of conservation minded hunters and over the rights of others merely by submitting more regulatory petitions trying to "ban hunting." These sort of regulatory petitions shouldn't even be entertained at the Commission."** And the same goes for commenters who think they can use comment periods to discriminate against us and insult us based on perceptions of race, religion, background, and their opposition to hunting in general. It's just unacceptable and there needs to be a very clear statement up front that if that's their intent

going in when they are about to comment to FGC, they should not be allowed to use the Fish and Game Commission comment time for it. I don't think that people promoting discrimination is a constructive use of FGC / public time.

Finally, I want to make a remark here that should hopefully promote a different point of view as the Commissioners contemplate these issues of race, diversity, and consideration of how to respond to commenters that are continuing to use what the commenters refer to as "race" and "equity" - and similar concepts - in horribly divisive ways:

1. We need to figure out ways to repair relationships that have been broken and build back what was lost, not add layers of discrimination that target more and more people. I wish to remind the Commission that the people of California voted NO on Prop 16 in 2020. **Discrimination is not a solution to our country's problems, and the voters of California understood that and voted accordingly.** Proposition 16 was a [California ballot proposition](#) that appeared on the November 3, 2020, general election ballot, asking California voters to amend the [Constitution of California](#) to repeal [Proposition 209 \(1996\)](#). Proposition 209 amended the state constitution to **prohibit government institutions from considering race, sex, or ethnicity, specifically in the areas of public employment, public contracting, and public education**. Therefore, Proposition 209 banned the use of race- and gender-based [affirmative action](#) in California's public sector.

The legislatively referred state constitutional amendment was originally introduced as **California Assembly Constitutional Amendment No. 5** (ACA 5) by Democratic Assembly Members [Weber](#), [Gipson](#), and [Santiago](#) on January 18, 2019. In June 2020, the [California State Legislature](#) passed ACA 5 on a mostly party-line vote, voting 60–14 on June 10 in the [Assembly](#) and 30–10 on June 24 in the [Senate](#). **The measure was defeated 57% to 43%.**

2. REAL PROGRESS - quoted from the transcript of Sam Harris's podcast, #207, June 2020: "Can We Pull Back from the Brink?"

(...) "Just ask yourself, **what would real progress on the problem of racism look like?** What would utter progress look like?

Here's what I think it would look like: **More and more people (and ultimately all people) would care less and less (and ultimately not at all) about race.** As I've said before in various places, skin color would become like hair color in its political and moral significance—which is to say that it would have none.

Now, maybe you don't agree with that aspiration. Maybe you think that tribalism based on skin color can't be outgrown or shouldn't be outgrown. Well, if you think that, I'm afraid I don't know what to say to you. It's not that there's nothing to say, it's just there is so much we disagree about, morally and politically, that I don't know where to begin. So that debate, if it can even be had, will have to be left for another time.

For the purposes of this conversation, I have to assume that you agree with me about the goal here, which is to say that you share the hope that there will come a time where the color of a person's skin really doesn't matter. What would that be like?

Well, how many blondes got into Harvard this year? Does anyone know? What percentage of the police in San Diego are brunette? **Do we have enough red heads in senior management in our Fortune 500 companies? No one is asking these questions, and there is a reason for that. No one cares. And we are right not to care.**

Imagine a world in which people cared about hair color to the degree that we currently care—or seem to care, or imagine that others care, or allege that they secretly care—about skin color. **Imagine a world in which discrimination by hair color was a thing, and it took centuries to overcome, and it remains a persistent source of private pain and public grievance throughout society, even where it no longer exists.** What an insane misuse of human energy that would be. **What an absolute catastrophe.**

The analogy isn't perfect, for a variety of reasons, but it's good enough for us to understand what life would be like if the spell of racism and anti-racism were truly broken. The future we want is not one in which we have all become passionate anti-racists. It's not a future in which we are forever on our guard against the slightest insult—the bad joke, the awkward compliment, the tweet that didn't age well. **We want to get to a world in which skin color and other superficial characteristics of a person become morally and politically irrelevant. And if you don't agree with that, what did you think Martin Luther King Jr was talking about?**

And, finally, if you're on the Left and don't agree with this vision of a post-racial future, please observe that the people who agree with you, the people who believe that there is no overcoming race, and that racial identity is indissoluble, and that skin color really matters and will always matter—these people are white supremacists and neo-Nazis and other total assholes. And these are also people I can't figure out how to talk to, much less persuade.

So the question for the rest of us—those of us who want to build a world populated by human beings, merely—the question is, how do we get there? How does racial difference become uninteresting? Can it become uninteresting by more and more people taking a greater interest in it? Can it become uninteresting by becoming a permanent political identity? Can it become uninteresting by our having thousands of institutions whose funding (and, therefore, very survival) depends on it remaining interesting until the end of the world?

Can it become less significant by being granted more and more significance? By becoming a fetish, a sacred object, ringed on all sides by taboos? Can race become less significant if you can lose your reputation and even your livelihood, at any moment, by saying one wrong word about it?

I think these questions answer themselves. **To outgrow our obsession with racial difference, we have outgrow our obsession with race. And you don't do that by maintaining your obsession with it."** (...)

Source: <https://www.samharris.org/blog/can-pull-back-brink>

On Fri, Dec 9, 2022 at 5:54 AM Colin Gallagher [REDACTED] wrote:

From: Colin Gallagher
[REDACTED]
[REDACTED]

To: Fish and Game Commission Members

This supplemental comment is submitted timely on 12/09/2022 consistent with the supplemental comment deadlines for the December 14-15 meeting of the Fish and Game Commission. Per the meeting agenda, "*Supplemental Comment Deadline for this meeting is noon on December 9, 2022. **Comments received by this deadline will be made available to Commissioners at the meeting.***"

My view regarding this petition (Petition 2022-16, which proposes to ban waterfowl hunting at Lake Earl) is that the petitioners should never have had their petition entertained by the Commission. The staff acknowledges in its denial recommendation that it is not even within the power of the Commission to grant their request and that specific restrictions already exist prohibiting behaviors that the petitioners are opposed to. Yet somehow this petition was brought rapidly for consideration.

While it is encouraging to see public comments that have universally opposed this petition, it's concerning that there are so many people who think they can run roughshod over the interests of conservation minded hunters and over the rights of others merely by submitting more regulatory

petitions trying to "ban hunting." These sort of regulatory petitions shouldn't even be entertained at the Commission.

Respectfully,

Colin Gallagher

[Redacted signature block]

NCGASA letter on the state of California's fall run inland fisheries - comments from James Stone

Mark Smith [REDACTED]

Thu 12/15/2022 10:35 AM

To: scott.rumsey [REDACTED] econant [REDACTED] Paul Souza
<paul_souza [REDACTED] Crowfoot, Wade [REDACTED] Bonham,
Chuck [REDACTED] Nemeth, Karla [REDACTED]
[REDACTED] senator.mcguire [REDACTED] FGC
<FGC@fgc.ca.gov>
Cc: jstone [REDACTED] Rowan, Jay [REDACTED] Clarke,
Robert [REDACTED] Shuman, Craig [REDACTED] kaylee_allen
[REDACTED] gorelnik [REDACTED] Scully, Timothy
[REDACTED] mark.spannage [REDACTED]
[REDACTED] david.orosco [REDACTED] Christopher
Nielsen [REDACTED] john.veale [REDACTED] Katja
Townsend [REDACTED] Grima, Curtis [REDACTED]

Dear Acting Regional Administrator Rumsey, Regional Director Conant, Regional Director Souza, Secretary Crowfoot, Director Bonham, Director Nemeth, President Murray and fellow Commissioners, and Senator McGuire;

Earlier this year our organization, along with others that rely on the fall run fishery for our livelihoods, participated with you in a collaborative discussion about managing our primary commercial and recreational salmon fishery.

This time, on behalf of the Northern California Guides and Sportsmen's Association, I am writing to you specifically about the abysmal state of our Fall 2022 inland fall-run fishery. I hope you all take the time to read these comments, engage with us at the February Fish and Game Commission meeting, and again at PFMC discussion in 2023.

In summation in case you don't get to the letter immediately: this is a public trust resource that we are mismanaging to the verge of extinction. The current California salmon management strategies toward meeting the species targets we have set for ourselves have failed. Hatchery management practices (including production goals and release schedules, including trucking) are not contributing to healthy inland fisheries. This is the 3rd consecutive terrible fishing season on the Sacramento River system. The 2020-2022 seasons have been comparable to the 2006-2007 seasons which indicated the first closure of salmon statewide in 2008-2009. Escapement must be raised, and management strategies must be implemented to ensure that fish are actually returning to our inland rivers, not merely counted on paper. Further, the industry and economies that rely on this inland fishery need your help with a disaster declaration, so that Federal assistance can be obtained to offset these staggeringly bad times.

Thank you,
James Stone (via Mark Smith)



MARK SMITH

Smith Policy Group





VIA ELECTRONIC DELIVERY

December 15, 2022

Dr. Scott Rumsey
Regional Administrator
National Oceanic and Atmospheric Administration
West Coast Regional Office
1201 Northeast Lloyd
Portland, OR 97232

Mr. Ernest Conant
Director
Mid-Pacific Region
US Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Paul Souza
Regional Director
US Fish and Wildlife Service
2800 Cottage Way
Sacramento, CA 95825

Mr. Wade Crowfoot
Secretary
California Natural Resources Agency
715 P Street
Sacramento CA 95814

Mr. Chuck Bonham
Director
California Department of Fish and Wildlife
715 P Street
Sacramento CA 95814

Ms. Karla Nemeth
Director
California Department of Water Resources
715 P Street
Sacramento CA 95814

Samantha Murray
President
California Fish and Game Commission
715 P Street
Sacramento CA 95814

Honorable Mike McGuire
Senator, District 02
Joint Committee on Fisheries and Aquaculture
State Capitol, Room 5061
Sacramento, CA 95814

Dear Acting Regional Administrator Rumsey, Regional Director Conant, Regional Director Souza, Secretary Crowfoot, Director Bonham, Director Nemeth, President Murray and fellow Commissioners, and Senator McGuire.

Earlier this year our organization, along with others that rely on the fall run fishery for our livelihoods, participated with you in a collaborative discussion about managing our primary commercial and recreational salmon fishery.

This time, on behalf of the Northern California Guides and Sportsmen's Association, I am writing to you specifically about the abysmal state of our Fall 2022 inland fall-run fishery, a fishery that by law you are tasked with managing.

NCGASA is an association of over 600 licensed guides and over 4,000 sportsmen and women that work together to protect and increase hunting and fishing opportunities throughout California. NCGASA acts as a voice to represent all people who use California's waterways and lands. We work closely with many other conservation organizations to make sure we leave a legacy to our children and grandchildren; the same access to outdoor recreation and appreciation for abundant wildlife and fisheries that was instilled in so many of us.

More specifically for this letter, we represent the sportsmen's voice of the guiding community that relies on California's Northern California recreational fisheries to support and feed our families. Our footprint spans the breadth of California, including the Sacramento and Delta fisheries that have historically been freshwater salmon fishing hotspots.

I will be blunt and to the point: 2022 Sacramento inland river fishery returns are among the worst our professional guides and sportsmen's community have ever seen. In fact, the returns have been so poor that we believe egg harvest goals will be constrained this year requiring spawning of extra fish and possibly the need to transfer eggs between hatcheries. Further, there are nowhere near enough fish in the river to provide any meaningful opportunities for natural spawning salmon redds, let alone the robust recreational angling opportunity that historically has attracted California's residents and out of state anglers to our formerly pristine waters and thriving fisheries. Frankly, if you had known in advance how bad the current inland returns were going to be, the Department of Fish and Wildlife and the Fish and Game Commission would have closed the fishery.

It is not enough for our Federal and State managers to write off poor inland river returns if the ocean commercial and ocean recreational fishery is meeting its objectives. We are also a valued significant player in the fall-run fishery, and the destruction of our fishery is something that we demand all agencies immediately take more significant efforts to address. If this is not something you agree with, tell us that. We would prefer to hear that directly from you than continue to be led on with false promises. If you do value us as players in this space and conversation, then your actions need to be commensurate with your words.

