

California Fish and Game Commission

Wildlife Resources Committee

Meeting Binder



May 16, 2024

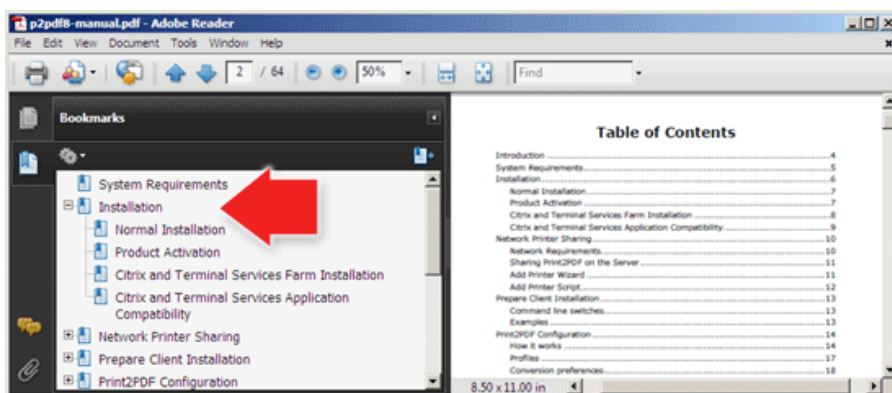
Sacramento


EASY GUIDE TO USING THE BINDER

1. Download and open the binder document using your Adobe Acrobat program/app.
2. If a bookmark panel does not automatically appear on either the top or left side of the screen, click/tap on the “bookmark symbol” located near the top left-hand corner.



3. To make adjustments to the view, use the Page Display option in the View tab. You should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the staff summaries and numerous supporting documents in the binder. It's helpful to think of these bookmarks as a table of contents that allows you to go to specific points in the binder without having to scroll through hundreds of pages.
5. You can resize the two panels by placing your cursor in the dark, vertical line  located between the panels and using a long click /tap to move in either direction.
6. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
7. Upon locating a staff summary for an agenda item, notice that you can obtain more information by clicking/tapping on any item underlined in blue.
8. Return to the staff summary by simply clicking/tapping on the item in the bookmark panel.
9. Do not hesitate to contact staff if you have any questions or would like assistance.

Introductions for California Fish and Game Commission Wildlife Resources Committee Meetings

California Fish and Game Commissioner(s)

Erika Zavaleta	Committee Co-Chair
Darius W. Anderson	Committee Co-Chair

Commission Staff

Melissa Miller-Henson	Executive Director
Ari Cornman	Wildlife Advisor
David Haug	Regulatory Analyst
Kelsey Leaird	Executive Analyst

California Department of Fish and Wildlife Staff

Chad Dibble	Deputy Director, Wildlife and Fisheries Division
Nathaniel Arnold	Acting Deputy Director and Chief, Law Enforcement Division
Scott Gardner	Branch Chief, Wildlife Branch
Jay Rowan	Branch Chief, Fisheries Branch

I would also like to acknowledge special guests who are present:
(i.e., elected officials, including tribal chairpersons, and other special guests)

Overview of California Fish and Game Commission Committee Meeting

- Welcome to this meeting of the Wildlife Resources Committee. The committee is comprised of up to two commissioners who co-chair each meeting; members are assigned by the Commission annually.
- Our goal today is informed discussion to guide future decision-making, and we need your cooperation to ensure a lively and comprehensive dialogue.
- We are operating under the Bagley-Keene Open Meeting Act. However, it is important to note that the committee cannot take action independent of the full Commission; instead, the committee makes recommendations to the Commission at regularly scheduled meetings.
- These proceedings are being recorded and may be posted to the Commission website or YouTube page for reference and archival purposes.
- Items may be heard in any order pursuant to the determination of the committee chair or co-chairs.
- As a general rule, requests for regulation changes need to be directed to the Commission and submitted on petition form, FGC 1, titled "Petition to the California Fish and Game Commission for Regulation Change." However, at the committee's discretion, it may request that staff follow up on items of potential interest to the committee and possible recommendation to the Commission.
- Committee meetings operate informally and provide an opportunity for everyone to contribute to the discussion about agenda items. If you wish to contribute to an agenda item, please follow these guidelines:
 1. Raise your hand and wait to be recognized by the chair or a co-chair.
 2. Please share your name and affiliation (if any).
 3. Time is limited; please be precise to give others time to speak.
 4. If several speakers have the same concerns or ideas to express, please appoint a group spokesperson.
 5. If speaking during the general public comment agenda item, the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the committee discusses that item).
- Please note the nearest emergency exit for use in the unlikely event of an emergency.
- For those joining us in the meeting room, restrooms are located _____.

Commissioners
Samantha Murray, President
La Jolla
Erika Zavaleta, Vice President
Santa Cruz
Jacque Hostler-Carmesin, Member
McKinleyville
Eric Sklar, Member
Saint Helena
Darius W. Anderson, Member
Kenwood

STATE OF CALIFORNIA
Gavin Newsom, Governor

Melissa A. Miller-Henson
Executive Director
P.O. Box 944209
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Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

Wildlife Resources Committee

Committee Co-Chairs: Commissioner Zavaleta and Commissioner Anderson

Meeting Agenda May 16, 2024; 8:30 a.m.

In Person

Natural Resources Headquarters Building
715 P Street, Second Floor, Room 2-302
Sacramento, CA 95814

and

Webinar and Phone

To participate in the meeting, you may join via Zoom or by telephone. [Click here](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=222039&inline) or go to <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=222039&inline> for instructions on how to join the meeting.

Notes: Please see important meeting procedures and information at the end of the agenda. Unless otherwise indicated, the California Department of Fish and Wildlife is identified as Department.

All agenda items are informational and/or discussion only. The Committee develops recommendations to the Commission but does not have authority to make policy or regulatory decisions on behalf of the Commission.

Call to order

1. **Approve agenda and order of items**
2. **Annual regulation changes**
Initial vetting for 2025-26 seasons:
 - (A) Waterfowl hunting
 - (B) Central Valley sport fishing
 - (C) Klamath River Basin sport fishing

3. Periodic regulation changes

Initial vetting for 2025-26 seasons:

- (A) Upland (resident) game bird hunting
- (B) Mammal hunting

4. Take of nongame mammals

Discuss concerns with, and the regulatory framework for, the take of nongame mammals.

5. Waterfowl hunting in Southampton Bay

Discuss potential regulation changes to address waterfowl hunting noise concerns specific to Southampton Bay.

6. Plastic pollution from shotgun wads

Discuss and potentially make recommendation regarding plastic pollution from shotgun debris from waterfowl hunting.

7. Department updates

The Department will highlight items of note since the last committee meeting.

- (A) Wildlife Branch
- (B) Fisheries Branch
- (C) Law Enforcement Division

8. General public comment for items not on the agenda

The Committee may not discuss or take action on any matter raised during this item, except to consider whether to recommend that the matter be added to the agenda of a future meeting [Sections 11125, 11125.7(a), Government Code].

9. Future agenda items

- (A) Review work plan agenda topics and timeline
- (B) Potential new agenda topics for Commission consideration

Adjourn

California Fish and Game Commission Meeting Schedule

Note: As meeting dates and locations can change, please visit www.CFGC.ca.gov for the most current list of meeting dates and locations. All Commission meetings will include a webinar/teleconference option for attendance and every effort will be made to ensure that committee meetings include the same.

Meeting Date	Commission Meeting	Committee Meeting
June 19-20, 2024	Mammoth Lakes	
July 18, 2024		Marine Resources Santa Rosa area
August 13, 2024		Tribal River Lodge Conference Center 1800 Riverwalk Drive Fortuna, CA 95540
August 14-15, 2024	River Lodge Conference Center 1800 Riverwalk Drive Fortuna, CA 95540	
September 12, 2024		Wildlife Resources San Jose
October 9-10, 2024	California Natural Resources Headquarters Building Auditorium, 1 st Floor 715 P Street Sacramento, CA 95814	
November 7, 2024		Marine Resources California Natural Resources Headquarters Building 715 P Street, 2 nd Floor Sacramento, CA 95814
December 10, 2024		Tribal San Diego area
December 11-12, 2024	San Diego area	

Other Meetings of Interest

Association of Fish and Wildlife Agencies

- September 22-25, 2024 – Madison, WI

Pacific Fishery Management Council

- June 6-13, 2024 – San Diego, CA
- September 18-24, 2024 – Spokane, WA
- November 13-19, 2024 – Costa Mesa, CA
- March 5-11, 2025 – Vancouver, WA
- April 9-15, 2025 – San Jose, CA

Pacific Flyway Council

- August 30, 2024 – Jackson, WY

Western Association of Fish and Wildlife Agencies

- June 3-7, 2024 – Stevenson, WA

Wildlife Conservation Board

- May 23, 2024 – Sacramento, CA
- August 22, 2024 – Sacramento, CA
- November 21, 2024 – Sacramento, CA

Important Committee Meeting Procedures Information

Welcome to a meeting of the California Fish and Game Commission's Wildlife Resources Committee. The Committee is composed of and chaired by up to two Commissioners; these assignments are made by the Commission each year.

The goal of the Committee is to allow greater time to investigate issues before the Commission than would otherwise be possible. Committee meetings are less formal in nature and provide for additional access to the Commission. The Committee follows the noticing requirements of the Bagley-Keene Open Meeting Act. It is important to note that the Committee chairs cannot take action independent of the full Commission; instead, the chairs make recommendations to the full Commission at regularly scheduled meetings.

The Commission's goal is preserving our outdoor heritage and conserving our natural resources through informed decision-making; Committee meetings are vital in developing recommendations to help the Commission achieve that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome, and please let us know if you have any questions.

Persons with Disabilities

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Department's Equal Employment Opportunity (EEO) Office at (916) 653-9089 or EEO@wildlife.ca.gov. Accommodation requests for facility and/or meeting accessibility and requests for American Sign Language (ASL) Interpreters should be submitted at least two weeks prior to the event. Requests for Real-Time Captioners should be submitted at least four weeks prior to the event. These timeframes are to help ensure that the requested accommodation is met. If a request for an accommodation has been submitted but is no longer needed, please contact the EEO Office immediately.

Submitting Written Materials

The public is encouraged to attend Committee meetings and engage in the discussion about items on the agenda; the public is also welcome to comment on agenda items in writing. You may submit your written comments by one of the following methods (only one is necessary): **Email** to fgc@fgc.ca.gov; **mail** to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090; or **deliver** to California Fish and Game Commission, 715 P Street, 16th floor, Sacramento, CA 95814; or **hand-deliver** to a Committee meeting.

Comment Deadlines

The **Written Comment Deadline** for this meeting is 5:00 p.m. on **May 3, 2024**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The **Supplemental Comment Deadline** for this meeting is noon on **May 13, 2024**. Comments received by this deadline will be made available to Commissioners at the meeting.

After these deadlines, written information may be delivered in person to the meeting; please bring **six** copies and provide them to staff during the relevant agenda item.

*The Committee **will not** consider comments regarding proposed changes to regulations that have been noticed by the Commission. If you wish to provide comment on a noticed item,*

please provide your comments during Commission business meetings, via email, or deliver to the Commission office.

Note: Materials provided to the Committee may be made available to the general public.

Regulation Change Petitions

As a general rule, requests for regulatory change must be redirected to the full Commission and submitted on the required petition form, FGC 1, *Petition to the California Fish and Game Commission for Regulation Change* (Section 662, Title 14, California Code of Regulations). However, at the Committee's discretion, the Committee may request that staff follow up on items of potential interest to the Committee and possible recommendation to the Commission.

Speaking at the Meeting

Committee meetings operate informally and provide opportunity for everyone to contribute to the dialogue. If you wish to speak on an agenda item, please follow these guidelines:

- You will be given instructions during the meeting for how to be recognized by the Committee chair to speak.
- If you have written information to share, please provide **six** copies to staff before you begin speaking.
- Once recognized, please begin by giving your name and affiliation (if any) and the number of people you represent.
- Time is limited; please keep your contributions concise so that everyone has an opportunity to speak.
- If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetition.
- If speaking during public comment for items not on the agenda (Agenda Item 2), the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Committee members discuss that item). As a general rule, public comment is an opportunity to bring matters to the attention of the Committee, but you may also do so via email or standard mail. At the discretion of the Committee, staff may be requested to follow up on the subject you raise.

Visual Presentations/Materials

All electronic presentations must be submitted by the **Supplemental Comment Deadline** and approved by the Commission executive director before the meeting.

- Electronic presentations must be provided by email to fgc@fgc.ca.gov or delivered to the Commission on a USB flash drive by the deadline.
- All electronic formats must be Windows PC compatible.
- If participating in person, it is recommended that you bring a print copy of any electronic presentation in case of technical difficulties.