In March, when we last talked, we impressed upon you that without a thriving salmon fishery our inland fishing communities would cease to exist. Our inland river guide industry has already dwindled to the lowest all-time numbers of operating guides, and inland recreational fisheries enthusiasm is in the gutter. The next step is complete extinction, for our industry, the fishery, and for recreational anglers which will contribute to the continued and marked decline in the number of angling licenses sold each year that fund the Department of Fish and Wildlife (other than a spike during Covid closures angling license sales have fallen by 55% since the mid-80s and continue to decline).

There is a target objective for salmon returning to the Sacramento system which was set in 1984. This minimum 122,000 escapement floor is supposed to ensure enough fish return for recreational anglers, hatchery goals, and to promote natural spawning in our rivers. However, the reality is that this return rate is so low that it all but ensures that the fishing is poor, that angler opportunity is diminished, that people who buy a license go home disillusioned and turned off from fishing, that natural spawners are never robust enough to support a natural spawning population on their own. In fact, the only objective that is regularly met, and even that is not always met, is the limited amount of hatchery return to meet the mandatory egg harvest goals.

Further, despite setting an objective so low that it will not accomplish the goals of recreational angling and natural spawning, we still have consistently failed to meet that minimum target (missed it 9 out of the past 15 years, 11 out of 15 if you look at NMFS guidance). This year guidance for inland returns was set at a minimum of 180,000 adult fall run salmon, and the model predicted a river run size upwards of

220,000 (which does not include jacks which normally represent 5-10% of the run size). And this does not even take into account salmon (Mokelumne mostly) straying into the wrong river systems falsely and artificially inflating escapement numbers even further.

As your own fisheries managers are undoubtedly currently reporting to you, we are massively underperforming this year's NMFS guidance (meaning we have now missed the target objective 12 of 16 years), and the management strategies that your agencies are responsible for promoting are once again failing the fishery, the anglers, the guides, and the inland communities that rely on the economics of inland salmon fishing to sustain themselves, not to mention the required number of returns to repopulate the natural spawning salmon.

Meanwhile, the recreational fishery in the ocean is robust (close to 85,000 fish caught), while the commercial harvest is again over performing the model with an estimated harvest at over 205,000 fish. While there are no doubt multiple factors that contribute to timing of river returns and the health of the fishery, it is indisputable that every fish harvested in the ocean is one less fish that can possibly return as a natural spawner or a contributor to egg harvest goals in our inland system and hatcheries.

We will never meet our natural spawning objectives if we continue to miss our escapement goals. Paper fish in the model do not lay eggs, cannot be eaten, or even caught for that matter. The PFMC Ocean Harvest Model is missing 100,000+ adult salmon again this year that are supposed to be inland and accessible by recreational anglers and guides. We are spending millions of dollars on countless spawning and habitat projects for natural spawning fish that are not in the system.

We must immediately take action to permanently increase escapement targets for the Sacramento River system. We suggest that the new inland minimum thresholds be increased to no less than 200,000 and even higher if the goal of recovering a natural spawning population is ever to be achieved. We expect clear engagement from all your agencies to participate in raising the floor escapement at the PFMC starting in March of 2023.

Historically, when Sacramento River was healthy, hundreds of millions of eggs from natural spawners supported a robust commercial and recreational ocean and inland fishery. Since the last full collapse and closure of 2008-09, our inland conditions and water management have yet to be fixed and natural spawners have not returned, creating 100% reliance on hatchery production. Water management and climate change are constraining fisheries managers decisions to release fish inland, therefore resulting in trucking of significant numbers of fall run fish. Trucking is giving us a false sense of a robust fishery in the ocean, but the outcome in the rivers is apparent that all we are doing is propping up an ocean based artificial fishery without regard to inland returns.

An increase in escapement targets by itself is not enough. You must undertake organization and management actions to ensure that these fish return to the river. You are missing your own current limited goals 75% of the time. In the private sector this kind of performance results in people getting fired from their jobs. In government you apparently just shrug and move on. That is wrong. The days of counting paper fish are over. You must, as managers of this system, set actionable goals with management strategies that you can accomplish, and tie your performance evaluations of yourselves and your staff toward meeting these objectives.

If you are unable to manage in a manner to meet mandatory escapement goals, your own model and pre-season targets, and NMFS guidance above and beyond escapement targets, the fishery management needs to be changed drastically. As mentioned above in this letter, if the Federal and State government knew in advance how few fish are in our rivers this year, you would have shut the fishery down in 2022. While we realize how devastating this would be to all of us that rely on the fall run harvest, if you cannot manage

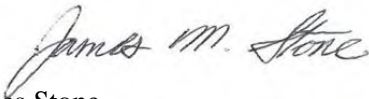
the system to ensure that we can meet the targeted goals of natural spawners and inland river returns, the fishery might as well be closed for all California inland anglers already.

There is another item you ask you to consider; disaster assistance for those professionals whose businesses have been severely and irreparably damaged by your management decisions. We are therefore formally asking for our Federal and State managers to declare an inland fisheries disaster and support the allocation of funding to help those businesses who have been so thoroughly damaged by your management actions over the past several years. It is the least that can be done to help support these small, independent businesses that are on the verging of leaving the state for better opportunities or just folding altogether.

In summation: this is a public trust resource that we are mismanaging into the ground. The current California salmon management strategies toward meeting the species targets we have set for ourselves have failed. Hatchery management practices (including production goals and release schedules, including trucking) are not contributing to healthy inland fisheries. This is the 3rd consecutive terrible fishing season on the Sacramento River system. The 2020-2022 seasons have been comparable to the 2006-2007 seasons which indicated the first closure of salmon statewide in 2008-2009. Escapement must be raised, and management strategies must be implemented to ensure that fish are actually returning to our inland rivers, not merely counted on paper. Further, the industry and economies that rely on this inland fishery need your help with a disaster declaration, so that Federal assistance can be obtained to offset these staggeringly bad times.

Thank you for your time and attention to this matter. We urgently request your reply and assurance that our communities will be engaged, listened to, and supported at this critical time.

Sincerely,



James Stone
Executive Director and President
Northern California Guides and Sportsmen's Association

Cc: Congressman Doug LaMalfa
Congressman John Garamendi
Senator Brian Dahle
Assemblyman James Gallagher
Marc Gorelnik, Chair, Pacific Fisheries Management Council
Robert Clarke, Fisheries Program Supervisor, USBR
Jay Rowan, Fisheries Branch Manager, CDFW
Dr. Craig Shuman, Marine Region Manager, CDFW
Tim Scully, Chief Consultant, Joint Committee on Fisheries and Aquaculture

12/10
10-22 BY MICHAEL LOPEZ

FIRST OF ALL FORGIVE MY SPELLING

RECEIVED
CALIFORNIA
FISH AND GAME
COMMISSION
2022 DEC 21 PM 1:16

I WOULD LIKE TO OBJECT TO THE NEW
REGULATIONS BUT NOT ALL I THOUGHT
THE PEOPLE OF CALIFORNIA WAS SAPOSED TO
VOTE ON MATTERS SUCH AS NEW LAWS
EXCEPTRA YOU GUYS SHOULD COLLECT
ALL THE DATA BEFOR THE BIOLOGIST CAN
ENACTED NEW REGULATIONS ① I HAVE
SEEN CHARTER BOAT CAPTINS FISHING IN
80 FEET OF WATTER VERRY SHALLOW THE
NERSERY IF YOU WILL ② IF YOU TOOK ONE
A PARTY BOAT AND THERE WAS 20 PEOPLE
TIMES TEN FISH THATS 200 FISH MORE PEOPLE
MORE FISH, TIMES THE WHOLE STATE
OF CALIFORNIA FROM THE OREGON LINE TO
TO SANDIAGO THATS A HELL OF LOT OF
FISH IN PRESURE. I AM ALMOST 70 YEARS
OLD BEN BUYING MY SPORT FISHING
LISENCE SENT I WAS \$800 I AM A
AVID KAYAKER AND DONT LIKE TO
FISH DEEP WATTE BECAUSE OF
WEATHER AND SHARKS
OVER →

I WOULD LIKE CHARTER BOAT CAPTAINS
BAND FROM FISHING SHALLOW WATER
PERMENTLY. AND LET KAKAKERS AND
SMALL BOAT FISH SHALLOW ONLY
SO YOU GUYS AND THE BIOLOGIST
PLEASE GET THE FACK TOGETHER

I CIND OF LIKE THE IDEA OF OPENING
IN MAY VERRY MUCH GIVES THE FISH
MORE TIME TO SPAWN AND LESSON THE
IMPACT. P'S CAN YOU GUYS

DO THE MATH IF YOU WONCE AGAN
TOOK 20 TO 30 PEPLER PER BOAT
PER DAY FOR THE HOLE SEASON
TIMES TEN FOR THE HOLE STATE
THATS A HELL OF A LOT OF FISHING
PRESURE. SO IN CLOSING DONT TAKE
IT OUT ON US KAKAKERS AND SMALL
BOATERS. THANK YOU MYCLE LOPEZ
P'S SOME SPECYS TAKE YEARS
OR LONGER TO REPEDUCE
DO A SERVAY GET FACK'S

12-1-22 MORO BAY CA

BY MYCLE W LOPEZ

FORGIVE MY SPELLING

I WRIGHT YOU HOPEFULLY TO
THE BIG BOSS HONCHITO CAYONA
EX, I WOULD LIKE TO PROTEST
ON YOUR NEW FISHING REGULATIONS
FOR GROUND FISH. YOUR PROPOSAL
IS TO MAKE SHALLOW WATER
OF LIMITS TO FISHING, I AM A
KAYAK FISHERMEN AND DO NOT
WANT TO FISH DEEP WATER BECAUSE
OF WHEATHER SHARKS, I AM OLD TOYRS
DONT HAVE A BOAT, LIVE IN A APARTMENT
THEASE MERINE BIOLOGIST SHOULD
BATTER ALL THE FACTS FIRST AND THEN
DECIDE WHAT IS FARE. POINT ONE
CALIFORNIA SPORT FISHING.
INDUSTRY IS HUGE AND HAS A
TRUMEDUS PRESURE ON GROUND
FISH, LETS SAY THE AVERAGE
PARTY BOAT THATS FROM THE
OREGON BOADER TO SAN DIEGO
EACH BOAT HAD 20 TO 30
FISHERMEN AND COUGHT TEN
FISH EACH THATS 200 TO 300
FISH EACH PER DAY FOR THE
WHOLE SEASON OVER

THATS THE WOLE STRECH
OF CAL FORNIA

SO YOU GUYS DO THE
MATH. I WOULD LIKE TO SEE
PARTY BOATS BAND FROM
FISHING IN SHALLOW WATER
PERMENTLY, AND ALLOW
KAKAKER, AND SMALL
BOATS FISH THE SHALLOW
IN SEASON. WHY DONT YOU
GUYS GET THE FACKS
DO A SERVAY AND THEN
COME UP WITH A PLAN
THANK YOU VERRY MUCH


Mike Lopez

[REDACTED]

I HAVE BYING MY
LICENSE WHEN TAY WER.
\$8.00 NOW I AM 70

[REDACTED] P.S I WOULD
LIKE TO COME TO A MEETING
AND DONT WANT TO TRAVEL
TO SANDIAGO MONTEREYS OR
THANKS ML

Sturgeon biologists request to action to protect Bay Delta white sturgeon

Andrea Schreier [REDACTED]

Thu 12/22/2022 10:13 AM

To: Wildlife DIRECTOR [REDACTED]

Cc: FGC <FGC@fgc.ca.gov>

Dear Mr. Bonham,

On behalf of my coauthors, I'd like to submit to you the attached letter and blog post (also sent today by post) expressing our concern as sturgeon biologists about the status of white sturgeon in the San Francisco Bay-Delta, which contains the only spawning population of the species in California. We are particularly concerned about the extensive adult mortality experienced by the Bay Delta population due to the harmful algal bloom this summer, but white and green sturgeon are also threatened by other ongoing anthropogenic activities in the watershed. We urge CDFW to take immediate action to protect white sturgeon, and we ask you to consider changing the harvest fishery to catch-and-release until the status of the population after the harmful algal bloom can be determined by an independent monitoring program. Please don't hesitate to contact me or any of my co-authors with questions. We look forward to receiving a response from you on this matter.