Committee Staff Summary for May 16, 2024 WRC

2. Annual Regulation Changes**Today's Item****Information** ☒**Action** ☐

Initial vetting for 2025-26 seasons:

- (A) Waterfowl hunting
- (B) Central Valley sport fishing
- (C) Klamath River Basin sport fishing

Summary of Previous/Future Actions

- **Today initial vetting** **May 16, 2024; WRC**
- Discussion and potential recommendation **September 12, 2024; WRC**

Background

This item provides the public an opportunity to engage in initial discussions with the Wildlife Resources Committee (WRC), staff, and Department staff about proposed regulation changes for waterfowl hunting, Central Valley sport fishing and Klamath River sport fishing.

- (A) Waterfowl hunting (2025-26), to conform State regulations with federal regulations. The U.S. Fish and Wildlife Service adopts federal regulations each October based, in part, on recommendations from four regional flyway councils. Migratory waterfowl include American coot, common moorhen, ducks, black brant and geese, among others.
- (B) Central Valley sport fishing (2026) for the American, Feather, Sacramento and Mokelumne rivers to conform State regulations with federal regulations. The National Marine Fisheries Service (NMFS) adopts federal Central Valley salmon escapement goals each April based, in part, on recommendations from the Pacific Fishery Management Council (PFMC); the Department then proposes regulation changes for consistency with those goals.
- (C) Klamath River Basin sport fishing (2026) to conform State regulations with federal regulations in the Klamath River Basin. NMFS adopts federal Klamath River Basin salmon allocations each April based, in part, on recommendations from PFMC, and then the Department proposes regulation changes based upon those allocations.

This meeting is an initial opportunity for interested parties to make suggestions to the Department and WRC regarding potential regulation changes in each of the categories. The second opportunity for discussing ideas with WRC will be its September 2024 meeting, before the respective notice hearings for each rulemaking.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits (N/A)****Committee Direction/Recommendation (N/A)**

Committee Staff Summary for May 16, 2024 WRC

3. Periodic Regulation Changes**Today's Item****Information** ☒**Action** ☐

Initial vetting for 2025-26 seasons:

- (A) Upland (resident) game bird hunting
- (B) Mammal hunting

Summary of Previous/Future Actions

- **Today's initial vetting** **May 16, 2024; WRC**
- Discussion and potential recommendation **September 19, 2024**

Background

This item provides the public an opportunity to engage in initial discussions with the Wildlife Resources Committee (WRC), staff, and Department staff about proposed regulation changes for upland (resident) game bird hunting and mammal hunting seasons.

- (A) Upland (resident) game bird hunting (2025-26) for various resident upland game bird species, which includes California quail, pheasant, wild turkey, and mourning dove.
- (B) Mammal hunting (2025-26) for various big game mammals, including deer, Nelson bighorn sheep, pronghorn antelope, and elk.

This meeting is an initial opportunity for interested parties to make suggestions to the Department and WRC regarding potential regulation changes for each of the subjects. The second opportunity for discussing ideas with WRC will be its September 2024 meeting, where it will potentially make recommendations on both subjects, and before the respective notice hearings for each rulemaking.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. Department presentation (to be provided separately)

Committee Direction/Recommendation (N/A)

Committee Staff Summary for May 16, 2024 WRC

4. Take of Nongame Mammals**Today's Item****Information** ☒**Action** ☐

Discuss concerns with, and the regulatory framework for, the take of nongame mammals.

Summary of Previous/Future Actions

- Initial discussion September 19, 2023; WRC
- **Today's discussion** **May 16, 2024; WRC**
- Discussion September 16, 2024; WRC

Background

California Fish and Game Code Section 4150 provides that "A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal." Nongame mammals in California include species such as opossums, cottontail rabbits, raccoons, coyotes, red foxes, weasels, moles, and various rodents. Per Fish and Game Code Section 4152, nongame mammals that are causing damage may be taken for depredation purposes. However, an ambiguity exists whether nongame mammals (along with other animals listed in Section 4152) that are not causing property damage may be taken.

At its September 2023 meeting, WRC held a discussion regarding the indiscriminate take of nongame mammals and some of the ambiguities in statute, regulation and Commission policy (see Exhibit 1 for further background). The discussion included an examination of the operation of Fish and Game Code, California Code of Regulations (Title 14), and Commission policies and how they are being employed in practice. See Exhibits 2 through 4 for the text of some laws and policies relevant to the topic related to nongame mammal.

Today, WRC will continue the discussion on the issues surrounding the take of nongame mammals. Because this is a developing topic, Commission staff anticipates further discussion at future meetings.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. [Staff summary from September 2023 WRC meeting](#) (for background purposes only)
2. [Three Sections of California Fish and Game Code Relevant to the Take of Nongame Mammals](#), extracted January 2, 2024
3. [Section 472 of Title 14 of the California Code of Regulations, Relevant to the Take of Nongame Mammals](#), extracted January 2, 2024
4. [Commission Policies Directly Related to the Take of Nongame Mammals](#), dated January 2, 2024

Committee Direction/Recommendation (N/A)

Committee Staff Summary for May 16, 2024 WRC

5. Waterfowl Hunting in Southampton Bay**Today's Item****Information** ☒**Action** ☐

Discuss potential regulation changes to address waterfowl hunting noise concerns specific to Southampton Bay.

Summary of Previous/Future Actions

- Commission denied petition 2022-01 and referred topic to WRC October 11-12, 2023
- Initial discussion January 16, 2024; WRC
- **Today's discussion** **May 16, 2024; WRC**
- Discussion and potential recommendation September 16, 2024; WRC

Background

At its October 11-12, 2023 meeting, the Commission denied Regulation Change Petition 2022-01 (Exhibit 1), which requested a ban on waterfowl hunting in Southampton Bay. Background information on the issue and rationale for the Commission's determination on the petition is found in Exhibit 2. Coincident with the petition's denial, the Commission also acknowledged the unique noise concerns specific to waterfowl hunting in Southampton Bay; the Commission directed staff to explore potential regulation changes to address the concerns and referred the topic to WRC to facilitate discussions with city of Benicia officials and residents, stakeholders, the waterfowl hunting community, and the public.

Currently, the only community with waterfowl hunting regulations that vary from the remainder of the state for shooting hours and shotgun gauge is Morro Bay; the Morro Bay Special Management Area has shooting hours that begin at 7:00 a.m. (remainder of state is one half hour before sunrise pursuant to Title 14, Section 506) and no shotgun larger than 12 gauge is allowed to be used on, over or adjacent to the waters of Morro Bay (pursuant to Section 507).

At its initial discussion, WRC reviewed and briefly discussed eight potential regulatory options suggested by the city of Benicia (Exhibit 3) to address noise levels:

1. Hunting prohibition on certain holidays October through January.
2. Extend the minimum distance from homes to 300 yards.
3. Maximum shotgun gauge of 12.
4. Start time of 9:00 a.m.
5. Provide advance notice to residents.
6. Create a "direct line" of communication with wildlife officers to report violations.
7. Increased law enforcement monitoring.
8. Escalating penalty scheme for violations.

Committee Staff Summary for May 16, 2024 WRC

Discussion centered around the Commission's authority to enact the proposals, how to strike a balance between hunters' ability to recreate and residents' desire for quiet, and the logistics of implementing some of the proposals.

Today WRC will continue its discussions of potential regulation changes, with the aim of potentially formulating regulatory recommendations at the September 2024 WRC meeting. Any WRC recommendations will be presented to the Commission at its next regularly-scheduled meeting.

Significant Public Comments (N/A)

Recommendation (N/A)

Exhibits

1. [Petition 2022-01](#), received January 11, 2022
2. [Memorandum from staff](#), dated August 18, 2023
3. [Letter from City Manager Mario Giuliani](#), City of Benicia, received January 8, 2024

Committee Direction/Recommendation (N/A)

Committee Staff Summary for May 16, 2024 WRC

6. Plastic Pollution from Shotgun Wads**Today's Item**Information ☐Action ☒

Discuss and potentially make a recommendation regarding plastic pollution from shotgun debris from waterfowl hunting.

Summary of Previous/Future Actions

- Initial discussion January 16, 2024
- **Today's discussion and potential recommendation** **May 16, 2024**

Background

With respect to shotgun ammunition, the term "wad" refers to a shotgun shell component that is used to separate the shot from the powder, contain the shotgun shot, and provide a seal that prevents gas from blowing through the shot rather than propelling the shot out of the shotgun. The shotgun shell has a case and, after firing the shotgun, the case remains in the shotgun and is manually discharged by the operator, while the wad leaves the gun along with the shot.

Historically, shotgun wads were made from plant fiber, but modern shells employ plastic casings and wads to protect gun barrels and improve performance. Often the plastic wad is ejected 20-50 yards from the hunter and is not retrieved, particularly in wet environments. The plastic waste accumulates in the environment; much of it originates in, or makes its way into, estuaries and other coastal wetlands and, ultimately, into the ocean.

At its January 2024 meeting, WRC received a presentation (Exhibit 1) and explored the scope of the problem regarding estuary and marine pollution caused by plastic shotgun wads. Today WRC will continue a discussion and potentially make a recommendation on possible avenues to address the matter.

Significant Public Comments (N/A)**Recommendation**

Commission staff: Urge hunting organizations and hunters to work with shotgun ammunition manufacturers to design, test, and eventually deploy improved biodegradable and more environmentally responsible shotgun shell materials.

Exhibits

1. [Presentation from Surfrider Foundation, presented at January 2024 WRC meeting](#)

Committee Direction/Recommendation

The Wildlife Resources Committee recommends that the Commission urge hunting organizations and hunters to work with shotgun ammunition manufacturers to design, test, and eventually deploy improved biodegradable and more environmentally responsible shotgun shell materials.

Committee Staff Summary for May 16, 2024 WRC

7. Department Updates**Today's Item****Information** ☒**Action** ☐

The Department will highlight items of note since the last committee meeting.

Summary of Previous/Future Actions (N/A)**Background**

This is a standing agenda item for the Department to provide updates on activities of interest related to wildlife and inland fisheries. Verbal updates are expected from:

- (A) Wildlife Branch
- (B) Fisheries Branch
- (C) Law Enforcement Division

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits (N/A)****Committee Direction/Recommendation (N/A)**

Committee Staff Summary for May 15, 2024 WRC

8. General Public Comment**Today's Item****Information** ☒**Action** ☐

The Committee may not discuss or take action on any matter raised during this item, except to consider whether to recommend that the matter be added to the agenda of a future meeting.

Summary of Previous/Future Action (N/A)**Background**

The Wildlife Resources Committee (WRC) receives two types of correspondence or comment under general public comment: Informational items and requests for WRC to consider new topics. As a general rule, requests for regulation changes must be submitted to the Commission on form FGC 1, *Petition to the California Fish and Game Commission for Regulation Change*. However, WRC may, at its discretion, request staff to follow up on items of potential interest for possible recommendation to the Commission.

Significant Public Comments (N/A)**Recommendation**

Staff recommends any potential new agenda items — based on issues raised today — be held for discussion under Agenda Item 9, *Future agenda items*.

Exhibits (N/A)**Committee Direction/Recommendation (N/A)**

Committee Staff Summary for May 16, 2024 WRC

9. Future Agenda Items**Today's Item**Information ☐Action ☒

- (A) Review work plan agenda topics and timeline
- (B) Potential new agenda topics for Commission consideration

Summary of Previous/Future Actions

- Commission approved WRC agenda and work plan April 17-18, 2024
- **Today's discussion** **May 16, 2024; WRC**
- Next WRC meeting September 16, 2024; WRC

Background

Wildlife Resources Committee (WRC) topics are referred by the Commission and scheduled as appropriate. Commission-referred topics and the current schedule are shown in the WRC work plan (Exhibit 1).

WRC Work Plan

Topics anticipated to be proposed for the September 2024 WRC meeting are shown in the work plan in Exhibit 1. Readiness considerations may lead to changes in proposed timing and type of anticipated action for Commission consideration at its August 2024 meeting, when it is scheduled to approve the September WRC meeting agenda. WRC may make recommendations to the Commission regarding scheduling specific topics in the work plan.

Discuss and Recommend New WRC Topics

Today is an opportunity to identify any potential new agenda topics to recommend to the Commission for referral to WRC. No new topics have been identified by staff for potential referral at this time.

Significant Public Comments (N/A)**Recommendation**

Review the list of topics in the work plan identified by staff as potential agenda items for the September 2024 WRC meeting, review the Commission rulemaking timetable (Exhibit 2), determine if any work plan topics should be recommended for revision, and identify any new topics to recommend to the Commission for WRC evaluation.

Exhibits

1. [WRC work plan](#), updated April 30, 2024
2. [Perpetual Timetable for Anticipated Regulatory Actions](#), updated April 29, 2024

Committee Direction/Recommendation

The Wildlife Resources Committee recommends that the Commission update the Committee work plan with the staff-proposed changes and _____.

For background purposes only

COMMITTEE STAFF SUMMARY FOR SEPTEMBER 19, 2023 WRC

8. TAKE OF NONGAME MAMMALS**Today's Item**Information ☒Action ☐

Discuss issues and the regulatory framework regarding the indiscriminate take of nongame mammals.

Summary of Previous/Future Actions (N/A)**Background**

California Fish and Game Code Section 4150 provides that "A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal." Nongame mammals in California include species such as opossums, cottontail rabbits, raccoons, coyotes, red foxes, weasels, moles, and various rodents. The section further states that "...it is unlawful for any person to trap any nongame mammal for purposes of recreation or commerce in fur."

Per Fish and Game Code Section 4152 (see Exhibit 1, slide 9), nongame mammals that are causing damage may be taken for depredation purposes. However, an ambiguity exists whether nongame mammals (along with other animals listed in Section 4152) that are *not* causing property damage may be taken. The ambiguity ultimately rests with whether the phrase "that are found to be injuring growing crops or other property" is to apply to only red fox squirrels, or nongame mammals in general (along with the other species in the list). The practical implication regarding this ambiguity is whether, outside of hunting for sport, nongame mammals that are not damaging crops or property may be taken.

The Commission's regulations in Section 472 currently state, in part, "The following nongame birds and mammals may be taken at any time of the year and in any number except as prohibited in Chapter 6: English sparrow, starling, domestic pigeon (*Columba livia*) except as prohibited in Fish and Game Code section 3680, coyote, weasels, skunks, opossum, moles and rodents (excluding tree and flying squirrels, and those listed as furbearers, endangered or threatened species). In other words, per its regulation, the Commission has determined that certain nongame mammals may be taken at any time and in any number. On the other hand, the Commission Depredation Control Policy states, "In the event that some birds or mammals may cause injury or damage to private property, depredation control methods directed toward offending animals may be implemented." Thus, the Commission's own policy reflects some ambiguity.

Today, WRC will receive a presentation from Rebecca Dmytryk of Humane Wildlife Control Inc. and Emergency Wildlife Services (Exhibit 1) and hold an initial discussion about issues surrounding the take of nongame mammals. Because this is a developing topic in its early stages, Commission staff anticipates further discussion at future meetings.

Significant Public Comments (N/A)**Recommendation (N/A)**

For background purposes only

COMMITTEE STAFF SUMMARY FOR SEPTEMBER 19, 2023 WRC

Exhibits

1. [Public presentation](#)

Commission Direction/Recommendation (N/A)

Three Sections of California Fish and Game Code Relevant to the Take of Nongame Mammals

Extracted by California Fish and Game Commission staff on January 2, 2024

To help facilitate conversation, this document provides extracts from the California Fish and Game Code related to the take of nongame mammals for ease of reference. Footnotes are added for convenience and are not part of the official statutes, nor are they a complete recapitulation of the law.

Please refer to complete statutory text at <https://leginfo.legislature.ca.gov/faces/home.xhtml> for a more comprehensive understanding of the particular code section(s).

Section 4152. Taking of Nongame Mammals Found Injuring Crops or Property

- (a) Except as provided in Section 4005, nongame mammals and black-tailed jackrabbits, muskrats, subspecies of red fox that are not the native Sierra Nevada red fox (*Vulpes vulpes necator*), and red fox squirrels that are found to be injuring growing crops or other property may be taken at any time or in any manner in accordance with this code and regulations adopted pursuant to this code by the owner or tenant of the premises or employees and agents in immediate possession of written permission from the owner or tenant thereof. They may also be taken by officers or employees of the Department of Food and Agriculture or by federal, county, or city officers or employees when acting in their official capacities pursuant to the Food and Agricultural Code pertaining to pests, or pursuant to Article 6 (commencing with Section 6021) of Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code. Persons taking mammals in accordance with this section are exempt from Section 30071, except when providing trapping services for a fee. Raw furs, as defined in Section 4005, that are taken under this section, shall not be sold.
- (b) Traps used pursuant to this section shall be inspected and all animals in the traps shall be removed at least once daily. The inspection and removal shall be done by the person who sets the trap or the owner of the land where the trap is set or an agent of either.
- (c) This section does not apply to bobcats.

Section 4180. Taking of Fur-Bearing Mammals Injuring Property

- (a) Except as provided for in Section 4005, fur-bearing mammals that are injuring property may be taken at any time and in any manner in accordance with this code or regulations made pursuant to this code. Raw furs, as defined in Section 4005, that are taken under this section, shall not be sold.
- (b) Traps used pursuant to this section shall be inspected and all animals in the traps shall be removed at least once daily. The inspection and removal shall be done by the person who sets the trap or the owner of the land where the trap is set or an agent of either.

¹ Requires a license or entitlement for the taking of birds or mammals.

Section 4005. Persons Required to Procure Trapping Licenses; Qualifications

- (a) Except as otherwise provided in this section, every person who traps fur-bearing mammals or nongame mammals, designated by the commission, shall procure a trapping license. Raw fur of fur-bearing and nongame mammals may not be sold. For purposes of this article, "raw fur" means any fur, pelt, or skin that has not been tanned or cured, except that salt-cured or sun-cured pelts are raw furs.
- (b) The department shall develop standards that are necessary to ensure the competence and proficiency of applicants for a trapping license. A person shall not be issued a license until the person has passed a test of their knowledge and skill in this field.
- (c) Persons trapping mammals in accordance with Section 4152 or 4180 are not required to procure a trapping license except when providing trapping services for profit.
- (d) No raw furs taken by persons providing trapping services for profit may be sold.
- (e) The license requirement imposed by this section does not apply to any of the following:
 - (1) Officers or employees of federal, county, or city agencies or the department, when acting in their official capacities, or officers or employees of the Department of Food and Agriculture when acting pursuant to the Food and Agricultural Code pertaining to pests or pursuant to Article 6 (commencing with Section 6021) of Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code.
 - (2) Structural pest control operators licensed pursuant to Chapter 14 (commencing with Section 8500) of Division 3 of the Business and Professions Code, when trapping rats, mice, voles, moles, or gophers.
 - (3) Persons and businesses licensed or certified by the Department of Pesticide Regulation pursuant to Chapter 4 (commencing with Section 11701) and Chapter 8 (commencing with Section 12201) of Division 6 of, and Chapter 3.6, (commencing with Section 14151) of Division 7 of, the Food and Agricultural Code, when trapping rats, mice, voles, moles, or gophers.
- (f) Except for species that are listed pursuant to Chapter 1.5 (commencing with Section 2050)² of Division 3 or Chapter 8 (commencing with Section 4700)³, nothing in this code or regulations adopted pursuant thereto shall prevent or prohibit a person from trapping any of the following animals:
- (g) Gophers.
 - (1) House mice.
 - (2) Moles.
 - (3) Rats.
 - (4) Voles.

² Refers to the California Endangered Species Act.

³ Refers to fully protected animals.

Section 472 of Title 14 of the California Code of Regulations, Relevant to the Take of Nongame Mammals

Extracted by California Fish and Game Commission staff on January 2, 2024

To help facilitate conversation, this document provides Section 472 of Title 14 of the California Code of Regulations; Title 14 is where regulations promulgated by the California Fish and Game Commission may be found. Footnotes are added for convenience and are not part of the regulation or referenced statutes, nor are they a complete recapitulation of the law.

Please refer to complete regulatory text (<https://govt.westlaw.com/calregs/>) or statutory text (<https://leginfo.ca.gov/faces/home.xhtml>) for a more comprehensive understanding of the particular section(s).

Section 472. General Provisions.

Except as otherwise provided in Sections 478¹, 485², and subsections (a) through (d) below, nongame birds and mammals may not be taken.

- (a) The following nongame birds and mammals may be taken at any time of the year and in any number except as prohibited in Chapter 6: English sparrow, starling, domestic pigeon (*Columba livia*) except as prohibited in Fish and Game Code section 3680³, coyote, weasels, skunks, opossum, moles and rodents (excluding tree and flying squirrels, and those listed as furbearers, endangered or threatened species).
- (b) Fallow, sambar, sika, and axis deer, of either sex, may be taken concurrently with the general deer season and on properties where an authorized deer, elk, or pronghorn antelope season is open. There is no bag or possession limit for deer taken pursuant to this subsection.
 - (1) It shall be unlawful to take any deer pursuant to this subsection without a valid hunting license in possession, but no tag, stamp, or additional endorsement of any kind is required.
 - (2) It shall be unlawful to detach or remove only the head, hide, or antlers of any deer taken pursuant to this subsection, or to leave through carelessness or neglect any portion of the flesh normally eaten by humans to go to waste.
- (c) Aoudad, mouflon, tahr, and feral goats may be taken all year.
- (d) American crows (*Corvus brachyrhynchos*)
 - (1) May be taken only under the provisions of Section 485 and by landowners or tenants, or by persons authorized in writing by such landowners or tenants, when American crows are committing or about to commit depredations upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or

¹ Prohibitions on take of bobcats.

² Regulates the take of crows.

³ Refers to racing pigeons.

other nuisance. Persons authorized by landowners or tenants to take American crows shall keep such written authorization in their possession when taking, transporting or possessing American crows. American crows may be taken only on the lands where depredations are occurring or where they constitute a health hazard or nuisance. If required by Federal regulations, landowners or tenants shall obtain a Federal migratory bird depredation permit before taking any American crows or authorizing any other person to take them.

- (2) American crows may be taken under the provisions of this subsection only by firearm, bow and arrow, falconry or by toxicants by the Department of Food and Agriculture for the specific purpose of taking depredating crows. Toxicants can be used for taking crows only under the supervision of employees or officers of the Department of Food and Agriculture or federal or county pest control officers or employees acting in their official capacities and possessing a qualified applicator certificate issued pursuant to sections 14151-14155 of the Food and Agriculture Code. Such toxicants must be applied according to their label requirements developed pursuant to sections 6151-6301, Title 3, California Code of Regulations.
- (e) Pursuant to Fish and Game Code Section 2003⁴, it is unlawful to offer any prize or other inducement as a reward for the taking of nongame mammals in an individual contest, tournament, or derby.

⁴ Refers to the offering of prizes or other inducements for the taking of wildlife.

California Fish and Game Commission

Commission Policies Directly Related to the Take of Nongame Mammals

January 2, 2024

Depredation Control

It is the policy of the Fish and Game Commission that:

All wildlife species shall be maintained in harmony with available habitat whenever possible. In the event that some birds or mammals may cause injury or damage to private property, depredation control methods directed toward offending animals may be implemented. Should such depredation be upon wildlife species being intensively managed, the Department may institute appropriate depredation control methods directed towards the offending animals.

Terrestrial Predator Policy

It is the policy of the Fish and Game Commission that:

- I. For the purposes of this policy, terrestrial predators are defined as all native wildlife species in the Order Carnivora, except those in the Family Otariidae (seals, sea lions), the Family Phocidae (true seals), and sea otters (*Enhydra lutris*).
- II. Pursuant to the objectives set forth in Section 1801 of Fish and Game Code, the Commission acknowledges that native terrestrial predators are an integral part of California's natural wildlife and possess intrinsic, biological, historical, and cultural value, which benefit society and ecosystems. The Commission shall promote the ecological, scientific, aesthetic, recreational, and educational value of native terrestrial predators in the context of ecosystem-based management, while minimizing adverse impacts on wildlife and reducing conflicts that result in adverse impacts to humans, including health and safety, private property, agriculture, and other public and private economic impacts.
- III. The Commission further recognizes that sustainable conservation and management strategies are necessary to encourage the coexistence of humans and wildlife. It is, therefore, the policy and practice of the Fish and Game Commission that:
 - A. Existing native terrestrial predator communities and their habitats are monitored, maintained, restored, and/or enhanced using the best available science. The department shall protect and conserve predator populations.
 - B. Native terrestrial predator management shall be consistent with the goals and objectives of existing management and conservation plans. Management strategies shall recognize the ecological interactions between predators and other wildlife species and consider all available management tools, best available science, affected habitat, species, and ecosystems and other factors. The department shall provide consumptive and non-consumptive recreational opportunities. The recreational take of native terrestrial predator species shall be managed in a way that ensures sustainable populations of predator and prey are maintained.

- C. Human-predator conflict resolution shall rely on management strategies that avoid and reduce conflict that results in adverse impacts to human health and safety, private property, agriculture, and public and private economic impacts. Efforts should be made to minimize habituation of predators especially where it is leading to conflict. Human safety shall be considered a priority. Management decisions regarding human-predator conflicts shall evaluate and consider various forms of lethal and nonlethal controls that are efficacious, humane, feasible and in compliance with all applicable state and federal laws and regulations. A diverse set of tools is necessary to avoid, reduce, and manage conflict. To ensure long-term conservation of predators and co-existence with humans and wildlife, all legal tools shall be considered when managing to address conflicts.



Tracking Number: (2022-01)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Cathy Bennett

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Authority cited: Sections 265 and 355, Fish and Game Code. Reference: Sections 265, 355 and 356, Fish and Game Code.

3. Overview (Required) - Summarize the proposed changes to regulations: Change section 502 & 355. Make duck hunting off limits & not permissible along the shoreline of Benicia, the Benicia State Park waters, or the Southampton Bay waters.