Best wishes,

Andrea

--

Andrea Schreier, PhD
Adjunct Associate Professor
Director, Genomic Variation Lab
Meyer Hall 2235
University of California Davis

[REDACTED]

[REDACTED]

[REDACTED]



DEPARTMENT OF ANIMAL SCIENCE
ONE SHIELDS AVENUE
DAVIS, CALIFORNIA 95616.8521
TELEPHONE: (530) 752-1250
FAX: (530) 752-0175

December 22, 2022

Mr. Charlton Bonham, Director
California Department of Fish and Wildlife
1744 North Market Boulevard
Sacramento, California 95834

Dear Mr. Bonham:

We are deeply concerned with the status of the white sturgeon (*Acipenser transmontanus*) in the San Francisco Bay Estuary and its watershed, which provide the only spawning and juvenile rearing habitats for this species within California. As described in the attached California WaterBlog, our concern intensified with the recent massive fish kill in the Estuary that included confirmed reports of hundreds of adult and subadult white sturgeon. We expect that actual white sturgeon mortality stemming from this event was much higher than the number of confirmed carcass sightings, and likely totalled in the thousands, for the following reasons:

- Most adults in the population congregate in the areas that were affected by the kill during summer and fall months,
- Much of the Bay's shoreline was not searched systematically for carcasses,
- Sturgeon typically sink after death, meaning the carcasses detected on shore were but a small fraction of those beneath the surface, and
- The Estuary is an open system, so many sturgeon carcasses may have been washed out to the Pacific and not counted in shoreline surveys of the Bay.

However, the recent kill is just one of many factors interacting to accelerate the decline of white sturgeon in the Estuary, a phenomenon documented in CDFW's 2015 report *Fish Species of Special Concern in California* and a recent paper by Blackburn et al. (2019), which projected that the population will decline by 5% annually under current management regulations. As working scientists with professional knowledge of California white sturgeon, we identify the following significant threats to the species:

- Many sturgeon anglers, especially party-boat operators, feel that white sturgeon, of legal and illegal sizes, are being overharvested. Indeed, they attribute recent increases in reported catch to improvements in fishing techniques and efficiency of fishing efforts, as opposed to reflecting population increases. Zack Medinas, a party boat operator who has

worked closely with CDFW biologists, is providing a companion letter outlining concerns over white sturgeon population health from the angler perspective.

- The report cards required of sturgeon anglers have low (~30%) return rates, so harvest rate is poorly understood and could be greater than projected.
- Little is known of sources of adult mortality outside of legal harvest that may be contributing to the population's decline. These additional sources of mortality include poaching, contaminant exposure, vessel strikes, harmful algal blooms, and sea lion predation. Population-level impacts due to each of these stressors are poorly understood in this system and require further study for effective management.
- A self-sustaining white sturgeon population requires environmental conditions (e.g., relatively high winter base flows to stimulate spawning; large pulse flows in April-July to facilitate dispersal; adequate dissolved oxygen to permit migration) that have been observed less frequently in the San Francisco Estuary's watershed over the past few decades, resulting in native fish declines and ESA listings.
- Water quality problems in the Delta (e.g., excessive temperatures, high retention times, and excessive nutrient enrichment) support increasingly frequent harmful algal blooms.
- The co-occurring green sturgeon (*A. medirostris*) is listed as a federally threatened species. Factors that impair green sturgeon viability are largely in the SF Estuary and its watershed, habitat it shares with white sturgeon. It is highly likely that factors causing decline of green sturgeon are also threatening white sturgeon.
- The removal of funding [in the Draft 2023 IEP Work Plan](#) by the US Bureau of Reclamation for the [CDFW Sturgeon Study](#), the only independent monitoring program for SFE white sturgeon, will impact managers' abilities to identify changes in the population's trajectory. Instead, funding for adequate monitoring of this population should be expanded so that we can better document and understand threats and impacts to the estuary's white sturgeon population.

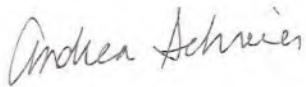
In our professional opinions, immediate actions are necessary to provide additional protections for white sturgeon in California. Mortality of all age classes must be reduced, but especially that of adults known to be particularly important to the population's persistence (Blackburn et al. 2019). We ask CDFW to consider changing angling regulations so the fishery would be catch-and-release only. This could be combined with a program actively involving anglers in collecting data (e.g., through improved report card returns) which could contribute to population monitoring without adding a substantial cost to CDFW. Such a program has been very successful in the catch-and-release white sturgeon fishery on the Lower Fraser River, Canada.

Active monitoring of white sturgeon and green sturgeon is essential to find root causes of decline and suggest recovery management strategies. It is astonishing to us that we know so little about the life history and movements of these ancient fish in California, whereas significant research effort has been directed towards white sturgeon in other states and provinces. We recommend that CDFW work closely with CDWR, USBR, and other water agencies to establish an emergency independent monitoring program to determine the present status of the species (population size, age structure) after the harmful algal bloom and use that information to develop

a long-term monitoring program. We note that CDFW has a corps of outstanding sturgeon biologists (Dr. John Kelly, Dr. Jim Hobbs, Dr. Dylan Stompe) who are well-qualified to lead such an effort. There are also several research biologists outside of CDFW who could make substantial contributions.

Although the change in fishing regulations that we propose will not address all the threats identified above (and further protective action is likely to be necessary) the proposed change will provide immediate and much-needed reduction in mortality for this population. We ask CDFW to recognize the consequences of not taking immediate action to protect white sturgeon in California. Most importantly, if the population is in severe decline, any delay in protecting remaining adults will increase its vulnerability to regional extirpation and increase the magnitude of actions required to protect and restore this population in the future. The decline would also have consequences for the white sturgeon recreational fishery, which is one of the most popular and valuable sport fisheries in California. We urge CDFW to act now.

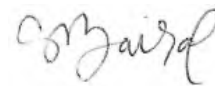
Sincerely,



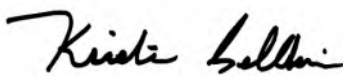
Dr. Andrea Schreier
Adjunct Associate Professor
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Dr. Peter Moyle
Distinguished Professor Emeritus
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Kirsten Sellheim, MS
Senior Scientist
Cramer Fish Sciences



Dr. Myfanwy Johnston
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Dr. Levi Lewis
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Nicholas Demetras, MS
Associate Specialist
University of California Santa
Cruz



Dr. Scott Colborne
Research Specialist
Quantitative Fisheries Center
Michigan State University
(formerly Post-doctoral Researcher,
UC Davis)



Dr. Jonathan Walter
Senior Researcher
Center for Watershed Sciences
University of California Davis



Dr. Jon Rosenfield
Senior Scientist
San Francisco Baykeeper

cc: Melissa Miller Henson, Executive Director, California Fish and Game Commission
Samantha Murray, President, California Fish and Game Commission

by Andrea Schreier, Peter B. Moyle, Nicholas J. Demetras, Sarah Baird, Dennis Cocherell, Nann A. Fangue, Kirsten Sellheim, Jonathan Walter, Myfanwy Johnston, Scott Colborne, Levi S. Lewis, and Andrew L. Rypel

Sturgeons belong to an ancient family of fishes that once lived alongside dinosaurs. This resilient group of fishes survived a meteor strike, shifting seas and continents, and the onset of the Anthropocene. In California, sturgeon populations have persisted through periods of extreme overfishing, sedimentation and mercury contamination from hydraulic mining, species invasions, and alteration of rivers by dams and levees ([Zeug et al. 2014](#), [Gunderson et al. 2017](#), [Blackburn et al. 2019](#)). However, sturgeons remain highly vulnerable to human activities due to their long lifespans, late age-at-maturity, periodic reproduction, and long migrations between freshwater rivers and the ocean.

Suddenly, the future of these ancient fish does not seem so secure. Between late August and early September, 2022, [hundreds of sturgeon perished in the San Francisco Estuary](#). According to Jim Hobbs, program manager for the Interagency Ecological Program at the California Department of Fish and Wildlife (CDFW) Bay Delta office, “the white sturgeon carcass count total will be over 400 and the total for green was 15.” Because dead sturgeon tend to sink rather than float, the total number of perished individuals is almost certainly much greater. The dead fish that were found were mostly adults and subadults (Figures 1-3), likely taking advantage of abundant and productive food resources in these habitats. Concurrent with the fish kill, the San Francisco Estuary was experiencing a bloom of the ‘red tide’ alga *Heterosigma akashiwo*, which has been implicated as a possible cause of death of the sturgeon. *H. akashiwo* produces toxins dangerous to fishes and also reduces the oxygen available in the benthic habitat preferred by sturgeon. Poisoning, asphyxiation, or both could have contributed to the mass mortality. Never before has such a massive kill of sturgeons been recorded in our estuary.

Unfortunately, mass mortality events of sturgeon in human-dominated environments are not altogether unusual. In fact, other sturgeon mortality events were reported this summer in [Idaho](#), [Canada](#) and [Europe](#). The frequency and severity of major mortality events for sturgeon and other fishes is predicted to increase substantially in the future, especially as effects of extreme heat waves become more prevalent in aquatic ecosystems ([Till et al. 2019](#), [Tye et al. 2022](#)).



Figure 1. Adult white sturgeon washed up on the shorelines of San Pablo Bay and South San Francisco Bay in late August through early September, 2022.

Photos by Anonymous. Similar images of [green](#) and [white](#) sturgeons were documented via the [iNaturalist SF Bay Harmful Algae Bloom 2022 Project Page](#); and many more were reported to the CDFW, San Francisco BayKeeper, and San Francisco Estuary Institute hotlines and to the interagency California Sturgeon Research email. These citizen reports are currently being verified and collated by CDFW to document the timing, magnitude, and distribution of the mortality event.

Unfortunately, of the 27 species of sturgeon alive today, [all are considered by the](#) IUCN to be in danger of extinction in the wild. For most species there are major gaps in our knowledge of life-histories to improve conservation ([Jarik and Gessner 2018](#)). In California, we have two species of sturgeon: [green sturgeon](#) (*Acipenser medirostris*) and white sturgeon (*Acipenser transmontanus*). Sacramento River green sturgeon are listed as ‘threatened’ under the US Endangered Species Act (ESA), and thus research on that species has increased, even recently (e.g., [Colborne et al. 2022](#); [Thomas et al. 2022](#)). Ironically, although green sturgeon are much less abundant, we seem to currently know more about the ecology of this species than white sturgeon, which is not ESA-listed. Beginning in the late 1860’s, white sturgeon in the San Francisco Bay-Delta estuary have supported a



Figure 2. Some stretches of San Francisco Bay shoreline contained high densities of sturgeon carcasses during the mortality event. For example, on August 30 at Point Pinole, a one-mile stretch of beach contained twenty-one fresh sturgeon carcasses, ranging in length from 0.7-2.2 meters. Photo by Kirsten Sellheim.

past summer, the *H. akashiwo* (red tide) bloom spread like a wildfire and wiped out a huge and still unknown fraction of the estuary's old-growth fishery. Although white sturgeon have proven resilient in the past, there is no reason to be sanguine about their future now, especially in California. Here, white sturgeon live at the southernmost edge of their geographic range, making them especially vulnerable to climate change. And because California white sturgeon don't reproduce until they are 10-16 years old (Moyle 2002), and their offspring don't survive well in drought years, it will likely take decades to replace the adult fish lost to this mass mortality event. Continued harvest at current rates will delay, or possibly prevent, recovery of this ancient species (Blackburn et al. 2019). Action needs to be taken now to protect California white sturgeon to assure this ancient population survives long into the future. Given known population trends, combined with the scope of this event, future ESA listing of white sturgeon is plausible. The authors of this blog are collectively hoping white sturgeon avoid the same fate as those before it. Some possible actions to arrest such a future include:

1. Consider temporarily making fisheries for white sturgeon catch-and-release, while recruiting sturgeon anglers as citizen scientists to help with life-history investigations. A conservative strategy makes sense here given the large uncertainty surrounding how many fish actually perished in the mass mortality

burgeoning commercial fishery for both caviar and meat. However, the fishery declined precipitously and commercial harvests were banned in 1917 by the State of California. The white sturgeon population in the San Francisco Estuary was not deemed to have recovered enough to support a sport fishery until 1954. Since, white sturgeon have been abundant enough to support a popular recreational fishery, in which fish weighing over 100 pounds and over 100 years in age are caught (but see Blackburn et al. 2019). They are also the basis of pioneering aquaculture operations in the state. Yet despite their cultural, ecological, and economic importance, we still know relatively little about the life-history of white sturgeon in our waters (but see Walter et al. 2022). This is primarily due to the long life span and motile life-history of the species, which makes it difficult to track abundances over long periods of time. Recent work using fin ray microchemistry to reconstruct migratory histories of individual fish suggest high variation in migratory behaviors, with some spending most of their time in freshwater and others residing almost their entire lives in a brackish (estuarine) environment (Sellheim et al. 2022).