4. Rationale (Required) - Describe the problem and the reason for the proposed change: The city of Benicia is located in the greater San Francisco bay. It is a waterfront and "Main Street" community. We are fortunate to showcase the natural beauty of our coastal waters, the adjacent tidal wetlands of the Benicia State Park, & waters of the Southampton Bay. On any given day, hundreds of visitors enjoy our shoreland, walk the 2.5 miles of paved paths & trails, & take respite in our shoreline parks & picnic areas. The SF Bay trail runs through Benicia, inviting everyone to partake in the majestic beauty of the area. Benicia is bordered by the Benicia/Martinez bridge on one side, and the Carquinez bridge at the far end. Benicia has its own marina, host to hundreds of sailboats, fishing boats & yachts, as does our neighboring city of Vallejo. The open water is known as the Carquinez straights and closer inland is the Southampton Bay. This is a lively water recreation oasis- full of sailboats, fishing vessels, small boat fishing, jet skiers, windsurfers, hang gliders, kayakers, paddleboarders & children swimming at the 9th Street beach. Benicia hosts several annual waterfront events, including



sailboat parades & races, festivals & fishing competitions which flood our coastline with admirers & participants, sometimes serenaded by our local bag pipers, & musicians- all of which adds to the spirit & appreciation of the natural environment we are so fortunate to be the stewards of. Our shoreline parks are frequented by all of Solano county & are always filled with families & children, friends enjoying picnics & hosting outdoor celebrations. Benicia is a wonderful place to live or visit, and we pride ourselves on being a tourist destination & a draw to SF bay area travelers. Our city advertises itself & entices visitors as being “A Great Day by The Bay”. Yet sadly, the peaceful nature of our community has recently been undermined by a group of duck hunters that insist on hunting 150 yards from the shoreline in the Southamptton Bay & the Benicia State Park waters.

It started in October 2020. A group of duck hunters began hunting just before sunrise about 150 yards from the backyards of homes situated along the waterfront in the Southamptton bay. The blast of gunshots at 6:30 am seemed incredulous to everyone. Even when we were visually able to see the hunters, we couldn't believe it was actually taking place. In 50+ years no-one had witnessed duck hunting in these waters. Calls were made to the Benicia police, & to the Fish & Wildlife Dept. Yet the duck hunting continued. Benicians were soon to discover that pre-existing regulatory rules left it 'legal' to hunt off the residential shores of Benicia as long as the hunters were 150 yards from residential shores. Homeowners & waterfront frequenters pleaded with the duck hunters to stop hunting there, explaining how it disrupted their lives, interfered with their households & ruined the peaceful enjoyment of the waterfront. But the hunter's response was, “It's legal. We can hunt here if we want to.” Despite the horror of those living on the west side of town, exposed to the gunshots, the visual of ducks being shot from the sky, dead & injured ducks floating in the waters- eventually the duck hunting season ended, and peace returned to our neighborhoods & our waterfront. Most of Benicians assumed that due to the public protests about the duck hunting, that the duck hunters would not return.

But in October 2021, the duck hunters returned. Again, the community pleaded with the hunters, repeatedly asking for them to hunt in many of the nearby designated areas (Suisun, Grizzly Island, Mare Island, along the shores of San Pablo Bay, and the non-residential sections of the Napa river (all close by). But the hunters were indignant. I myself have encountered them when they were bringing their boat back to the 9th Street launch. When I told them how the neighbors feel about it, they glared at me, & folded their arms across their chests as if to warn me to “back off”. Many have approached them, but with no success or compassion from the hunters. The duck hunters have actually become rather aggressive & made verbal threats to file claims of ‘harassment’ against some of the folks who tried to engage with them. They have chased after the vehicles of those who took photos of their fishing boat & ‘duck blind’ equipment, & flipped their middle fingers at residents who watch with disapproval from the shores, their backyards & outdoor balconies & patios.

Again, calls were made to the local police, and to the Fish & Wildlife Dept. Residents began to organize, and consulted with the Benicia mayor, the city attorney, the city police chief, & the city manager. Calls & letters were sent to our local Supervisor Monica Brown, Representative Mike Thompson, Assembly Member Tim Grayson, & Senator Bill Dodds. Despite the outpouring of public protest, the bottom line is that as long as it is officially ‘legal’, there is nothing anyone could do to stop it. Eventually, the waters usually full of peaceful recreational sports, (windsurfing, kayaking & paddle boarding) succumbed to the duck hunters. (Who



wants to share the waters with men shooting guns?) It has now changed the very nature of our shoreline, and our experience of the Carquinez Straights & the Southampton Bay waters. It threatens to change the very nature of our town- our economy, & our dependence upon Benicia being a tourist destination & a “Main Street” community. It threatens to make our city motto “It’s a Great Day on the Bay”, a sad reminder of how quickly a natural haven can become a desecrated locale. Needless to say, it’s a ‘kill joy’ to our many shoreline restaurant diners whose appetites are lost while being exposed to gunshots from out across the water.

At the December 15th meeting of the Fish & Wildlife Commission, several Benicia residents including the Mayor of Benicia spoke to address this issue. It was obvious the level of distress these hunters are causing to this community. The mayor, Steve Young requested that the current duck hunting regulations be changed, &/or that the distance required from shore be increased. Actually, increasing the distance requirement from the shoreline will not solve the problem. The sound of gunshots will still reverberate in the channel of the straights, & the duck hunters will then be more visible & within greater earshot of an even larger section of the community. One of the residents who spoke at that meeting is a police officer of 30 years afflicted with PTSD, that suffers every time she hears the gunshots. Pushing the duck hunters further out into the straights would actually create an even more dangerous situation. The Carquinez straights are a major commercial shipping channel, & a fairly narrow one. Huge cargo ships carrying oil refinery products & automobiles traverse these waters daily. Men shooting guns in any direction out on these waters poses a potential hazard- be it to other watersport participants sharing the space, to the families peacefully enjoying the shoreline parks & trails, the residents of homes close enough to be traumatized by the sights & sounds they are exposed to, or to the nearby cargo ships transporting oil refinery products & automobiles. A handful of rogue duck hunters creating this kind of disturbance & potential environmental & human disaster is simply unacceptable.

So here we are- common sense has failed. Our efforts at diplomacy have failed. Our appeals to city & governing officials have proven pointless. Our only option at this point is to petition the Fish & Wildlife Commission to change the laws/regulations such that it prevents duck hunting off the Benicia shoreline, in the Southampton Bay & the Benicia State Park waters. Sometimes laws & regulations need to be changed in order to meet the needs & safety of society. This is one of those times.

Date of petition: January 11, 2022.]

SECTION II: Optional Information

5. Date of Petition: January 11. 2022Click here to enter text.]

6. Category of Proposed Change

☐ Sport Fishing

☐ Commercial Fishing

☒ **Hunting**

☐ Other, please specify: Restrict duck hunting in the Benicia State Park, the Southampton Bay waters, & off the Benicia shoreline.



7. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*
- ☐ Amend Title 14 Section(s): **Amend Title 14 Section(s)** *Click here to enter text.*
- ☐ Add New Title 14 Section(s): *Click here to enter text.*
- ☐ Repeal Title 14 Section(s): *Click here to enter text.*
8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** *Click here to enter text.*
Or ☐ **Not applicable.**
9. **Effective date:** If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: **As soon as possible.**
10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: <http://beniciaindependent.com/oppose-gunfire-in-the-carquinez-strait-near-our-benicia-homes-and-recreation/>;



Benicia Herald
article on duck hunting

If PDF won't open, please go online to read the article in the Benicia Herald Newspaper.

BeniciaHeraldOnline.com (Sunday Dec 19th, 2021 edition). Cover story. Front page article written by the newspaper editor, Galen Kusic. Titled: **“Residents Reach Out For Help as Duck Hunting Continues in Southampton Bay”**.

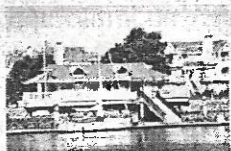
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**Sunday
December 19
2021**

*A special good
morning to
subscriber
John Regalado*



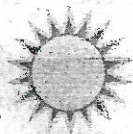
Sunrise 7:20 a.m.

Sunset 4:51 p.m.

High/Low Tides

2:43 a.m. 4.21' 12:39 p.m. 5.63'

7:04 a.m. 2.81' 8:43 p.m. -0.36'



High 48 Low 41

Winds E up to 10 mph
Showers late

*"You'll never find a
rainbow if you're
looking down."*

- Charlie Chaplin

**A Different
Drummer**

Residents reach out for help as duck hunting continues in Southampton Bay



Benicia residents near Ninth St. Park along the waterfront to Benicia State Park have reported an uptick in duck hunting in Southampton Bay, causing major disturbances early in the morning, a decrease in wildlife viewing and water recreation use.

*Benicians call for
Southampton Bay to be
deemed wildlife sanctuary*

Galen Kusic
Editor

For the past 40 years, Southampton Bay has been relatively quiet. Wildlife, kayakers, windsurfers and fisherman live in relative harmony as large ships pass

through the Carquinez Strait.

According to residents over the past two years, that has all changed.

Largely in part they say due to a pair of duck hunters that insist on hunting the waters that used to be left alone "as a common courtesy to residents." The hunters begin at 6 a.m., waking up residents to the sounds of gunfire.

The uproar of residents has

resulted in a less than favorable conclusion: the hunting is actually entirely legal. But they are demanding change.

On Wed., Mayor Steve Young and residents appealed to the California Fish and Game Commission for a change to the law after dozens of calls have fallen on deaf ears.

See **HUNTING**, Page A9

HUNTING

Continued from front

Currently, hunters are allowed to hunt 150 yards from homes on the city limit line. Only CDFW has the authority to move the line or further restrict the location.

"It is disturbing hundreds of homes and residents," said Young. "They (two hunters) have been asked to move to any of the other nearby places like Mare Island or Suisun Bay, away from people, but they are resistant."

CDFW claimed that staff "will be in touch" after the meeting. Benicians have written letters and contacted representatives, including Solano County Supervisor Monica Brown, who represents Benicia. Brown drafted a letter to Charlton "Chuck" Bonham, Director of CDFW.

"This is a new issue to them (residents)," wrote Brown. "They are concerned with noise and guns being fired this close to their homes...I request that you take any available steps to stop duck hunting on any waterfront or wetland or similar area near residential neighborhoods."

Residents have noted that it is negatively affecting PTSD survivors and some of their children now "only talk about guns, how it scares them and their aggressive sound."

"Without some type of action to stop this, it may well grow to more and more hunters, eventually altering the personality and character of our town," said resident C. Bennett. "It will impact the type of tourists we attract and the type

of businesses that may or may not prosper. It will quite likely change the very nature of our town."

The community has met via online forum and in person to discuss options. Residents are now working to preserve Southamptton Bay's natural habitat by working to declare the area between the Carquinez and Benicia bridges as a wildlife sanctuary.

"This is a massive disturbance, discomfort and threat to safety and peace in our community," said resident Elizabeth Lewis, a 42-year resident of Benicia and mother to a four and one year old. "My children are woken up to gun shots every weekend and are left screaming and crying all before 6:30 a.m. some mornings. My children are terrified and now my daughter looks out to the water, having to witness them flipping off their neighbors, who have kindly asked to them stop."

A resident of W. K St. that wishes to remain anonymous in fear or retribution, notes that these hunters "bully residents" and have been "outright aggressive" toward people.

"What once was a peaceful community has been shattered by these unconscionable hunters," said the anonymous resident. "We have tried diplomacy with these hunters and it has failed."

Several residents claim that for the last 40 or more years hunters have been respectful of the homeowners and Benicia State Park visitors and have refrained from hunting Southamptton Bay. The area between 9th St. Park and Dillon

Point has always been heavily populated with ducks and other wildlife. Since the hunting began in Jan. 2020, residents see evidence that the duck population has diminished significantly.

"We have no issue with duck hunting itself," said an anonymous resident. "But what once was an unpopulated area 100 years ago is now an inhabited area with public use shoreline and waterways and the State Park Recreational Area. The time for duck hunting in these waters has passed."

Residents fear that if the hunting continues, Benicia's economy may suffer from unforeseen impacts.

"Because of these duck hunters, kayakers, windsurfers and paddle boarders have stopped using the waters for their recreational use," wrote resident Jean Walker. "After all, who wants to share the water with someone shooting guns?"

Residents of Glen Cove in the Vallejo city limits have reportedly also been negatively affected by the gunfire as well.

"We must therefore be prepared to designate the waters along the Benicia shoreline and the State Park off-limits to hunting," said Bennett. "We need to establish a legal basis to return to the common sense and courtesy that prevailed for much of the past four decades. To accomplish this will require us to combine our individual voices, to unify for a common cause, and be prepared to take the necessary steps to restore and protect the peaceful enjoyment of this beautiful oasis we call Benicia."

The Benicia Independent ~ Eyes on the Environ...

CARQUINEZ STRAIT, GUN CONTROL

OPPOSE GUNFIRE IN THE CARQUINEZ STRAIT NEAR OUR BENICIA HOMES AND RECREATION!

NOVEMBER 30, 2021 | ROGER STRAW

Is Duck hunting off the Benicia residential shoreline really a good idea?