Sturgeons are the redwoods of the San Francisco Estuary. This

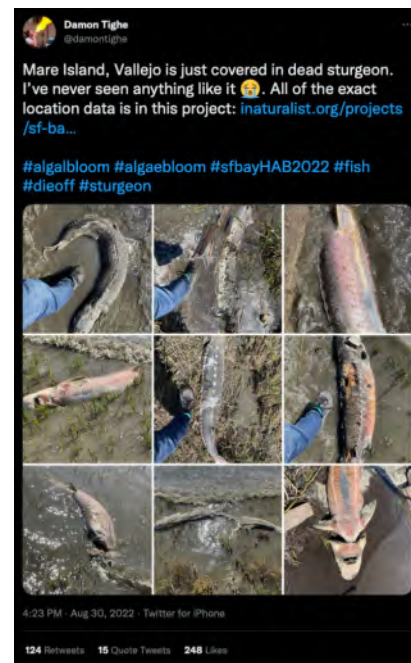


Figure 3. Social media posts by local naturalist Damon Tighe @damontighe and others captured the magnitude of the mass mortality event in the San Francisco Estuary. <https://twitter.com/damontighe/status/1564755695253454848>

event. The current mortality estimate of hundreds likely represents only a proportion of the total number killed, as dead sturgeon in aquaculture have been observed to sink rather than float. [Temporary catch-and-release fisheries have been enacted in other regions with valuable fisheries that have quickly declined, with the option to be reopened once the population improves.](#)

2. Provide transparent updates to stakeholders and the public on the causes of the kill, number of fish killed as a proportion of the total population size, and possible management actions.

3. Continued support and expansion of existing long-term sturgeon monitoring efforts, to include all life-history stages and habitats, in order to determine population size and dynamics, and life-history requirements. In particular, how does management of the San Francisco Estuary and water resources more generally affect the populations? What are the ecological and physiological thresholds and tolerances for green and white sturgeon? While monitoring is notoriously expensive, it is in the long run, much cheaper than trying to recover an ESA-listed species.

4. Determine the causes of all sturgeon kills, major and minor, in part by expanded water quality and harmful algal bloom monitoring throughout the estuary. Funding may also be needed for rapid responses to mass mortality events including robust carcass surveys and necropsies to verify cause of death. This would include more research into the causes of the red-tide blooms in the San Francisco Estuary.

Andrea Schreier is an Adjunct Associate Professor and Director of the Genomic Variation Lab at University of California Davis. Nicholas Demetras is an Associate Specialist at the University of California Santa Cruz and NOAA Fisheries. Sarah Baird is a Staff Research Associate in the Department of Wildlife, Fish & Conservation Biology at University of California Davis. Dennis Cocherell is a Lab Manager and Staff Research Associate in the Department of Wildlife, Fish & Conservation Biology at University of California Davis. Nann A. Fangue is a Professor and Chair of the Department of Wildlife, Fish & Conservation Biology at University of California Davis. Kirsten Sellheim is a Science Operations Manager and Senior Scientist at Cramer Fish Sciences. Jonathan Walter is Senior Researcher at the Center for Watershed Sciences at University of California Davis. Myfanwy Johnston is a Senior Scientist at Cramer Fish Sciences. Scott Colborne is a postdoctoral researcher at University of California Davis. Levi S. Lewis is a Researcher and PI of the Otolith Geochemistry & Fish Ecology Laboratory at University of California Davis. Andrew L. Rypel is a Professor and the Peter B. Moyle and California Trout Chair in Coldwater Fish Ecology at University of California Davis, and the Director of the Center for Watershed Sciences.

Further Reading:

Blackburn, S.E., M.L. Gingras, J. DuBois, Z.J. Jackson, and M.C. Quist. 2019. [Population dynamics and evaluation of management scenarios for white sturgeon in the Sacramento-San Joaquin River basin.](#) *North American Journal of Fisheries Management* 39: 896-912.

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https://www.inaturalist.org/observations?place_id=any&project_id=sf-bay-harmful-algae-bloom-2022&taxon_id=49825&verifiable=any

<https://www.inaturalist.org/projects/sf-bay-harmful-algae-bloom-2022>

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Fw: INLAND SALMON FISHERY DISASTER 2022 LETTER BENICIA 94510 attachment

Capt. Cameron Smith (Capt Cam) [REDACTED]

Fri 12/23/2022 04:04 PM

To: FGC <FGC@fgc.ca.gov>

Cc: CAPT. CAMERON SMITH [REDACTED]

----- Forwarded Message -----

From: Capt. Cameron Smith (Capt Cam) [REDACTED]

To: Rep. Mike Thompson [REDACTED]

Rep. Mike Thompson

[REDACTED] melanie.rhinehar

[REDACTED] Mel Orpilla

[REDACTED] Bill Dodd [REDACTED]

[REDACTED] assemblymember.wilson

Cc: CAPT. CAMERON SMITH [REDACTED]

[REDACTED] syoung [REDACTED]

Monica E. Brown [REDACTED]

Sent: Friday, December 23, 2022 at 11:53:58 AM PST

Subject: INLAND SALMON FISHERY DISASTER 2022 LETTER BENICIA 94510 attachment

SALMON STEELHEAD FISHING BENICIA 94510

Subject: INLAND SALMON FISHERY DISASTER 2022 LETTER BENICIA 94510

CONGRESSMAN MIKE THOMPSON

Congressman Mike Thompson

Dear Mike,

Well, for the 3rd time in the past 15 years we have had a complete Salmon Fishery Disaster here and at Lake Berryessa.

Due to the very poor management by the Feds and State but mostly by the Feds. We need people of quality that can and will properly manage our fisheries all of them. The feds have been unable to do this for more than 15 years now! This is absurd!

Please file for a Fishery Disaster with the feds so all affected can receive funding for this disaster as listed below in James Stone's letter to all Fed and State fishery managers.

We had the worse Salmon season on record here in Benicia. With only about 50 Salmon caught. We normally catch anywhere from 1500 to 3000 Salmon a season

here in Benicia over the past 5 years and 20 years ago we caught about 10,000 a season here.

All federal fishery managers need to be fired and replaced with people who know how to manage the fisheries properly like me and James Stone and others.

These people need the authority to do what is necessary to protect and restore our Salmon Fishery. That is to cut all N. Cal. water deliveries to the S. Cal. desert by 75% now and forever.

Most of the water sent to S. Cal. is used for Ag in the desert to grow water-intensive crops to sell to China. This needs to cease and desist immediately if our Salmon fishery is to survive.

Please once again file for a Declaration of Disaster. Also, file for a Salmon and Trout Disaster at Lake Berryessa.

Sincerely,
Capt Cameron R Smith
Benicia CA. 94510
SALMON STEELHEAD FISHING BENICIA 94510

December 17, 2022 | NCGASA Staff

INLAND FISHERIES DISASTER – LETTER FROM THE NCGASA BOARD
VIA ELECTRONIC DELIVERY December 15, 2022

Dr. Scott Rumsey Regional Administrator National Oceanic and Atmospheric
Administration West Coast Regional Office 1201 Northeast Lloyd Portland, OR 97232

Mr. Ernest Conant Director Mid-Pacific Region US Bureau of Reclamation 2800
Cottage Way Sacramento, CA 95825

or Ernest Conant, Regional Director through

Mr. Paul Souza Regional Director US Fish and Wildlife Service 2800 Cottage Way
Sacramento, CA 95825

Mr. Wade Crowfoot Secretary California Natural Resources Agency 715 P Street
Sacramento CA 95814

Mr. Chuck Bonham Director California Department of Fish and Wildlife 715 P Street
Sacramento CA 95814

Ms. Karla Nemeth Director California Department of Water Resources 715 P Street
Sacramento CA 95814

[REDACTED]
Samantha Murray President California Fish and Game Commission 715 P Street
Sacramento CA 95814
fgc@fgc.ca.gov

Honorable Mike McGuire Senator, District 02 Joint Committee on Fisheries and
Aquaculture State Capitol, Room 5061 Sacramento, CA 95814
[REDACTED]

Congressman Mike Thompson Washington DC Office
268 Cannon Office Building
Washington, DC 20515
[REDACTED]
[REDACTED]

Sen. Bill Dodd
Capitol Office 1021 O Street, Suite 7610
Sacramento, CA 95814
[REDACTED]

Assemblymember Lori Wilson
Capitol Office State Capitol
P.O. Box 942849
Sacramento, CA 94249-001
[REDACTED]

Dear,

Acting Regional Administrator Rumsey, Regional Director Conant, Regional Director Souza, Secretary Crowfoot, Director Bonham, Director Nemeth, President Murray, and fellow Commissioners, and Senator McGuire.

Earlier this year our organization, along with others that rely on the fall run fishery for our livelihoods, participated with you in a collaborative discussion about managing our primary commercial and recreational salmon fishery.

This time, on behalf of the Northern California Guides and Sportsmen's Association, I am writing to you specifically about the abysmal state of our Fall 2022 inland fall-run fishery, a fishery that by law you are tasked with managing.

NCGASA is an association of over 600 licensed guides and over 4,000 sportsmen and women that work together to protect and increase hunting and fishing opportunities throughout California. NCGASA acts as a voice to represent all people who use California's waterways and lands. We work closely with many other conservation organizations to make sure we leave a legacy to our children and grandchildren; the same access to outdoor recreation and appreciation for abundant wildlife and fisheries that was instilled in so many of us.

More specifically for this letter, we represent the sportsmen's voice of the guiding community that relies on California's Northern California recreational fisheries to support and feed our families. Our footprint spans the breadth of California, including the Sacramento and Delta fisheries that have historically been freshwater salmon fishing hotspots.

I will be blunt and to the point: 2022 Sacramento inland river fishery returns are among the worst our professional guides and sportsmen's community have ever seen. In fact, the returns have been so poor that we believe egg harvest goals will be constrained this year requiring the spawning of extra fish and possibly the need to transfer eggs between hatcheries. Further, there are nowhere near enough fish in the river to provide any meaningful opportunities for natural spawning salmon redds, let alone the robust recreational angling opportunity that historically has attracted California's residents and out-of-state anglers to our formerly pristine waters and thriving fisheries. Frankly, if you had known in advance how bad the current inland returns were going to be, the Department of Fish and Wildlife and the Fish and Game Commission would have closed the fishery.

It is no longer enough for our Federal and State managers to write off poor inland river returns if the ocean commercial and ocean recreational fishery are meeting its objectives. We are also a valued significant player in the fall-run fishery, and the destruction of our fishery is something that we demand all agencies immediately take more significant efforts to address. If this is not something you agree with, tell us that. We would prefer to hear that directly from you than continue to be led on with false promises. If you do value us as players in this space and conversation, then your actions need to be commensurate with your words.

In March, when we last talked, we impressed upon you that without a thriving salmon fishery our inland fishing communities would cease to exist. Our inland river guide industry has already dwindled to the lowest all-time number of operating guides, and inland recreational fisheries enthusiasm is in the gutter. The next stop is complete extinction, for our industry, the fishery, and for recreational anglers which will contribute to the continued and marked decline in the number of angling licenses sold each year that fund the Department of Fish and Wildlife (other than a spike during Covid closures angling license sales have fallen by 55% since the mid-80s and continue to decline).

There is a target objective for salmon returning to the Sacramento system which was set in 1984. This minimum 122,000 escapement floor is supposed to ensure enough fish return for recreational anglers, and hatchery goals, and to promote natural spawning in our rivers. However, the reality that this return rate is so low that it all but ensures that the fishing is poor, that angler opportunity is diminished, that people who buy a license go home disillusioned and turned off from fishing, that natural spawners are never robust enough to support a natural spawning population on their own. In fact, the only objective that is regularly met, and even that is not always met, is the limited amount of hatchery return to meet the mandatory egg harvest goals.

Further, despite setting an objective so low that it will not accomplish the goals of recreational angling and natural spawning, we still have consistently failed to meet that minimum target (missed it 9 out of the past 15 years, 11 out of 15 if you look at NMFS guidance). This year's guidance for inland returns was set at a minimum of 180,000 adult fall run salmon, and the model predicted a river run size upwards of 220,000 (which does not include jacks which normally represent 5-10% of the run size). And this does not even take into account salmon (Mokelumne mostly) straying into the wrong river systems falsely and artificially inflating escapement numbers even further.

As your own fisheries managers are undoubtedly currently reporting to you, we are massively underperforming this year's NMFS guidance (meaning we have now missed the target objective 12 of 16 years), and the management strategies that your agencies are responsible for promoting are once again failing the fishery, the anglers, the guides, and the inland communities that rely on the economics of inland salmon fishing to sustain themselves, not to mention the required number of returns to repopulate the natural spawning salmon.

Meanwhile, the recreational fishery in the ocean is robust (close to 85,000 fish caught), while the commercial harvest is again over performing the model with an estimated harvest of over 205,000 fish. While there are no doubt multiple factors that contribute to the timing of river returns and the health of the fishery, it is indisputable that every fish harvested in the ocean is one less fish that can possibly return as a natural spawner or a contributor to egg harvest goals in our inland system and hatcheries.

We will never meet our natural spawning objectives if we continue to miss our escapement goals. Paper fish in the model do not lay eggs, cannot be eaten, or even caught for that matter. The PFMC Ocean Harvest Model is missing 100,000+ adult salmon again this year that are supposed to be inland and accessible by recreational anglers and guides. We are spending millions of dollars on countless spawning and habitat projects for natural spawning fish that are not in the system.

We must immediately take action to permanently increase escapement targets for the Sacramento River system. We suggest that the new inland minimum thresholds be increased to no less than 200,000 and even higher if the goal of recovering a natural spawning population is ever to be achieved. We expect clear engagement from all your agencies to participate in raising the floor escapement at the PFMC starting in March of 2023.

Historically, when the Sacramento River was healthy, hundreds of millions of eggs from natural spawners supported a robust commercial and recreational ocean and inland fishery. Since the last full collapse and closure of 2008-09, our inland conditions and water management have yet to be fixed and natural spawners have not returned, creating 100% reliance on hatchery production. Water management and climate change are constraining fisheries managers' decisions to release fish inland, therefore

resulting in the trucking of significant numbers of fall-run fish. Trucking is giving us a false sense of a robust fishery in the ocean, but the outcome in the rivers is apparent that all we are doing is propping up an ocean-based artificial fishery without regard to inland returns.

An increase in escapement targets by itself is not enough. You must undertake organization and management actions to ensure that these fish return to the river. You are missing your own current limited goals 75% of the time. In the private sector, this kind of performance results in people getting fired from their jobs. In government, you apparently just shrug and move on. That is wrong. The days of counting paper fish are over. You must, as managers of this system, set actionable goals with management strategies that you can accomplish, and tie your performance evaluations of yourselves and your staff toward meeting these objectives.

If you are unable to manage in a manner to meet mandatory escapement goals, your own model and preseason targets, and NMFS guidance above and beyond escapement targets, the fishery management needs to be changed drastically. As mentioned above in this letter, if the Federal and State government knew in advance how few fish are in our rivers this year, you would have shut the fishery down in 2022. While we realize how devastating this would be to all of us that rely on the fall run harvest, if you cannot manage the system to ensure that we can meet the targeted goals of natural spawners and inland river returns, the fishery might as well be closed for all California inland anglers already.

There is another item we ask you to consider; disaster assistance for those professionals whose businesses have been severely and irreparably damaged by your management decisions. We are therefore formally asking for our Federal and State managers to declare an inland fisheries disaster and support the allocation of funding to help those businesses that have been so thoroughly damaged by your management actions over the past several years. It is the least that can be done to help support these small, independent businesses that are on the verge of leaving the state for better opportunities or just folding altogether.

In summation: this is a public trust resource that we are mismanaging into the ground. The current California salmon management strategies toward meeting the species targets we have set for ourselves have failed. Hatchery management practices (including production goals and release schedules, including trucking) are not contributing to healthy inland fisheries. This is the 3rd consecutive terrible fishing season on the Sacramento River system. The 2020-2022 seasons have been comparable to the 2006-2007 seasons which indicated the first closure of salmon statewide in 2008-2009. Escapement must be raised, and management strategies must be implemented to ensure that fish are actually returning to our inland rivers, not merely counted on paper. Further, the industry and economies that rely on this inland fishery need your help with a disaster declaration, so that Federal assistance can be obtained to offset these staggeringly bad times.

Thank you for your time and attention to this matter. We urgently request your reply and assurance that our communities will be engaged, listened to, and supported at this critical time.

Sincerely,

James Stone Executive Director and President Northern California Guides and Sportsmen's Association

Cc: Congressman Doug LaMalfa

Congressman John Garamendi

Senator Brian Dahle

Assemblyman James Gallagher

Marc Gorelnik, Chair, Pacific Fisheries Management Council

Robert Clarke, Fisheries Program Supervisor,

USBR Jay Rowan, Fisheries Branch Manager,

CDFW Dr. Craig Shuman, Marine Region Manager,

CDFW Tim Scully, Chief Consultant, Joint Committee on Fisheries and Aquaculture

<https://ncgasa.org/.../inland-fisheries-disaster.../>

...

 [May be an image of 7 people, nature and ocean](#)

Active

Capt. Cameron R. Smith

Capt. Cam's Catch FG-04667

Email: [REDACTED]

Tel: [REDACTED]

Website: <https://captcamscatch.shutterfly.com/#>

FaceBook: <https://www.facebook.com/camsmith112>

<https://www.facebook.com/Capt.CamsCatch/>

[SALMON STEELHEAD FISHING BENICIA 94510](https://www.facebook.com/Capt.CamsCatch/)

<https://www.facebook.com/groups/535233148297805>

<https://www.facebook.com/lakeberryessafisheriesadvocate>

Lake Berryessa Kokanee, King Salmon and Trout Fishing a Facebook group

<https://www.facebook.com/groups/211901729188967>

Over 10 Million Followers of my FaceBook Fishing and Hunting pages and groups.

CAPT. CAM'S CATCH. WE GO CATCHIN'.

CAPT. CAM~~~ <*)((((((((<><



VIA ELECTRONIC DELIVERY

December 15, 2022

Dr. Scott Rumsey
Regional Administrator
National Oceanic and Atmospheric Administration
West Coast Regional Office
1201 Northeast Lloyd
Portland, OR 97232

Mr. Ernest Conant
Director
Mid-Pacific Region
US Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Paul Souza
Regional Director
US Fish and Wildlife Service
2800 Cottage Way
Sacramento, CA 95825

Mr. Wade Crowfoot
Secretary
California Natural Resources Agency
715 P Street
Sacramento CA 95814

Mr. Chuck Bonham
Director
California Department of Fish and Wildlife
715 P Street
Sacramento CA 95814

Ms. Karla Nemeth
Director
California Department of Water Resources
715 P Street
Sacramento CA 95814

Samantha Murray
President
California Fish and Game Commission
715 P Street
Sacramento CA 95814

Honorable Mike McGuire
Senator, District 02
Joint Committee on Fisheries and Aquaculture
State Capitol, Room 5061
Sacramento, CA 95814

Dear Acting Regional Administrator Rumsey, Regional Director Conant, Regional Director Souza, Secretary Crowfoot, Director Bonham, Director Nemeth, President Murray and fellow Commissioners, and Senator McGuire.

Earlier this year our organization, along with others that rely on the fall run fishery for our livelihoods, participated with you in a collaborative discussion about managing our primary commercial and recreational salmon fishery.

This time, on behalf of the Northern California Guides and Sportsmen's Association, I am writing to you specifically about the abysmal state of our Fall 2022 inland fall-run fishery, a fishery that by law you are tasked with managing.

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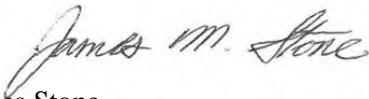
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Thank you for your time and attention to this matter. We urgently request your reply and assurance that our communities will be engaged, listened to, and supported at this critical time.

Sincerely,



James Stone
Executive Director and President
Northern California Guides and Sportsmen's Association

Cc: Congressman Doug LaMalfa
Congressman John Garamendi
Senator Brian Dahle
Assemblyman James Gallagher
Marc Gorelnik, Chair, Pacific Fisheries Management Council
Robert Clarke, Fisheries Program Supervisor, USBR
Jay Rowan, Fisheries Branch Manager, CDFW
Dr. Craig Shuman, Marine Region Manager, CDFW
Tim Scully, Chief Consultant, Joint Committee on Fisheries and Aquaculture

Truckee River Access and Navigable Waters

Devin O'Dea [REDACTED]

Thu 12/22/2022 03:01 PM

To: Bonham, Chuck [REDACTED]

Cc: Bess, David [REDACTED] Rowan, Jay [REDACTED]

[REDACTED] Miller-Henson, Melissa [REDACTED] FGC

<FGC@fgc.ca.gov>; Tessler, Jason [REDACTED] Moore, Brian [REDACTED]

[REDACTED] Eric B. Hanson [REDACTED] theresa [REDACTED]

[REDACTED] Mark Hennelly [REDACTED] California Chapter

[REDACTED]

Dear Director Bonham,

With great respect for our CDFW wardens and the commendable work they do, we seek to clarify a public access question with regard to navigable waters in the State of California related to an incident on the Truckee River.

Please find the attached letter which reflects the comments of Backcountry Hunters & Anglers, California Waterfowl, and American Whitewater.

Sincerely,

Devin O'Dea | CA Chapter Coordinator

Backcountry Hunters & Anglers

[REDACTED]

www.backcountryhunters.org

The Voice for Our Wild Public Lands, Waters, and Wildlife



**BACKCOUNTRY
HUNTERS & ANGLERS**
CALIFORNIA



December 20, 2022

Mr. Chuck Bonham, Director
California Department of Fish & Wildlife
715 P Street
Sacramento, CA 95814

Re: Truckee River Access and Navigable Waters

Dear Director Bonham,

With great respect for our CDFW wardens and the commendable work they do, we seek to clarify a public access question with regard to navigable waters in the State of California related to an incident on the Truckee River.

It was brought to our attention that on the morning of November 20, 2022 two anglers accompanied by a licensed guide were confronted by a CDFW warden while attempting to access the Truckee River near the Hirschdale Bridge. During the interaction, the question arose of whether the Truckee River was a navigable waterway accessible up to the mean high-water mark as set forth by California state law. The warden maintained that it was not, noting he had confirmed this with his agency and Lieutenant that the only waterways considered navigable in California are those that are listed in the Harbors and Navigation Code (HN), sections 100-107.

In subsequent conversations and written exchanges with the warden and his lieutenant, these CDFW agents again stated that the Truckee River corridor is not legally navigable water and accessing the river bottom and/or the land up to the high-water mark would constitute trespass against the adjacent property owners.

We disagree and seek to briefly present our interpretation of State law and statutes, which demonstrate that the Truckee River is a navigable water and should therefore be accessible to the public.

The Constitution of the State of California, and numerous cases interpreting it, establish that "the people shall have the right to fish upon and from the public lands of the state and in the waters thereof...and no land owned by the state shall ever be sold or transferred without reserving in the people the absolute right to fish thereupon."¹ Indeed, California makes it illegal to prevent people

¹ California's "Bill of Rights," Article 1, section 25

from using navigable waters. “To obstruct navigation on any navigable lake, river, bay, stream, canal or basin is a public nuisance and made unlawful by Civil Code section 3479, Penal Code section 370, and Harbors and Navigation Code section 131.” In addition, Section 4 of Article 10 of the California Constitution specifically requires the State Legislature to liberally construct any navigable waters law “so that access to the navigable waters of this state shall be always attainable for the people thereof.”