By C Bennett, by email

For those of you who haven't yet been woken at dawn by the sound of gunshots, for the second season in a row a group of local resident duck hunters have been hunting off the Benicia shoreline & State Park waters. Our beautiful straits that used to be filled with peaceful water recreation, have recently been overshadowed by duck hunters from late October to late January. Our usual mixture of kayakers, paddleboarders, windsurfers & hang gliders have reced-

ed. Who can blame them? Sharing the waterways with men shooting guns is a kill joy, not to mention unsafe.

It turns out it is technically legal. For the past 40+ years duck hunters have known that hunting was inappropriate so close to a residential community, so they hunted in nearby appropriate venues including Grizzly Island, Suisun Marsh, Mare Island & along the shores of San Pablo Bay & non-residential sections of the Napa River (all quite close by). Hunters respected the residential shoreline of Benicia & the State Park waters as off-limits to hunting. But a new generation of local hunters think differently, despite the polite request of their neighbors to hunt elsewhere. Their response is, "It's legal. We can hunt here if we want to." So they persist- 2-3 days a week, starting usually at sunrise, sometimes staying out on the water til noon, (or all day) returning at sunset.

Dozens of calls to the **Fish & Wildlife Dept** have failed to impart any change. Benicia police say, "It's out of our jurisdiction." Residents have consulted the mayor, the city attorney, the police chief, and the city manager. Apparently, as long as it is technically legal, there is nothing the city of Benicia, or its residents can do to stop it. Casual hikers along the SF Bay Trail, families & children playing or picnicking in the waterfront parks, bicyclists on the State Park pathways, & people whose houses look out upon the straits are unwittingly exposed to the jolting harshness of gunfire, & a visual of ducks being shot from the skies. On the west side of town it wakes and alarms children, sends dogs into a panic, and triggers those with PTSD. It is an intolerable affront to the peaceful enjoyment of our lives. Without some type of action to stop this, it may well grow to more & more hunters, eventually altering the personality & character of our town. It will impact the type of tourists we attract, & the type of businesses that may or may not prosper. It will quite likely change the very nature of our town. To most nature lovers, being viscerally exposed to duck hunting along the Benicia shoreline is not consistent with our motto

"It's a Great Day by the Bay".

All this said, 'duck hunting' itself is not the problem. Duck hunting off of the Benicia shoreline & the State Park waters is the problem. I'm calling upon all of our conscientious duck hunters in this town to speak to these younger duck hunters. Share with them your integrity, your knowledge of right from wrong, & help them understand the give & take of being part of a larger community. So far diplomacy has failed. We must therefore be prepared to designate the waters along the Benicia shoreline & the State Park off-limits to hunting. We need to establish a legal basis to return to the common sense and courtesy that prevailed for much of the past four decades. To accomplish this will require us to combine our individual voices, to unify for a

common cause, & be prepared to take the necessary steps to restore & protect the peaceful enjoyment of this beautiful oasis we call Benicia.

Respectfully submitted,

C Bennett

F T E S

◀ BENICIA CA ◀ CARQUINEZ STRAIT ◀ GUN CONTROL



Benicia

**WHIMSICAL PUBLIC
ART INITIATIVE
BRINGS COLOR
TO OUR TOWN**

**THURSDAY
EVENINGS
SAILBOAT
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FARMERS
MARKET**



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Volume 13 Issue 10 AUG 2018

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Downtown businesses



Benicia Kite & Paddleboard rentals



Downtown Benicia at night



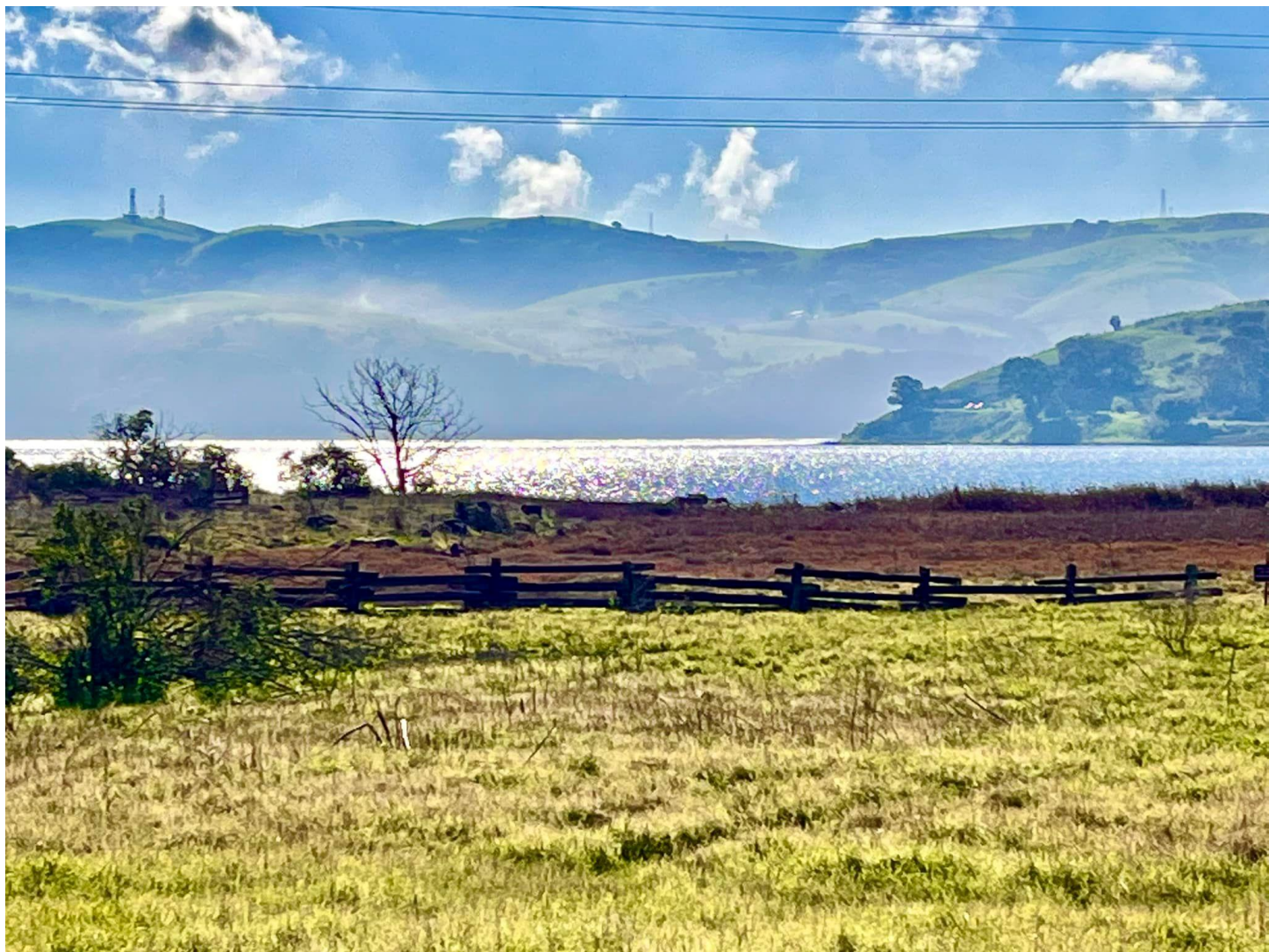
Southampton Bay- Benicia State Park



Commercial shipping channel next to Southampton Bay



Benicia is "A Great Day by the Bay"



Benicia State Park looking out at Southampton Bay
Benicia waterfront homes





Benicia shoreline park overlooking Southampton Bay

C.

11. Economic or Fiscal Impacts: Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: Duck hunting off the shoreline of Benicia changes not only the peaceful nature of our community, but it will impact our economy as well. In addition to being a waterfront community & a “Main Street” town, Benicia is also a town of historical significance. Benicia was the 3rd capitol of the state from early 1853 to late 1854. Benicia is the site of a historical military arsenal built before the civil war. Ulysses S Grant was stationed here. Jack London wrote about the Southampton Bay in his book, “Tales of the Fish Patrol”. Benicia hosts multiple museums & historical structures that draw tourists & classroom field studies from all over the SF bay area.

In 1960 when the military arsenal was decommissioned, it was repurposed as a community of artists & craftsmen. We are proud of our “Arts Benicia” newly located in the historic Commandant’s Residence in the Arsenal. Benicia is home to hundreds of artists of every genre & has over a dozen art galleries & event venues dotting our downtown. Benicia not only draws artists, but art lovers & art students. Scattered along the shoreline you can find Plein Air painters set up in groups of classes. We also have more than a dozen nature photographers



who make their living capturing the natural beauty of our land, water & the wildlife that inhabit it. Benicia's colorful history & the artist community are celebrated as part of our attractiveness as a tourist destination. Visitors enjoy "A Great Day by the Bay" with visits to our museums, galleries, shops, & dining in our restaurants. The sound of gunshots, &/or the visual encounter of men shooting ducks from the sky & falling dead or injured to the water is a threat to Benicia's tourist viability. It diminishes our appeal & attractiveness to those seeking to enjoy nature- not witness its carnal destruction. As with other SF Bay area destinations, the Benicia business community depends of the steady flow of tourists. Duck hunting has no place off the waters of Sausalito or San Francisco. Why should it be acceptable in Benicia?

Another fiscal impact related to duck hunting is the need for increased oversight by the Fish & Game wardens. Currently there is little (if any) monitoring of duck hunters in Benicia. What started as only a few hunters has this year turned into a handful, and it is only likely to increase as the "tolerance" is tested. Oversight of licensing, permits, & adherence to limits have been left to chance. Benicia will require additional Fish & Game warden visits & supervision. It may require that the Fish & Wildlife Commission hire additional staff to man the phone lines, & respond to resident complaints. Those complaints are only likely to increase unless the duck hunting is stopped. Duck hunters who choose to defy the strongly stated objections of their neighbors, cannot be trusted in an "honor system". We have little faith that these hunters will adhere to proper protocol & regulations. Residents have already reported seeing "breasted" ducks, left for dead & floating up onto the shore. This is abhorrent to anyone who comes upon it.

Another potential impact to our community is that these duck hunters are hunting alongside a busy & narrow commercial shipping channel that borders the Southamptton Bay. As I stated previously, if the hunters move further away from the shoreline out toward the open waters they then become a bigger danger to the cargo ships transferring automobiles & oil refinery products. It would be reckless & a potential environmental disaster should these hunters accidentally cause damage to a container ship, or get too close or in the path of one of these tanker ships causing an accident. There is simply no justification to continue to allow duck hunting in these waters. Period.

12. Forms: If applicable, list any forms to be created, amended or repealed:

[Click here to enter text.](#)

SECTION 3: FGC Staff Only

Date received: 1/12/2022

FGC staff action:

- ☒ Accept - complete
☐ Reject - incomplete
☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: 1/26/22

Meeting date for FGC consideration: Receive 2/16-17/22, consider 4/20-21/22



FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition Tracking Number
- ☐ Granted for consideration of regulation change
- ☒ Referred to DFW

STATE OF CALIFORNIA
Fish and Game Commission
Memorandum

Date: August 18, 2023

To: Eric Sklar, President
Erika Zavaleta, Vice President
Jacque Hostler-Carmesin, Member
Samantha Murray, Member
Anthony Williams, Member

From: Commission staff

Subject: Staff recommendation for petition 2022-01

In January of 2022, you received Commission Regulation Change Petition 2022-01, which proposes to modify California Code of Regulations (CCR), Title 14, sections 502 and 355, related to waterfowl hunting to “make duck hunting off limits and not permissible along the shoreline of Benicia, the Benicia State Park waters, or the Southamptton Bay waters.” In April 2022, the Commission referred the petition to the California Department of Fish and Wildlife (Department) for review and recommendation; subsequently, Commission staff offered to assist with outreach—including a visit to Southamptton Bay to talk with stakeholders and city officials—and make a recommendation to the Commission on whether to grant or deny the petition. This memo provides background on the subject, describes staff’s efforts, and transmits a recommendation.

Background

Southamptton Bay is located in Solano County along the north side of the narrowest portion of the Carquinez Strait, a navigable channel used for commercial and military shipping, where the waters from the Sacramento and San Joaquin rivers flow west into San Pablo Bay. Surrounded by hills on three sides, Southamptton Bay is faced by the city of Benicia to the east and north and Benicia State Recreation Area to the north and west. Southamptton Creek and a tidal marsh front the bay through the recreation area. Located along the Pacific Flyway, numerous waterfowl overwinter in the area.

For waterfowl hunting purposes, Southamptton Bay falls under the “Balance of the State Zone” regulations in Section 502 of Title 14, CCR. In this waterfowl hunting zone, depending upon the species, the regular season begins around the third week of October and ends near the end of January; there is also an early season for a few days in early October and a late season for a few days in February for geese, along with special hunts for youth, military, veterans and falconry. Shooting hours are one-half hour before sunrise to sunset; for multiple reasons, waterfowl hunting is most popular in the early morning hours.

Staff Outreach and Fact-Finding

In researching the issues identified in the petition, Commission staff visited Southampton Bay and Benicia (the city adjacent to the bay) and met with the petitioner, city of Benicia officials, a Congressional staff member, and a representative from the California Waterfowl Association. Staff appreciated the warm welcome and short tour of the bay's shoreline and parts of the city.

Through both the site visit and hearing testimony from a Benicia City Council meeting, Commission staff learned about the factual background of recent hunting in Southampton Bay and heard multiple suggestions on ways to address the conflicts, including opinions, feedback, and suggestions from governmental officials, Benicia residents, and hunters and hunting groups.

Proponents of the petition have argued that waterfowl hunting (1) is incompatible with water recreationalists, (2) creates nuisance noise and trauma, as well as waterborne pollution, and (3) is a safety hazard. The proponents state that waterfowl hunting in the area in question is a recent phenomenon that did not occur until 2020.

Opponents of the petition argue that (1) there have been no waterfowl hunting safety accidents in Southampton Bay, in part because hunters are required to take a hunter safety education course prior to receiving their hunting licenses and shotguns have a limited range, (2) current regulations already restrict hunting with firearms to 150 yards from any occupied dwellings, which means that they must hunt some distance from the Benicia shoreline, and (3) hunters have been harassed by recreationalists while on the water actively hunting.

Conflicts are amplified by the particular geography of Southampton Bay, an area surrounded by high hills on three sides that tend to reflect sound toward homes near the shore, shoreline trails, and the town in general. Hunters and other recreational water users are in relatively close proximity to each other, typically concentrated in a larger area of somewhat shallow water.

When attempting to determine the extent of the user conflicts and the amount of waterfowl hunting that has recently taken place in Southampton Bay, staff was unable to procure or locate much data outside of anecdotes; the primary evidence of the problem over time was provided by the petitioner and other residents who live near the waterfront and were able to generally describe their observations of what appears to be a small number of waterfowl hunters during two seasons (2020-21 and 2021-22). In addition, letters have been submitted by residents, Benicia City Council, and Napa-Sonoma Audubon Society that describe concerns with noise, joint use of the bay by hunters and non-consumptive users, and exposure to animals being shot.

The petitioner states that no hunting was observed in Southampton Bay during the 2022-23 waterfowl seasons, which they attribute to the petition having been submitted to the Commission. To be sure, there have been reports of tensions between hunters and recreationalists, although the extent of these conflicts remains unclear. There have been no safety incidents reported from waterfowl hunting in Southampton Bay. Approximately 90% of all hunting incidents in the United States are within the hunting party and the majority of incidents occur while deer hunting.

In California there are numerous examples of hunting in terrestrial areas that occurs near populated areas. Similarly, there are examples in coastal waters along the entire state, such as Morro Bay, where concerns were raised by the community like those in petition 2022-01 and its supporting letters. To address concerns from the Morro Bay community about noise from waterfowl hunting and perceived conflict with other waterfront uses, the Commission made two regulation changes specific to that bay. CCR, Title 14, Section 507(a)(4) was amended to specify that "...no shotgun larger than 12 gauge shall be used in areas open to hunting on, over or adjacent to the waters of Morro Bay, San Luis Obispo County", and Section 506 was amended to specify that "In areas open to hunting on, over or adjacent to the waters of Morro Bay, San Luis Obispo County, the shooting time shall be from 7:00 a.m. to sunset."

Recommendation

Commission staff recommends that the Commission deny the petition. While there are other areas in proximity of Benicia that allow waterfowl hunting, they can be difficult to access, are private facilities, can present safety hazards for boats, or present other challenges. Commission staff believes that hunters and recreationalists can and do share the water in many places without conflict with one another or creating safety hazards.

That being said, certain regulatory relief, short of an outright hunting ban, may alleviate some of the conflicts voiced by the petitioner, Benicia residents, and the city government – particularly the primary complaint of noise that is exacerbated by the local geography. Similar to action the Commission took in Morro Bay, Commission staff expects there are measures that can reduce the noise from gunfire while still preserving opportunity for waterfowl hunters. Commission staff recommends that the Commission direct staff to work through the Wildlife Resources Committee in concert with the community of Benicia, waterfowl hunters, and the Department to explore potential modifications to waterfowl hunting regulations specific to Southampton Bay. The Commission may also choose to implement a "sunset date" on any proposed regulations to allow a period of monitoring for evaluating the level of noise reduction and conflict abatement, and determining whether the restrictions should be continued or modified.

Finally, Commission staff notes that regulatory modifications as potentially contemplated here do not lend themselves to a one-size-fits-all approach; this recommendation is made primarily due to the exceptional circumstances in Southampton Bay, such as the tendency for loud noise to be reflected and amplified into a residential area that is close to the water's edge, the proximity of hunters and other recreationalists in a shallow water bay, and the availability of and access to waterfowl hunting options in the region.

From: Sarah Grebe <SGrebe@ci.benicia.ca.us>

Sent: Monday, January 8, 2024 10:22 AM

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

Cc: Mario Giuliani <MGiuliani@ci.benicia.ca.us>; [REDACTED] Cathy Bennett; Ben Stock

<BStock@ci.benicia.ca.us>; assemblymember.wilson@assembly.ca.gov; Bill.Dodd@sen.ca.gov

Subject: Request for Consideration of Petition 2022-01 and Regulation Changes to Duck Hunting in Southampton Bay

You don't often get email from sgrebe@ci.benicia.ca.us. [Learn why this is important](#)

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

Dear Fish and Game Commission,

Please see attached letter from Benicia City Manager Mario Giuliani.

Thank you.

Sincerely,



Sarah Grebe

Executive Assistant to the City Manager

Email: sgrebe@ci.benicia.ca.us

Office: 707.746.4200 | Mobile: 707.771.4351

250 East L Street, Benicia, CA 94510

www.ci.benicia.ca.us

Alternate Fridays Closure Notice: The City of Benicia City Hall and Fire Administrative Offices are closed for business on alternating Fridays. A calendar and additional information is available at [this link](#).



CITY HALL • 250 EAST L STREET • BENICIA, CA 94510 • (707) 746-4200 • FAX (707) 747-8120

MARIO GIULIANI
City Manager

January 3, 2024

California Fish and Game Commission
1416 Ninth Street, Suite 1320
Sacramento, CA 95814

Sent Via Email and USPS

Re: **Request for Consideration of Petition 2022-01 and Regulation Changes to Duck Hunting in Southampton Bay**

Dear California Fish and Game Commission,

As you are aware, the coexistence of duck hunters and homeowners in Benicia has been a topic of ongoing discussion and concern. In consideration of Petition 2022-01, I am writing to request that the California Fish and Game Commission implement the following regulations:

- 1. No hunting on holidays listed below.**
 - Halloween, Thanksgiving, Christmas Eve, Christmas Day, Hanukkah – Day 8, Kwanzaa – Day 5, New Year's Eve, New Year's Day, Martin Luther King Jr. Day.
- 2. Extend the required distance from homes to 300 yards (versus 150 yards).**
- 3. Require use of reduced noise shotguns.**
- 4. Change the start time from 6:00 am to 9:00 am.**
- 5. Require 7 days advance notice to residents along West K Street and West 9th Street, (homes along the waterfront) via postcard with intent to hunt in Southampton Bay. Postcard to include name, date, number of hunters and vehicle license plate of truck, with duplicate copy of notice left viewable on vehicle dashboard day of hunt.**
- 6. Require a direct line to Fish and Game Wardens to report hunting violations in real time.**
- 7. Require increased Fish and Game Warden monitoring of Southampton Bay.**

8. Outline a series of enforceable consequences for violations, which increase in severity according to frequency and type of violation. For example:

- 1st violation – verbal warning
- 2nd violation – fine
- 3rd violation – loss of hunting privileges in Southampton Bay for remainder of season
- 4th violation – permanent loss of hunting privileges in Southampton Bay
- 5th violation – suspension of duck hunting license for 3 years.

Please note that I will be attending the Commission meeting on Tuesday, January 16th to encourage support of this proposed approach, and therefore respectfully request that you allow me to speak earlier at the Commission meeting, as I need to return back to Benicia for the City Council meeting that same day.

Thank you for your attention to this matter. We believe that taking action in this way will help foster a more harmonious coexistence between duck hunters and homeowners in Benicia.

Very truly yours,



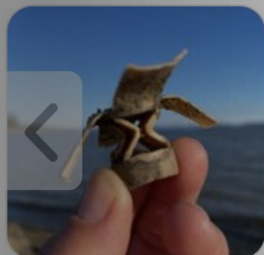
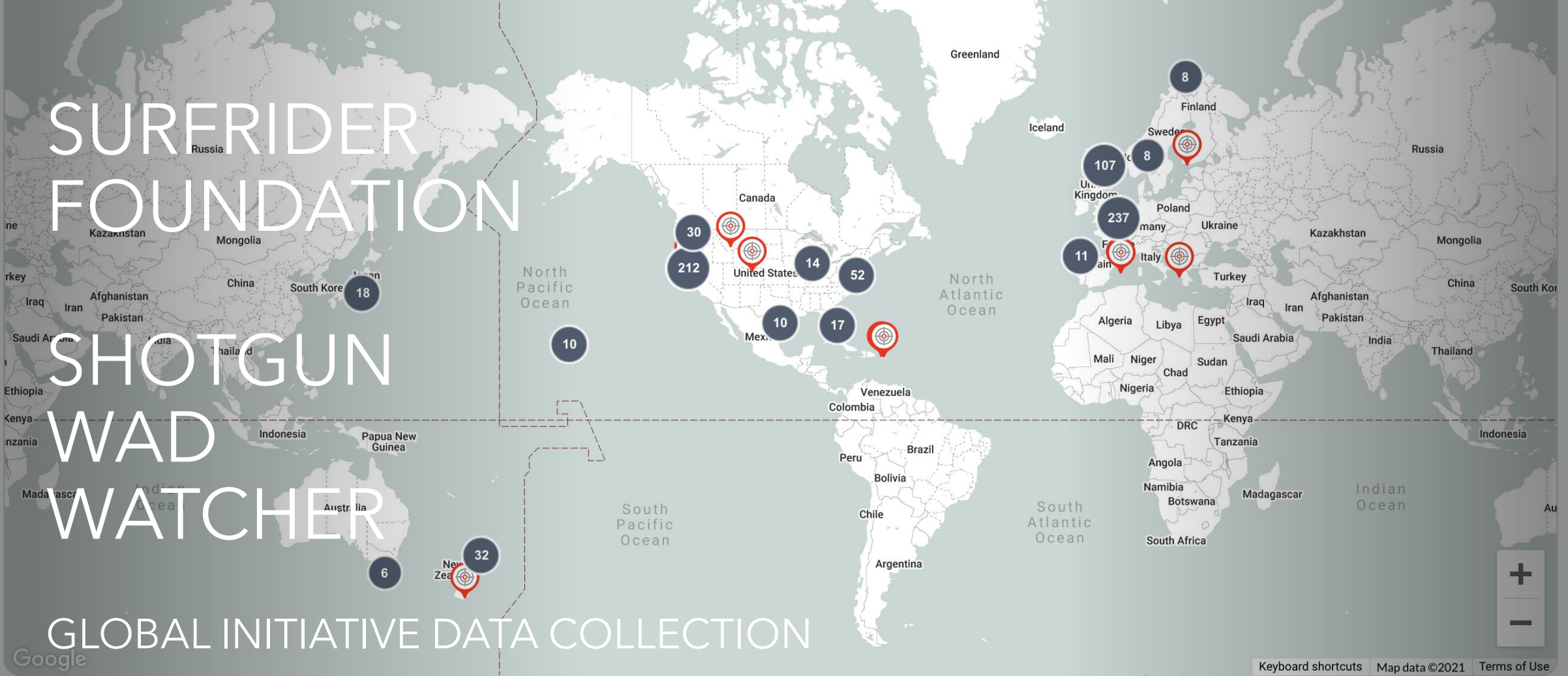
Mario Giuliani
City Manager

Cc: Benicia City Council
Cathy Bennett, Petitioner
Ben Stock, City Attorney
Assemblywoman Lori Wilson, District 11
Senator Bill Dodd, District 3