Finally, in *People ex rel. Baker v. Mack*, the California Court of Appeal held that the public had the right to fish navigable water. “It hardly needs citation of authority that the rule is that a navigable stream may be used by the public for boating, swimming, fishing, hunting and all recreational purposes.”²

Under at least California law, the Truckee River is navigable. In *Baker v Mack*, the court defined navigability as it applies to waters in California, stating that “members of the public have the right to navigate and to exercise the incidence of navigation in a lawful manner at any point below high water mark on waters of this state which are capable of being navigated by oar or motor propelled small craft.”³ This definition includes canoes, rafts, kayaks, and other vessels, so essentially if you can float the waterway you have a right to use it for navigation and recreational purposes. A number of other cases have applied and validated this same test for navigability.⁴ The State Lands Commission has expressly published this same definition for public access to navigable waters in their publication “A legal guide to the public’s rights to access and use California’s navigable waters,”⁵ and in their *Public Access Brochure*.

Notably, the *Mack* case cites many decisions showing that even waterways with minimal depth (from 8 inches to 2.5 feet) were navigable because small craft like row boats could use those waters. Numerous public sources show that rafters and others regularly use the relevant section of the Truckee River, demonstrating it is navigable under California law.⁶

Further, in direct contradiction to the warden’s statement, the law is clear that it does not matter that the California legislature has not specifically designated the Truckee as navigable. “The failure of the Legislature to designate Fall River in the list of navigable waters in Harbors and Navigation Code, sections 101-106, is of no consequence. . . . The Legislature’s failure to include a water course

²*People ex rel. Baker v. Mack*, 19 Cal. App. 3d 1040, 1045, (Ct. App. 1971).

³ *Mack*, 19 Cal. App. 3d at 1050.

⁴ See, e.g., *Bohn v. Albertson*, 107 Cal. App. 2d 738 (1951); *Hitchings v. Del Rio Woods Recreation and Park District*, 55 Cal. App. 3d 560 (1976); *Younger v. County of El Dorado*, 96 Cal. App. 3d 403, 406 (1979); *Kern River Public Access Committee v. City of Bakersfield*, 170 Cal. App. 3d 1205 (1985).

⁵ <https://www.slc.ca.gov/wp-content/uploads/2018/11/2017-PublicAccessGuide.pdf>

⁶ See, e.g., [American Whitewater’s National Whitewater Inventory: Truckee River \(Floriston Run\)](https://cacreeks.com/truckee.htm), <https://cacreeks.com/truckee.htm>, https://tmwa.com/wp-content/uploads/docs/your_water/2007_truckee_river_rec_map.pdf, <https://www.sierrasun.com/news/community-discusses-concerns-regarding-truckee-river-access/>

within its listing of waterways did not and cannot cede such waterways into private ownership. The state acquired title by its sovereignty upon its creation in 1850.”⁷ Further, the State of Nevada has legislatively declared the same Truckee River a navigable waterway just a few river miles across the border from the area at issue here.

Regarding the legality of public access from the road to the Truckee River, the appeals court in *People v. Sweetser* ruled that a public highway easement “grants access to the river as an incident to the use of the highway.”⁸ Notably, Nevada County is planning to build a public access way at the new Hirschdale bridge that is slated for development.

Given our understanding of the law as briefly stated above, we seek to understand the formal position of the CDFW regarding the status of the Truckee River with regards to navigability and public access to hunt, fish, and recreate. Specifically, we respectfully request clarification from CDFW law enforcement regarding its position on the following question:

What is CDFW's basis for asserting to members of the public that they do not have the right -- and are subject to citation for trespass -- when accessing the Truckee River using public highway easements, or traveling along the Truckee River in the area at issue?

The Truckee River is an iconic river and a staple of the local community that has been used by the public for fishing and other river-based recreation – including the river reach in question per the incident referenced above – for decades without any previous assertion that this use constituted trespass. According to state and federal laws the Truckee River passes all benchmarks for navigability and therefore must be accessible to the public via legal rights of way.

We would appreciate a timely response to this inquiry as this stretch of river is heavily used by anglers, boaters, floaters, and swimmers from across the state, locals and tourists alike.

Sincerely,

Eric Hanson,
Co-Chair, California Chapter
Backcountry Hunters & Anglers

Mark Hennelly
Vice President, Legislative Affairs and Public Policy
California Waterfowl

Theresa Lorejo-Simsiman
California Stewardship Director
American Whitewater

⁷ *Mack*, 19 Cal. App. 3d at 1048-1049.

⁸ *People v. Sweetser*, 72 Cal.App.3d 278, 284 (Cal. Ct. App. 1977).

THE SAD LIFE OF P-22 IS OVER NOW...

Ace Carter - Super Angler [REDACTED]

Sat 12/31/2022 09:38 AM

To: Angling International Magazine [REDACTED] Fishing Tackle Retailer - Ken Cook -
Letters To The Editor [REDACTED] Forbes Darby - National Team Lead Recreational Fisheries
- NOAA [REDACTED]

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

THE SAD LIFE OF P-22 IS OVER NOW...

NEVER HAVE BEEN RE-LOCATED TO A WILD PLACE FAR FROM HUMANS AND CARS...

WHERE HE COULD LIVE FREE AND HELP THIN THE EVER INCREASING DEER HERDS...

FORCED TO WEAR A CUMBER SUM ELECTRONIC COLLAR AROUND HIS NECK HIS ENTIRE LIFE...

SO HE COULD BE A SCIENCE EXPERIMENT, GRANT MAGNET AND MONEY DONATION
GENERATOR FOR SOME UCLA COEDS...

WAS THEIR LITTLE STUDY WORTH THE LIFE OF THIS LION..?

WHAT DID THEY LEARN..?

THAT MOUNTAIN LIONS DO NOT FARE WELL IN URBAN ENVIRONMENTS...

WHERE THEY ONLY HAVE DEAD POISONED RATS, CAT AND DOG FOOD AND
OCCASIONALLY THE PETS THEM SELVES TO EAT...

NO DUH..!

ACE

--

- THE WORLD FAMOUS ACE'S BAIT & TACKLE

- Lots Of Free Fishing Advise -

- NO EXTRAVAGANCE IS TOO GREAT FOR FISHING -

- PEARBLOSSOM FISHING CLUB -



- Let's Make California Great Again -

- FIRE ALL THE LAZY BUMS AND LOAFERS IN CALIFORNIA GOVERNMENT -

2023 LETTER TO EDITOR - live animal food markets

Sat 01/07/2023 04:01 PM

To: Office of the Secretary CNRA [REDACTED] Wildlife DIRECTOR
<DIRECTOR [REDACTED] FGC <FGC@fgc.ca.gov>

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

The letter below was sent to some 50 newspapers around the state.
STOP THE DAMNED PERMITS! As noted, it is ILLEGAL to import and/or
sell diseased and/or parasitized animals for human consumption.
Plus the chytrid fungus (Bd) issue. Twenty-seven years and counting....

x

Eric Mills, coordinator
ACTION FOR ANIMALS
Oakland

January 2, 2023

Letter to the Editor
LOS ANGELES TIMES, CAPITOL WEEKLY, SACRAMENTO BEE, S.F. CHRONICLE, et
al.

LIVE ANIMAL FOOD MARKETS

California annually imports some two million American bullfrogs
(commercially-raised) and 300,000 freshwater turtles (taken from the
wild) for human consumption, non-natives all. All are diseased and/or
parasitized, though it is illegal to sell such products (CCR 236, Title
14). Released into local waters, the non-natives prey upon and displace
our native species.

The market animals are kept in horrendous conditions, often butchered
while fully conscious. Worse, the majority of the bullfrogs carry the
dreaded chytrid fungus, *Batrachochytrium dendrobatidis* (Bd), which has
caused the extinctions of 100-plus amphibian species worldwide in recent
years.

Easy fix: The Department of Fish & Wildlife (DFW) should cease issuing
the import permits. The DFW and the Fish & Game Commission have
received more than 4,000 letters supporting a ban, from environmental
and sporting organizations, animal welfare groups and the general
public. Former Resources Secretary Huey Johnson wrote twice, all to no
avail. The powers-that-be seem more concerned about politics-as-usual,

profits and cultural/racial matters than the REAL issues here —
environmental protection, public health, unacceptable animal cruelty,
and law enforcement.

WRITE: Gov. Gavin Newsom and all state legislators, c/o The State
Capitol, Sacramento, CA 95814; and Resources Secretary Wade Crowfoot,
DFW Director Chuck Bonham, and the Fish & Game Commission, all c/o
Resources Building, 1416 Ninth Street, Sacramento, CA 95814. [REDACTED]
[REDACTED]

EMAIL PATTERN FOR ALL STATE LEGISLATORS:

senator.lastname@senate.ca.gov; assemblymember.lastname@assembly.ca.gov

Sincerely,

Eric Mills, coordinator
ACTION FOR ANIMALS

[REDACTED]

[REDACTED]

[REDACTED]

Please pass to Commissioners

Bill Karr [REDACTED]

Sun 01/08/2023 10:58 AM

To: FGC <FGC@fgc.ca.gov>

Dear Commissioners,

Automatic fish and hunt license increases have to stop!

California's current situation of allowing fishing and hunting licenses, tags and stamps to be automatically increased in price every year is ridiculous, unworkable, detrimental to the resource and only allows the California Dept. of Fish and Wildlife to do little or nothing in the way of fish raising or stocking, improvements in streams and rivers, hunting opportunities, raising pheasants or infield work. And yet they keep getting more money every year for doing nothing.

In fact, you will find that the DFW now plants far fewer catchable rainbow trout than they used to, and fishermen have FEWER opportunities than they once had in the history of outdoor sports in California, as costs for licenses keep soaring. Where is the money going?

First, the DFW is top-heavy, sporting so many different Deputy Directors that the list reads like a sit-down restaurant menu, and if all their salaries were put into raising trout or infield outdoor work, fishing and hunting would be far, far better than it is now. Almost every Regional Office of the DFW does 10 times the work that the main office does, at a fraction of the cost, and with far more efficiency.

First, the appointment of the Director of the DFW in California needs to be taken out of the hands of the Governor, and put up to a public vote every 4 years. That way California sportsmen can decide for themselves if the Director is qualified for the job, or doing a good job or not, and make the decision to keep him or her, or dump them if they are failing.

I just got my resident annual fishing license for 2023, and I paid \$76.94. The license alone was \$58.58, and probably for the last time, I paid for the second rod stamp, another \$18.36. Totally insane, and not something that many occasional fishermen in California can afford for themselves, let alone the rest of the family for a nice day out alongside a lake or stream. How about a teenager who wants to go dunk a 'crawler in a local lake? Can they afford that?

California has a rich bounty of fishing and hunting, but very little of it is from the work of top bureaucrats that sit at the head of the DFW. We need some major changes, and first, the Director has to be voted in by the public and not appointed by the governor. Second, the

entire DFW operation needs to be analyzed for efficiency by a competent, professional company that doesn't have a finger in the pie. Otherwise, California residents will continue to pay more and more for less and less. Some DFW employees just don't care, while many others—the majority-- have just given up, thwarted in their efforts to improve things by non-professional appointees who direct them.

Thank you for listening,

Bill Karr, Outdoor Writer

[REDACTED]

[REDACTED]

New Fishing Regulations for Cottonwood Basin

Gary Howard [REDACTED]

Tue 01/10/2023 04:59 PM

To: FGC <FGC@fgc.ca.gov>

California Fish and Game Commission

I have been a backpacker and fly fisher all my life. While backpacking the Pacific Trail in the middle 90's I found Cottonwood Basin. Since that time I have visited Cottonwood Basin many times. The basin is a 2 hr and 15 minute walk and about a 1,000 foot climb from your car, which is at an altitude of 10,000 feet. It is the only place in California you can fish over ten lakes most with Golden Trout. Lake #3 is in the center of the basin with many good camp sites. All Golden Trout planted in California come from Cottonwood Basin. In the Spring when the Golden Trout are about to spawn the Fish and Wildlife nets the Goldens, strip the eggs and sperm fish, returns the fish to their lake and takes these fertilized eggs to a fish hatchery, hatches them, and then plants them throughout California.