SURFRIDER FOUNDATION

SHOTGUN WAD WATCHER

GLOBAL INITIATIVE DATA COLLECTION



140 Lagoon Road

Anna Kauffman
August 9, 2021



140 Lagoon Road

Anna Kauffman
August 9, 2021



Marine View Drive

Anna Kauffman
August 9, 2021



Marine View Drive

Anna Kauffman
August 9, 2021



Brigantine

eduardoj40
August 4, 2021



Fort Funston

Bruno Colchen
August 1, 2021



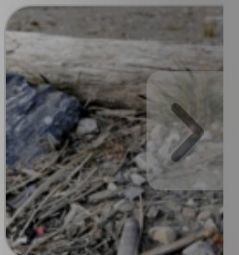
Brigantine

eduardoj40
July 25, 2021



Eel River

Rebecca Smith
July 25, 2021



Nordenskiöldbreen

Anneli Vestre
July 24, 2021

SAN FRANCISCO BAY

PLASTIC SHOTGUN WADS

PHOTO: RICHMOND, CA





VARIETY OF WADS IN LOCAL WATERWAYS
PT. PINOLE REGIONAL SHORELINE / SAN PABLO BAY

ANATOMY OF A SHOTGUN SHELL

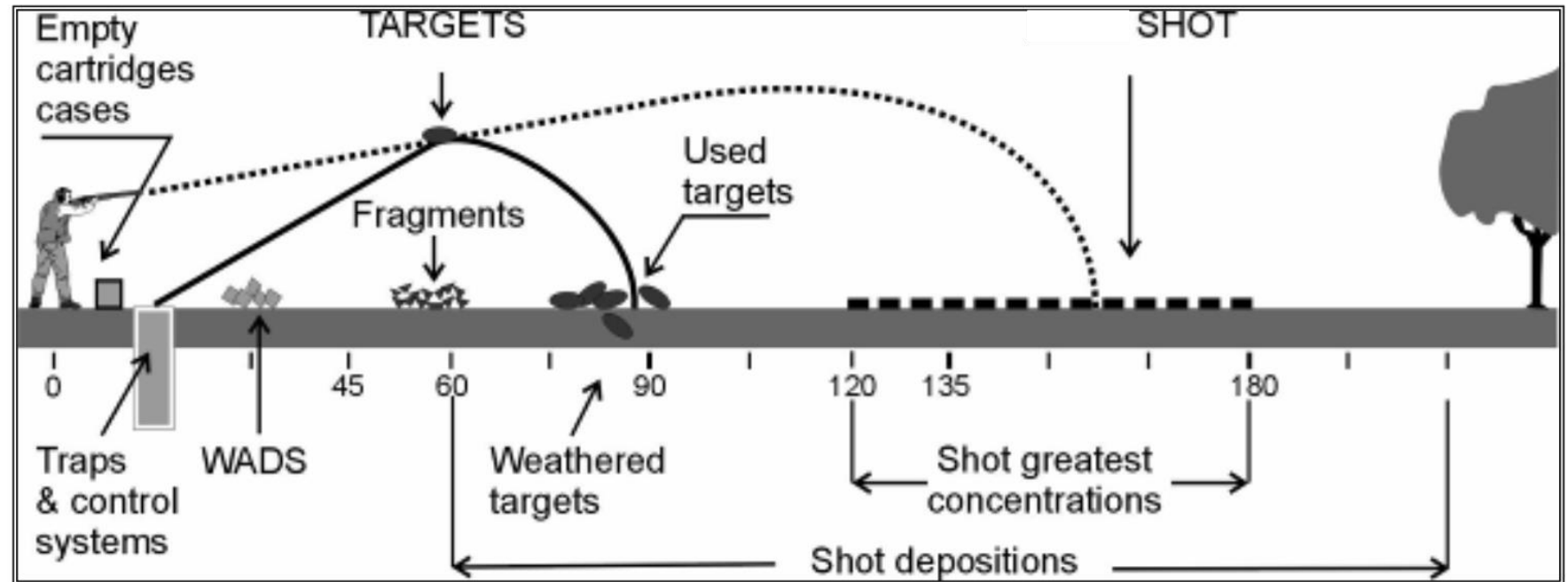
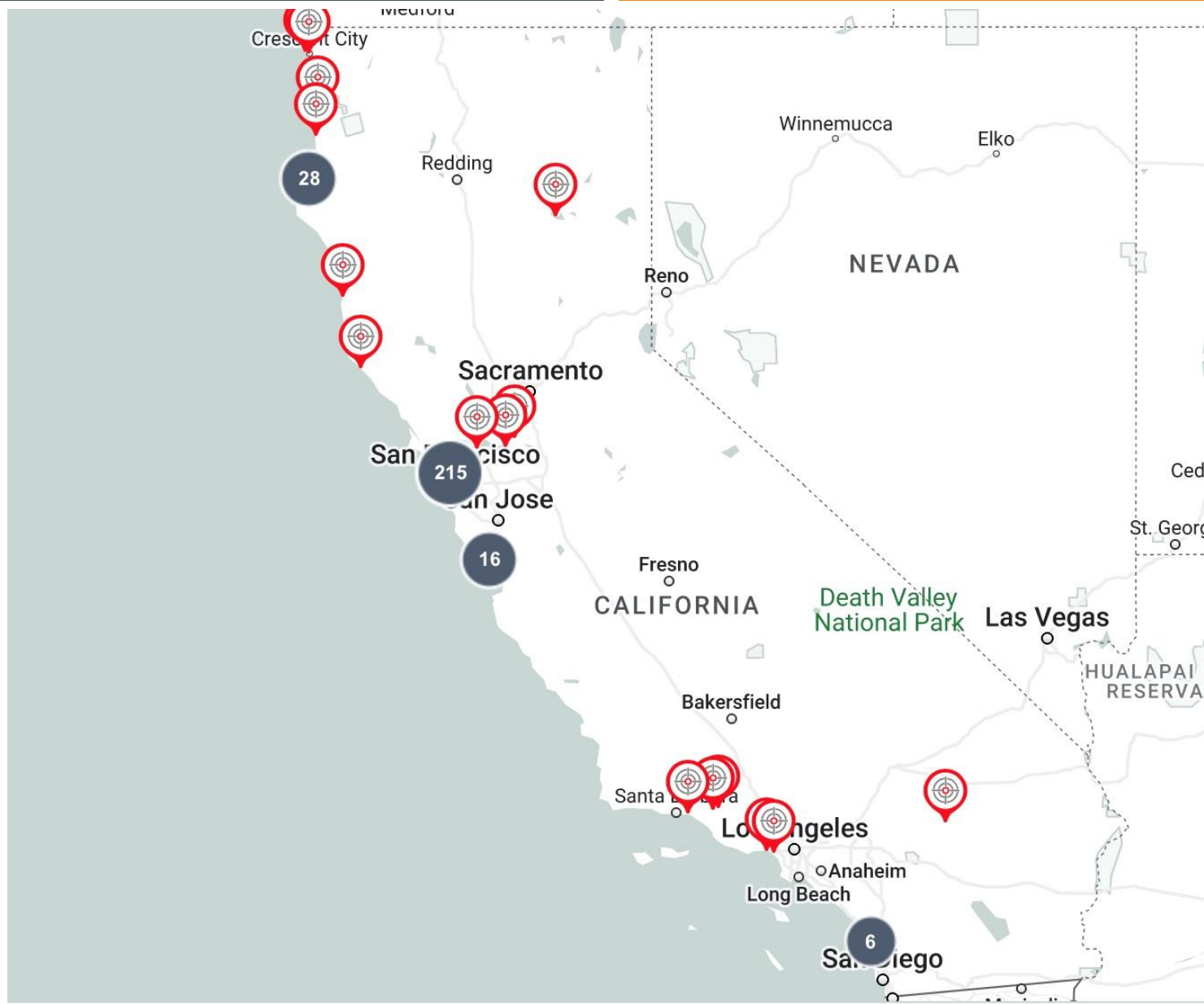


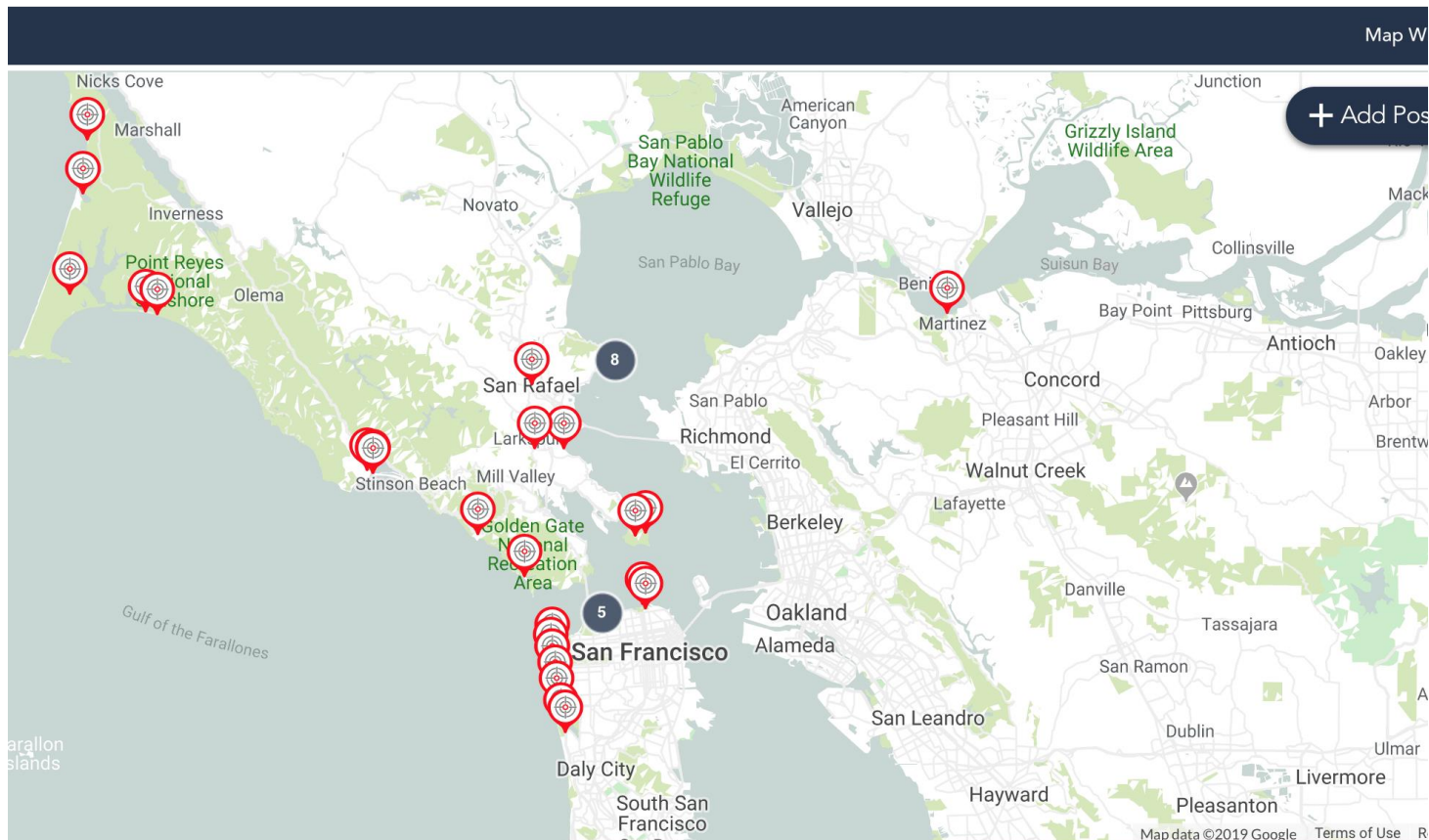
Figure 2-12. Flight paths of different materials resulting from clay target shooting
(in meters, 1 m = 3.28 feet).



PLASTIC SHOTGUN WAD DATA COLLECTION COASTAL CALIFORNIA



PHOTO: SAN FRANCISCO



Coote Point Road
11/22/2019
Libby Wilkinson
November 21, 2019



Crissy Field Ave
11/20/2019
HAY!Straws
November 21, 2019



Kannonzaki park
Found one more yesterday during my beach cleaning.
Hayama mon amour
November 20, 2019