Some of the lakes are barren, but most have Goldens. The Goldens in these lakes grow to different sizes depending on the characteristics of the lake. Some have Goldens 6 to 8", some have Goldens 10 to 13", one has Goldens to 20". I always plan on going into the basin on July 1st, when the fishing season opens. Well last year Fish and Wildlife decided to change the opening to September 1st. They closed the fishing season on Lakes #1, #2, #3, and #4. This presents me and you with a big problem, most of the camping done in the basin is on Lake #3. We would camp on Lake #3 and after dinner each night we would go down to the lake and fish. There is also the danger if storms in September and later. Fish and Wildlife's change in fishing regulations makes this impossible.

Gary Howard

limited numbers of Steelhead

Jim Lambert [REDACTED]

Tue 01/10/2023 07:53 PM

To: Wildlife DIRECTOR [REDACTED] FGC <FGC@fgc.ca.gov>

Dear people.

There is a limited numbers of Steelhead in the rivers today Jan10, 2023.

Today too many people are handling these fish. They are using electro shockers on them (killing many) and pit tagging the fish. These people are making a very good living off these fish's backs writhing grants to do research that are not needed giving them a job. These useless studies need to stop before the fish are all gone.

These fish need to come and go in the rivers as intended. All fish rescues should be using nets and traps only. To ensure these fish will live on for future generation.

Sincerely, JIM Lambert



The Salmon Cross is a symbol that represents those individuals who have made it their mission in life to save the Wild Steelhead and Wild Salmon from extinction. Their work, dedication and sacrifices provide future generations the enjoyment of this treasured natural resource.

LIVE ANIMAL FOOD MARKETS - 1/11/23 letter to editor, CASTRO VALLEY FORUM - comments needed.

Wed 01/11/2023 03:59 PM

To: senator.skinner [REDACTED] senator.glazer [REDACTED]
[REDACTED] senator.wiener [REDACTED]
[REDACTED] senator.hertzberg [REDACTED]
[REDACTED] assemblymember.bonta [REDACTED]
[REDACTED] assemblymember.wicks [REDACTED]
[REDACTED] assemblymember.kalra [REDACTED]
[REDACTED] Wildlife DIRECTOR [REDACTED] FGC
<FGC@fgc.ca.gov>;Office of the Secretary CNRA [REDACTED] Cornman, Ar [REDACTED]
[REDACTED]

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmycvforum.com%2Fletters-to-the-editor%2Flive-animal-food-markets&data=05%7C01%7Cfgc%40fgc.ca.gov%7C815db8cea9154cea800a08daf42fd5be%7C4b633c25efbf40069f1507442ba7aa0b%7C0%7C1%7C638090783537510599%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=atx7Py3jmA4CFwao9aYvPRoM1M985k81wqXhsLBDQOE%3D&reserved=0>

LIVE ANIMAL FOOD MARKETS

1/11/23 letter to the editor, CASTRO VALLEY FORUM.

And see the comments, maybe add your own.

LETTERS IN RESPONSE, EMAIL - [REDACTED]

x
Eric Mills, coordinator
ACTION FOR ANIMALS
Oakland

Fw: OBJECTION to Application for Fish & Game LSA Emergency Permit 2469 Alpine Road Menlo Park

Janet Davis [REDACTED]

Mon 01/23/2023 02:56 PM

To: FGC <FGC@fgc.ca.gov>

----- Forwarded Message -----

From: Janet Davis [REDACTED]

To: fgc@ca.gov <fgc@ca.gov>

Cc: DAVID PINE [REDACTED] Tim J Sullivan [REDACTED] Lennie Roberts

[REDACTED] Mike Callagy [REDACTED] smonowitz [REDACTED]

Sent: Monday, January 23, 2023 at 02:46:06 PM PST

Subject: OBJECTION to Application for Fish & Game LSA Emergency Permit 2469 Alpine Road Menlo Park

No Emergency F&G permit will cure the present owner's problems created by the prior breach of the original permit in 1993 which has made the situation irremediable.

**BREACH OF STREAM ALTERATION AGREEMENT DATED JUNE 6 1993
BETWEEN VICTOR LEE AND FISH AND GAME
CONCERNING CONSTRUCTION AT 2455 (NOW 2469) ROAD, MENLO PARK**

Subsequent to operator Victor Lee notifying the F&G Dept. **May 26, 1993** that he intended to substantially divert or obstruct the natural flow of San Francisquito Creek, Lt. John Peabody inspected the area **June 1, 1993** and determined that:

"Such operations may substantially adversely affect existing fish and wildlife resources including Water Quality, Steelhead Trout, Associated Mammals, Reptiles, Amphians and Aquatic Invertebrates"

This agreement was dated **6/2/93** and was signed by John Peabody, Patrol Lieutenant. The agreement no. appears to have 5 numerals, the second and third of which are obliterated from my copy provided by the county. The remaining nos. are 5xx93 and the document seems to have had the period of operation changed **from** June 1 1993-October 1993, to read **June 1, 1983 to October 15 1993**.

The salient provisions were as follows:

This is a residential project located at 2465 Alpine Road,* Menlo Park. The project is on an incline next to the bank of San Francisquito Creek.

No Mature Oak trees shall be removed.

There shall be a minimum 20' set back from the creek bank.

All exposed soils shall be seeded with an erosion control mixture at the completion of the project.

No construction debris shall be allowed to enter San Francisquito Creek.

Notification to the Department pursuant to condition 22** shall be made by telephone to (707) 944-500 *** on completion of the project.

*2465 was been split into two addresses, the one at issue is numbered 2469

** The Agreement was provided to me pursuant to a Public Records Request to the County Planning Dept. However, they only supplied page 1

*** The tel. no. is missing the last digit.

In addition to the F&G requirements, there are County requirements affecting the creek. On April 14, 1969 Resolution 140803 mandated no construction (very loosely defined) be within 15 ft. of the creekbank. This was later made part of the zoning ordinances for Stanford Weekend Acres. In addition, there is a hydromodification ordinance and various drainage requirements, none of which appear to have been followed at the subject property.

BACKGROUND & DETERIORATION OF CREEK:

I have lived by the creek next door to this property for over 50 years, am only the second owner since 1929, and have copious records going back that far. In the 60s there were fish over 2 ft. long; hordes of Salamanders; many Western Pond Turtles and frogs; snakes; tarantulas; skunks; possums; deer; foxes; bob cats; kingfishers; dragon flies; multiple bird species; ducks and mergansers; crayfish and other wildlife. The creek was deep enough to swim in, even in summer, and it was always cold. Now, the riparian environment has been destroyed by excessive development along the banks; absence of appropriate drainage; DIY creek armoring; and pollution from petroleum products, insecticides and other matter. The creekbed has been partially filled with failed gabion, concrete slabs, silt from collapsed banks and washed-down garbage. The pools required by the steelhead have been eliminated leaving an almost impossible route for them to migrate. In addition, the water temperature during summer is now very high and any fish that do exist, are easy targets for predators such as Great Blue Herons and Hawks.

BREACH OF AGREEMENT BY VICTOR LEE:

The first iteration of construction plans for 2469 submitted by Lee, showed the building to be **42 ft.** from the bank. The Zoning officer, Mr. Rozar rejected those on my objection that they were false. Lee then submitted another set to County Planning that depicted the house to be **30 ft.** from the bank (10 ft. to the 10ft wide sewer easement, and a further 10 ft. to the creek) Despite my objections, these were approved by the county since they relied on his architect stamp on the drawings to guarantee truthfulness. Several of his drawings and other renderings were false. During construction, debris was routinely dumped in the creek, and the only oak tree remaining after Lee cut down four other heritage oaks without permits, was so severely damaged by the bulldozer that excavated the entire hillside, that it fell down the bank. (See pictures in accompanying document)

The concrete foundation and 3 story house at completion, was **only 7 ft.** from the edge of the bank and was apparently positioned on top of the West Bay Sanitary sewer 10 ft. easement.

There was never any erosion control seeding. None of the drainpipes from the steel roof had any baffles, and the gushing effluent visibly eroded the bank each year. By 1998 undercutting of the bank was clearly visible.

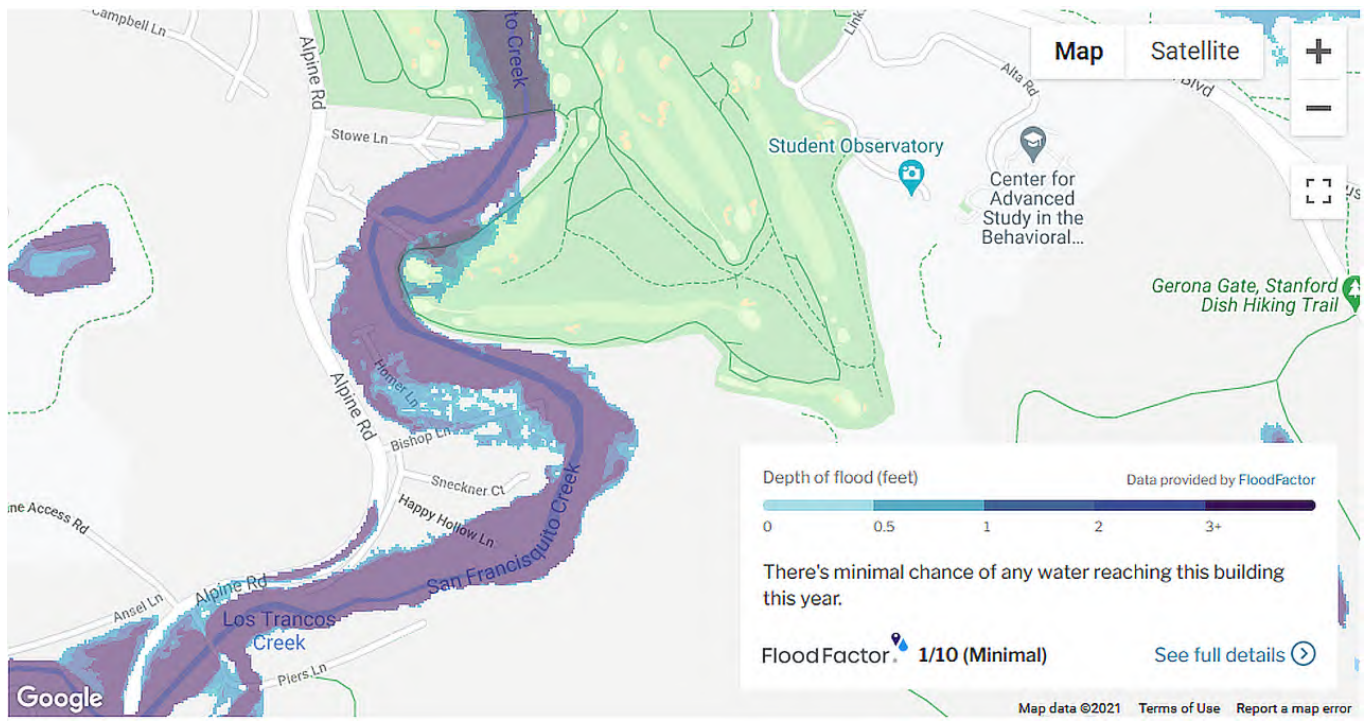
The house also was designed with large expanses of windows facing the creek and several floodlights which created a hazard for birds and a disturbance for nocturnal species.