103 Wharf Road
11/18/19
Anna Kauffman
November 19, 2019



3 X Shotgun wad
I found three more shotgun wads on the beach today whil...
Hayama mon amour
November 15, 2019



Lewis Bay, West Yarmouth, MA 02...
11/2/19
Sarah Thornington
November 9, 2019



Great Hwy
11/06/19
Anna Kauffm
November 9,

DATA COLLECTION SAN FRANCISCO BAY AREA

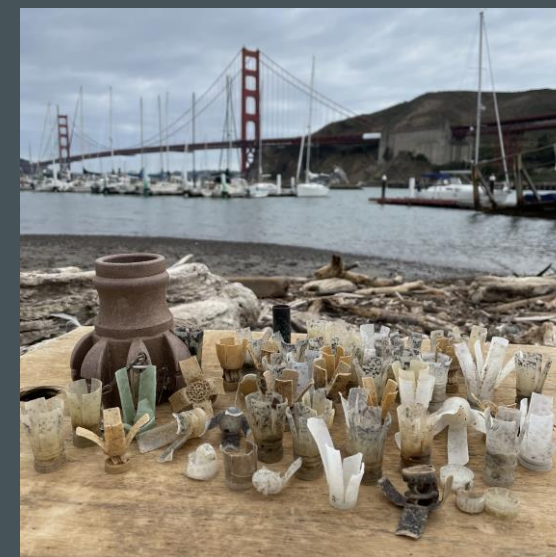
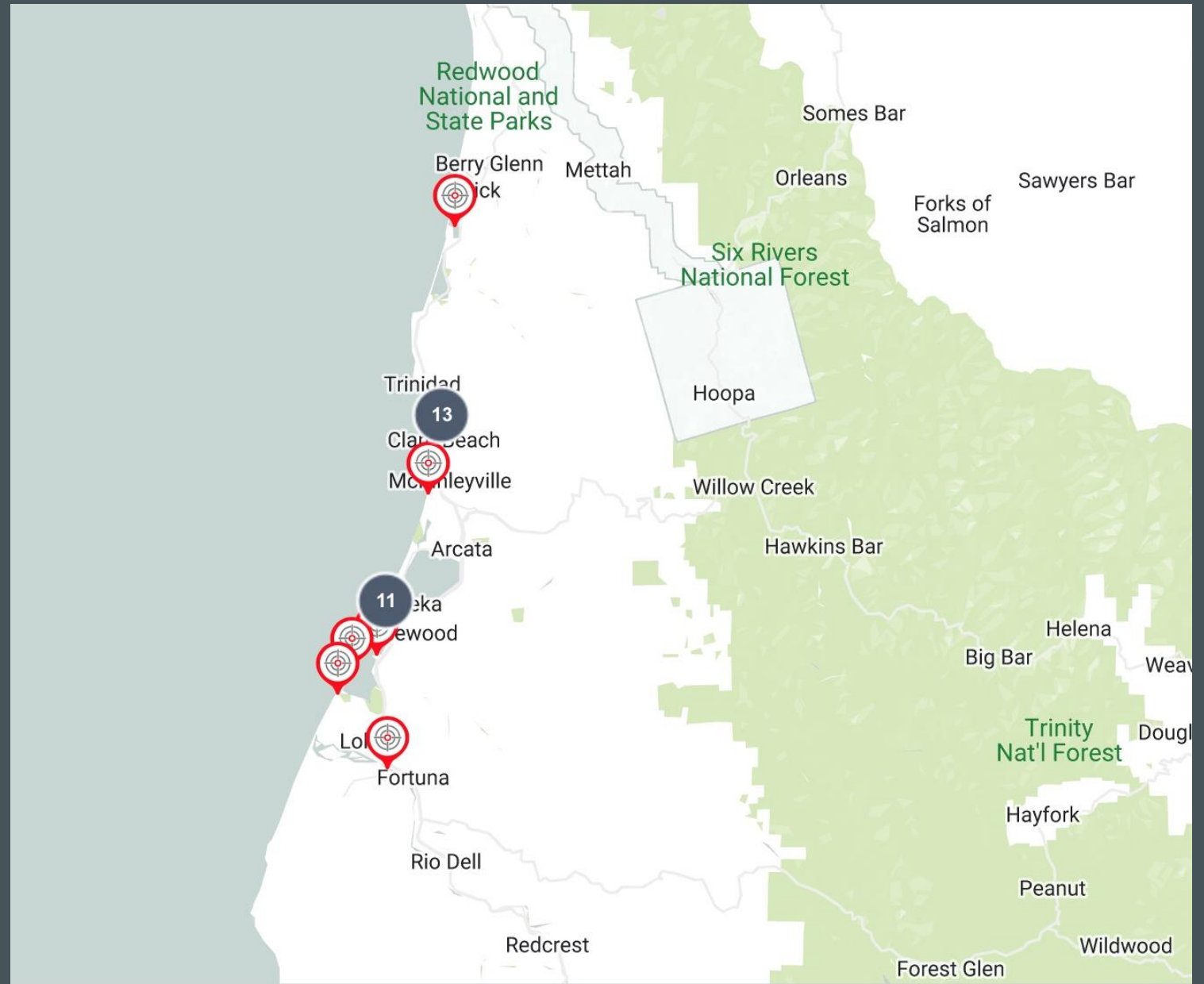


PHOTO: SAUSALITO

DATA COLLECTION HUMBOLDT COUNTY



PHOTO: STONE LAGOON



NOAA OFFICE OF NATIONAL MARINE SANCTUARIES +
NOAA MARINE DEBRIS PROGRAM
BEHAVIOR CHANGE CAMPAIGN TO REDUCE PLASTIC SHOTGUN WAD DEBRIS
ON THE NORTH-CENTRAL CALIFORNIA COAST



REPORT PUBLISHED IN MAY 2021
focus on shotgun wad retrieval

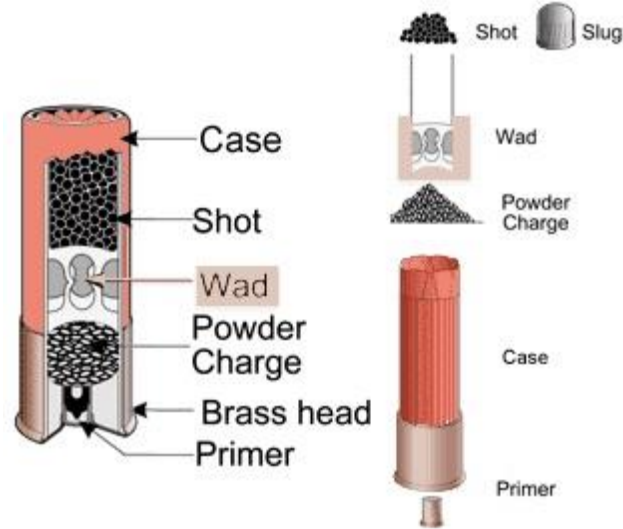
KATE BIMROSE
BOLINAS LAGOON RESTORATION PROJECT MANAGER
MARINE DEBRIS PROJECT MANAGER
KBIMROSE@FARALLONES.ORG

<https://farallones.noaa.gov>



SHOTGUN
WAD WATCHER
GLOBAL IMPACT
TO DATE
100,000+
SHOTGUN
WADS
DOCUMENTED





MANUFACTURING UPDATE

PHOTOS:
FINELY GROUND WALNUT SHELL MEDIA BY FOUNDERS GREENOPS AMMO
'ROYAL ECO BLUESTEEL ECO WAD'



THANK YOU FOR INCLUDING THE PLASTIC
SHOTGUN WAD DEBRIS TOPIC TO THE
WILDLIFE RESOURCES COMMITTEE
JANUARY 2024 AGENDA



California Fish and Game Commission
Wildlife Resources Committee (WRC) Work Plan
Scheduled Topics and Timeline for Items Referred to WRC
Updated December 4, 2023

Note: Proposed changes to topics/timing are shown in blue underscore or strike-out font

TOPICS	CATEGORY	Jan 2024	May 2024	Sep 2024
Periodic and Annual Regulations				
Upland (Resident) Game Birds	Regulatory		X	X/R
Mammal Hunting	Regulatory		X	X/R
Waterfowl Hunting	Annual Regulatory		X	X/R
Central Valley Sport Fishing	Annual Regulatory		X	X/R
Klamath River Basin Sport Fishing	Annual Regulatory		X	X/R
Inland Sport Fishing	Regulatory	X/R		X
Regulations & Legislative Mandates				
<u>Mammal Trapping</u>	<u>Regulatory</u>			<u>X</u>
Falconry	Referral for Review			
Restricted Species	Regulatory			
Discussions and Updates				
Take of Nongame Mammals	Referral for Review	X	X	X
Shotgun Wads (plastic pollution)	Referral for Review	X	X/R	
Waterfowl Hunting in Southampton Bay	Referral for Review	X	X	X/R

KEY: X Discussion scheduled X/R Recommendation potentially developed and moved to FGC

California Fish and Game Commission: Perpetual Timetable for Anticipated Regulatory Actions

April 29, 2024

Subject of Rulemaking	Title 14 Section(s)	FGC Teleconference May 15, 2024	WRC Sacramento May 16, 2024	FGC Mammoth Lakes June 19, 2024	FGC Mammoth Lakes June 20, 2024	MRC Santa Rosa Area July 17, 2024	MRC Santa Rosa Area July 18, 2024	TC Fortuna August 13, 2024	FGC Fortuna August 14, 2024	FGC Fortuna August 15, 2024	WRC San Jose Area September 12, 2024	FGC Sacramento October 9, 2024	FGC Sacramento October 10, 2024	MRC Sacramento November 7, 2024	TC San Diego Area December 10, 2024	FGC San Diego Area December 11, 2024	FGC San Diego Area December 12, 2024	WRC Southern California January 15, 2025	FGC Sacramento February 12, 2025	FGC Sacramento February 13, 2025	MRC Santa Rosa Area March 13, 2025	TC Santa Clarita April 15 2025	FGC Santa Clarita April 16, 2025	FGC Santa Clarita April 17, 2025
Central Valley Sport Fishing (Annual)	7.40(b)(4), (43), (66), (80)	A				E 7/16																		
Klamath River Basin Sport Fishing (Annual)	7.40(b)(50)	A								E 8/15														
Emergency Closures of Sport Fishing in Klamath River Basin for Spring Chinook Salmon	7.40(b)(50)	A				E 7/1																		
Waterfowl (Annual)	502				E 6/30																			
Inland Sport Fish Bag Limits, Gear, and Low-Flow Information	2.30, 5.50, 7.50, 8.00, 703			D						A								E 1/1						
Special Hunt Permit Issuance and Drawings in ALDS	702, 715	A				E 7/1																		
Mitigating Risks for Cervid Importation and Movement	257.5, 475, 676, 681, 712, 714	A				E 7/1																		
Department Lands ^{1, 2}	540, 550, 551, 630					E 7/1																		
Recreational California Halibut Emergency (Second 90-Day Extension)	28.15			EE 5/29																				
Recreational California Halibut Bag and Possession Limit	28.15			E 5/29																				
Exotic Game Mammals / Wild Pig Validation	250, 251.5, 252, 257.5, 258, 350, 352, 353, 368, 375, 376, 377, 378, 379, 401, 465.5, 679 708.13					E 7/1																		
White Sturgeon Emergency	5.79, 5.80, 27.90, 27.92	EE 5/15																						
White Sturgeon Emergency (First 90-Day Extension)	5.79, 5.80, 27.90, 27.92	E 5/15						EE 8/12																
White Sturgeon Emergency (Second 90-Day Extension)	5.79, 5.80, 27.90, 27.92			A				E 8/12							EE 11/10									
White Sturgeon Certificate of Compliance	5.79, 5.80, 27.90, 27.92			D						A					E 11/10									
Fisheries Logbook Forms and Fishing Block Charts	120.7, 122, 165, 180, 190, 197, 705.1				D				A									E 1/1						
Commercial California Halibut and White Seabass Set Gill Nets	174.1				D				A									E 1/1						
Possession of Wildlife and Wildlife Rehabilitation	679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8, 679.9			N						D			A					E 1/1						
White Sturgeon Harvest and Reporting	1.74, 5.79, 5.80, 27.90, 27.92, 701, 701.1			N						D			A					E 1/1						
Mammal Hunting for 2024-2025 Seasons ⁵	362, 363, 364, 364.1, 554, 555, 555.1, 708.14					E 7/1																		

Future Rulemakings: Schedule to be Determined

Subject of Rulemaking	Title 14 Section(s)	FGC Teleconference May 15, 2024	WRC Sacramento May 16, 2024	FGC Mammoth Lakes June 19, 2024	FGC Mammoth Lakes June 20, 2024	MRC Santa Rosa Area July 17, 2024	MRC Santa Rosa Area July 18, 2024	TC Fortuna August 13, 2024	FGC Fortuna August 14, 2024	FGC Fortuna August 15, 2024	WRC San Jose Area September 12, 2024	FGC Sacramento October 9, 2024	FGC Sacramento October 10, 2024	MRC Sacramento November 7, 2024	TC San Diego Area December 10, 2024	FGC San Diego Area December 11, 2024	FGC San Diego Area December 12, 2024	WRC Southern California January 15, 2025	FGC Sacramento February 12, 2025	FGC Sacramento February 13, 2025	MRC Santa Rosa Area March 13, 2025	TC Santa Clarita April 15, 2025	FGC Santa Clarita April 16, 2025	FGC Santa Clarita April 17, 2025
Santa Cruz Harbor Salmon Fishing (FGC Petition 2016-018)	TBD																							
European Green Crab (FGC Petition 2017-006)	TBD																							
Possess Game / Process Into Food	TBD																							
American Zoological Association / Zoo and Aquarium Association	671.1																							
Night Hunting in Gray Wolf Range (FGC Petition #2015-010)	474																							
Shellfish Aquaculture Best Management Practices	TBD																							
Ridgeback Prawn Incidental Take Allowance	120(e)																							

KEY

FGC = California Fish and Game Commission MRC = FGC Marine Resources Committee WRC = FGC Wildlife Resources Committee TC = FGC Tribal Committee OAL = Office of Administrative Law

EM = Emergency EE = Emergency Expires E = Anticipated Effective Date (RED "X" = expedited OAL review) EUF = Effective Upon Filing w/ Secretary of State

N = Notice Hearing D = Discussion Hearing A = Adoption Hearing V = Vetting R = Committee Recommendation

1 = Considers FGC Petition 2017-008 2 = Considers FGC Petition 2018-003 3 = Considers FGC Petition 2020-015 4 = Considers FGC Petition 2021-020 5 = Considers FGC Petition 2021-017