Lee also built steps down the bank into the channel, and without permits from F&G or the County dumped tons of rocks along the bank as DIY armoring. The County in 2017 required that the rocks be removed and that Lee provide environmental remediation. The rocks were removed although some were concreted into the bank, and a brick path was concreted along the bank. (See pictures in accompanying document)

WIDESPREAD PUBLIC KNOWLEDGE OF FLOODING/EROSION PROBLEMS

FLOODING/BANK EROSION DOCUMENTATION:

This creek through Stanford Weekend Acres (along Alpine Road) is not yet listed as a flood zone by FEMA, but it is a historical flood zone and has **repeatedly** had devastating floods. The widely reported and most notable instances prior to this year's event, were in 1955, 1982, and 1998. Each instance was widely reported in the local press and other media. After the 1998 event, the JPA was formed but did virtually nothing. One newspaper picture shows part of a house from Bishop Lane being swept downstream. Several pictures of the 1955 flood were included in Cliff Pierce's history of Webb Ranch. Many residents in this area were flooded in 1998 and this was widely reported in the media. There were also many instances of bank collapse and erosion. One woman just upstream from 2469 had to be rescued from the second floor by the Swift Water Rescue Team from MPFD – but only *after* the waters subsided.



Local realtors also subscribe to, and publish with their listings, a site called “**Flood Factor**” which shows the entire area along the creek in Stanford Weekend Acres to be in severe flood danger, including the site at 2469 Alpine. (Subscribers to this site can move along the entire stretch of the creek)

FLOOD INSURANCE:

Most people who live along creeks pay for Flood insurance.

VICTOR LEE'S ACTUAL KNOWLEDGE OF FLOODING AND BANK EROSION:

He was present for the 1982 flood prior to construction of 2469. He was actually living at 2469 during the 1998 flood and saw the water come up to the side of the building. Every subsequent year when it rained he would put tarps along the bank in a vain attempt to reduce bank erosion.

COUNTY'S ACTUAL KNOWLEDGE OF FLOOD/BANK EROSION POTENTIAL FOR 2469 ALPINE AND VIOLATION OF SETBACK:

It was common knowledge that the area flooded. Many flooded homeowners in this area had to have filed building permits to repair the damage. I filed **numerous** complaints about violation of the county flood control ordinances before, during, and after the construction of 2469 and sent many pictures showing erosion of the bank.

LISTING REALTOR'S ACTUAL AND CONSTRUCTIVE KNOWLEDGE OF FLOOD/BANK EROSION POTENTIAL AND VIOLATION OF SETBACK:

After his death the property was inherited by his sister, a frequent visitor to the house. She was a close relative (possibly mother) of the listing realtor. She also had a duty of care to check the County's Accela records which showed the outstanding Stop Work Notice and requirements for environmental bank remediation.

LOCAL SHOWING REALTOR'S ACTUAL AND CONSTRUCTIVE KNOWLEDGE OF FLOOD POTENTIAL, BANK EROSION AND VIOLATION OF CREEK SETBACK:

I told them that the property was too close to the creekbank; that floodwaters came to the edge of the house; and that there was supposedly a 10 ft. sewer easement that the building encroached. One couple, both of whom are realtors, were interested in buying the house, and contacted me and other neighbors because they felt that the disclosures were inadequate.

ACTUAL AND CONSTRUCTIVE KNOWLEDGE OF PRESENT OWNER AS TO FLOOD POTENTIAL, BANK EROSION AND VIOLATION OF SETBACK:

I told his surveyor, Glen Trahan in **May 26, 2021** of the County requirements for setbacks and about the floods. The new owner called me **May 27, 2021** and I reiterated those comments. However, the property was reported as sold to him on **May 28, 2021**. He wrote me and other neighbors on **January 1st** that “the water level is ridiculous.” On **Jan. 3rd** I wrote to him giving him history of the construction of the house and the known problems. Just after he moved in he had a fencing company install a deer fence with apparent concrete footings along the bank, which could have increased the erosion, and should certainly have alerted him to the bank susceptibility.

LAKE OR STREAMBED ALTERATION PROGRAM: EMERGENCY WORK

F&G section 1602 concerns emergency work to protect life or property which is further defined as:

*"Emergency" means a **SUDDEN, UNEXPECTED** occurrence involving a clear and imminent danger, demanding **immediate** action to prevent or mitigate the loss of, or damage to, life, health, property, or essential public services. "Emergency" includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage." (Public Resources Code section 21060.3 (emphasis added)). See also Fish and Game Code section 1601, subdivision (c)*

The situation at 2469 is **by no means sudden or unexpected**. It was **perfectly foreseeable and NOT UNEXPECTED** that this would happen, since the County has had actual written and photographic notice of the flood potential/bank erosion for this **particular** property as far back as 1994 and on repeated occasions since then. The Planning and Code Compliance Depts. received numerous complaints complete with photographs. The prior owner/builder knew and took, over many years, several (illegal) measures to mitigate the erosion problem that he had himself created. The listing and selling real estate brokers had notice. The surveyor had notice and so did the recent buyer.

It was **NOT SUDDEN** and has been an evolving problem since at least 1994 when Victor Lee breached the F&G Agreement dated June 6, 1993.

COUNTY ACTUAL NOTICE & ACTION FOLLOWING LEE'S ILLEGAL BANK ARMORING:

It was even more **noticeably apparent to all in 2003**, when Lee imported tons of rocks to illegally shore up the eroding bank. The county issued [REDACTED] **dated 8/14/2017** ordering him to remove them and install environmentally compliant vegetation. Lee took out a permit on **8/21/17** and did remove most of the rocks, (which themselves had exacerbated the erosion problem,) from the channel. However, he subsequently cemented some of them in the bank and, without permits installed stairs into the channel using treated wood and concrete that the county code compliance person ignored. The permit has since expired and the remedial work was never done. Pictures of this work are in the accompanying document.

ACTUAL OR CONSTRUCTIVE NOTICE OF FLOODING/BANK EROSION BY ALL POTENTIAL BUYERS OF THAT PROPERTY:

A purchaser of property is held to have at least **constructive** notice of a problem if there are official documents on file with the Planning Dept. showing that there are outstanding problems with the property, or if that purchaser's agents: such as realtor or surveyor, have actual notice. It would also have been crystal clear to potential buyers looking out from the windows and balconies of the 2469 structure that the properties upstream had massive amounts of bank armoring, and that 2469 stands at a bend in the creek which would make that bank even more unreliable. Also, had any potential buyer gone down the steps to the creek bed (as some were observed to have done) they should have seen the undercutting of the bank that has been present for decades.

FUTILITY OF REMEDIAL ARMORING ACTION

IMPOSSIBILITY OF A VIABLE ARMORING SOLUTION:

The property is at the bend of the creek. Any armoring, however environmentally sensitive, will cause additional damage downstream and across stream and possibly accelerate the westward meandering movement of the creek channel.

Bank erosion is not the only problem with this construction. There is no drainage system on this lot or on the front lot; little permeable soil; gutter downspouts that erode the bank; and apparently inadequate foundation on clay soil. (Refer to photos in attached document)

This is also a problem with many Creekside constructions especially upstream from this property.

There is no access to the channel from the property. The 4 residences at 2465 and 2469 Alpine were built with an extremely narrow driveway with **no turn around** because the driveway plan was sent by the county to the wrong agency, who ignored it. No construction vehicle or crane could access the creek bank. (Refer to photos in accompanying document) In the past a fire engine and ambulances could not access 2469, and since then several walls and fences have been built.

Refer to the latest 40 page document below, complete with photos, sent to the Planning Dept. over more than two decades complaining about the destruction of the riparian zone, threats to wildlife, and the danger that the construction at 2469 posed for the entire region: both wildlife and human. These complaints were ignored by the County and Fish and Game.

The Fact that the structure is apparently located on top of the sewer easement also restricts West Bay from possible renovation work. (Refer to pictures in accompanying document)

CONCLUSION:

Despite the present owner's best intentions, I do not believe that the situation warrants an Emergency Work Permit Under F&G Code 1610. Nor do I believe that bank armoring is going to solve the problems. Neither the County nor Fish and Game have been vigilant in protecting San Francisquito Creek, and the wildlife that depends on it. The County has been negligent in allowing construction to occur in a known flood

zone, and in ensuring the construction is done safely which has resulted in damage to other properties.

After the 1998 floods a JPA was formed to remedy some of the problems. However, they only looked at the extreme downstream area of the creek, and even there did very little to resolve flooding problems. They have done absolutely nothing to deal with the source of the problems upstream.

I believe that Fish and Game personnel have traveled (or plan to travel) the upstream areas of the creek with Professor Alan Launer of Stanford University. If that has in fact occurred, then the problems outlined above should be well known to the Agency.

Any armoring done at this location will likely endanger other properties both upstream, downstream, and across stream. It would certainly cost many thousands of dollars to engineer an environmentally compliant system, and even then it would not solve the main problems. It is to be hoped that F&G personnel would take the time to look at the pictures in the document below that show exactly how the prior Agreement was breached, making it impossible to rectify any bank erosion problem without causing further damage to the riparian environment, and increased danger to other properties.

The structure as it presently exists is a threat to the sewer system serving the entire area, and possibly to the Hetch Hetchy pipe, a scant 5 ft from the structure, and which serves the entire Bay Area. John Peabody was correct in his assessment.

The building should never have been allowed in the first place and this problem appears to be a *caveat emptor* situation requiring civil action.

Below is the document with supporting documents and photographs.


<https://drive.google.com/file/d/1grmY66xMZ4isNIhOzsJSwFTd00gJIYYj/view?usp=sharing>

United Water Conservation District Re-submittal of Comments and Additional Information Related to the Petition to List Southern California Steelhead (*Oncorhynchus mykiss*) as Endangered Under the California Endangered Species Act (CESA)

Kris Sofley [REDACTED]

Mon 01/23/2023 04:45 PM

To: FGC <FGC@fgc.ca.gov>

 1 attachments (310 KB)

2023-01-23_United_CFGC_Re-Submittal Of August 2021 Letter And References.pdf;

Dear Fish and Game Commission:

Please find attached a cover letter regarding Comments and Additional Information related to the Petition to List Southern California Steelhead (*Oncorhynchus mykiss*) as Endangered under the California Endangered Species Act (CESA). Please note that the letter contains a link to the reference documents cited in the August 17, 2021, letter, which are currently accessible for download via OneDrive.

If you have any questions, please let us know by return email or by calling 805 525 4431.

Thank you for your time and consideration.

Kris Sofley

On behalf of Anthony Emmert, assistant general manager

UNITED WATER CONSERVATION DISTRICT

[REDACTED]



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General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

January 23, 2023

California Fish and Game Commission
PO Box 944209
Sacramento, CA 94244-2090
Sent via email: fgc@fgc.ca.gov

Subject: United Water Conservation District Re-submittal of Comments and Additional Information Related to the Petition to List Southern California Steelhead (*Oncorhynchus mykiss*) as Endangered Under the California Endangered Species Act (CESA)

Dear Commissioners:

United Water Conservation District (United) previously submitted a letter and additional information related to the petition to list southern California steelhead (*Oncorhynchus mykiss*) as Endangered under the California Endangered Species Act (CESA) for consideration on August 17, 2021, however, United understands that the Fish and Game Commission (Commission) is taking the position that it never received the attachments. While United disagrees with that position and intends to file a Motion to Augment the Record in pending litigation with the Commission, out of an abundance of caution, United re-submits the letter and additional information as attachments to this submittal directly to the Commission.

Due to file size limitations, the additional information in the form of reference documents cited in the August 17, 2021 letter are available for download via OneDrive at the following link [United Water Conservation District - August 17 2021 Submittal](#) and on the USB drive included in the hardcopy submittal.

Respectfully,

A handwritten signature in blue ink, appearing to read "Anthony Emmert", is written over a light blue horizontal line.

Anthony Emmert
Assistant General Manager

Attachment: A. – United Water Conservation District letter dated August 17, 2021 (additional information available via OneDrive link above (email submittal) and USB drive (hardcopy submittal))

Sequoia National F

Deborah Unser

Tue 01/24/2023 02:27 PM

To: FGC <FGC@fgc.ca.gov>



It is outrageous that this doe has been forced to wear this collar for years. She has had it on since she was small and even through pregnancy. Her fur has never grown because the collar is tight and, she is much smaller than most.

“If you’re significantly impacting the behavior, health or welfare of the animal that’s terrible from the welfare perspective, but also if that animal is not acting or behaving normally, the actual scientific data you’re getting would be useless as well,” said Steven Portugal, a professor at the Royal Holloway University of London”

The number on her tag is 706. Please have this removed.

Camp Nelson area of the Sequoia National Forest.

--

Deborah Unser

Mountain Real Estate Services

