

Staff Summary for August 14-15, 2024

2. General Public Comments for Items Not on the Agenda**Today's Item****Information** ☒**Action** ☐

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

Summary of Previous/Future Actions

- **Today receive verbal requests and comments** **August 14-15, 2024**
- Consider granting, denying, or referring **October 9-10, 2024**

Background

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

General public comments are categorized into two types: (1) requests for non-regulatory action and (2) informational-only comments. Under the Bagley-Keene Open Meeting Act, the Commission cannot discuss or take action on any matter not included on the agenda, other than to schedule issues raised by the public for consideration at future meetings. Thus, non-regulatory requests generally follow a two-meeting cycle (receipt and direction); the Commission will determine the outcome of non-regulatory requests received at today's meeting at the next regularly scheduled Commission meeting, following staff evaluation (currently October 9-10, 2024).

Significant Public Comments

1. Informational comments are provided as exhibits 1 through 18.
2. Two non-regulatory requests are provided as exhibits 19 and 20.

Recommendation

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

Exhibits

1. [A compilation of emails from Tom Hafer, President, Morro Bay Commercial Fisherman's Organization](#), that provide data on the biological and fisheries impacts of high-resolution geographical surveying equipment being used to prepare for offshore wind development, received between May 5 and June 19, 2024
2. [Email from Charles Whitwam, President and Founder, HOWL for Wildlife](#), providing recommendations on the Department's draft 2024 bear conservation plan, a table of specific comments, and a compiled list of approximately 1200 names supporting HOWL's recommendations, received June 14, 2024

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3. [Email from Larry Robinson, District 2 Commissioner, El Dorado County Fish and Wildlife Commission](#), proposes to authorize the use of dogs when hunting bears, received June 14, 2024
4. [Email from Jess Harris](#), with copies of two letters to the State Water Resources Control Board highlight concerns about flow requirements and recommend conditional curtailments for the Shasta River, received June 15 and July 8, 2024
5. [Email from Mike Kitahara, former commercial abalone diver](#), urges the Commission to support development of an experimental fishing permit for commercial harvest of red abalone at San Miguel Island, received June 17, 2024
6. [Email from Tony Emmert, Assistant General Manager, United Water Conservation District](#), provides supplemental comments on the status of southern California steelhead, received June 21, 2024
7. [Email from the neighbors of Santa Monica Mountains and Deer Creek Canyon](#), calling attention to poor conditions and potential fire hazards being dumped in the area, received June 26, 2024
8. [Letter from Brooke Laine, District 5 Supervisor, El Dorado County Board of Supervisors](#), notes that the significant rise in bear encounters necessitates the Department's reconsideration of hiring wildlife biologists to mitigate human and bear conflicts, received July 9, 2024
9. [Email from Kelly Clancy to District 2 supervisor, Kern County Board of Supervisors](#), expresses concern about the approval of the Aratina Solar project despite ongoing development of the Western Joshua Tree Conservation Program, received July 10, 2024
10. [Email from Shane Blair](#), expresses concern about the socioeconomic impact of closing another recreational fishery (white sturgeon), received July 12, 2024
11. [Email from Shaun Rainsbarger](#), expressing his views on listing white sturgeon as an endangered species and offering an alternative approach, received July 13, 2024
12. [Letter from Leonardo Battaglia, commercial fisherman](#), expresses disappointment at not being included in the Plains Oil Spill settlement, claims to have been unaware of settlement opportunities, and seeks assistance with follow-up after numerous unsuccessful calls to the Department and Commission, received July 19, 2024
13. [Letter from Steve Rebuck](#), giving feedback on the Commission discussion and decision to deny his petition (2024-02) for commercial red abalone harvest at San Miguel Island, and requesting the Commission reconsider using Section 7.3.8, Alternative 8 of the Abalone Recovery and Management Plan to authorize harvest at a reduced density, received July 23, 2024
14. [Email from Steve Rebuck](#), providing alternative suggestions for the red abalone recovery plan under development, received July 29, 2024
15. [Email from Damon Walker](#), seeks clarification on President Murray's statement that fishing is a privilege, not a right, as stated in the California' Constitution, received July 31, 2024
16. [Email from Jeff Brown](#), cites Section 25 of the California State Constitution and asks if President Murray will retract her statement about fishing being a privilege, received August 1, 2024

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17. [A representative sample of 308 emails](#), received between July 9 and August 1, 2024, opposing the Western Joshua Tree Protection Act and, instead, favoring stricter protections under the California Endangered Species Act
18. [A representative sample of 413 emails](#), received between June 14 and August 1, 2024, transmits several links, including a Change.org petition to stop the Aratina Solar project
19. [Email from Colin Gallagher](#), requests that Commission staff advance the proposal from his previously-denied Petition (2021-007R) to allow the use of airguns to take wild pigs, received June 22, 2024
20. [Email from Patricia McPherson, President, Grassroots Coalition](#), requests the Commission schedule a discussion of Ballona Wetlands Ecological Reserve and application of the Sustainable Groundwater Management Act, and requests approval for their organization to give a presentation, received July 29, 2024

Motion (N/A)

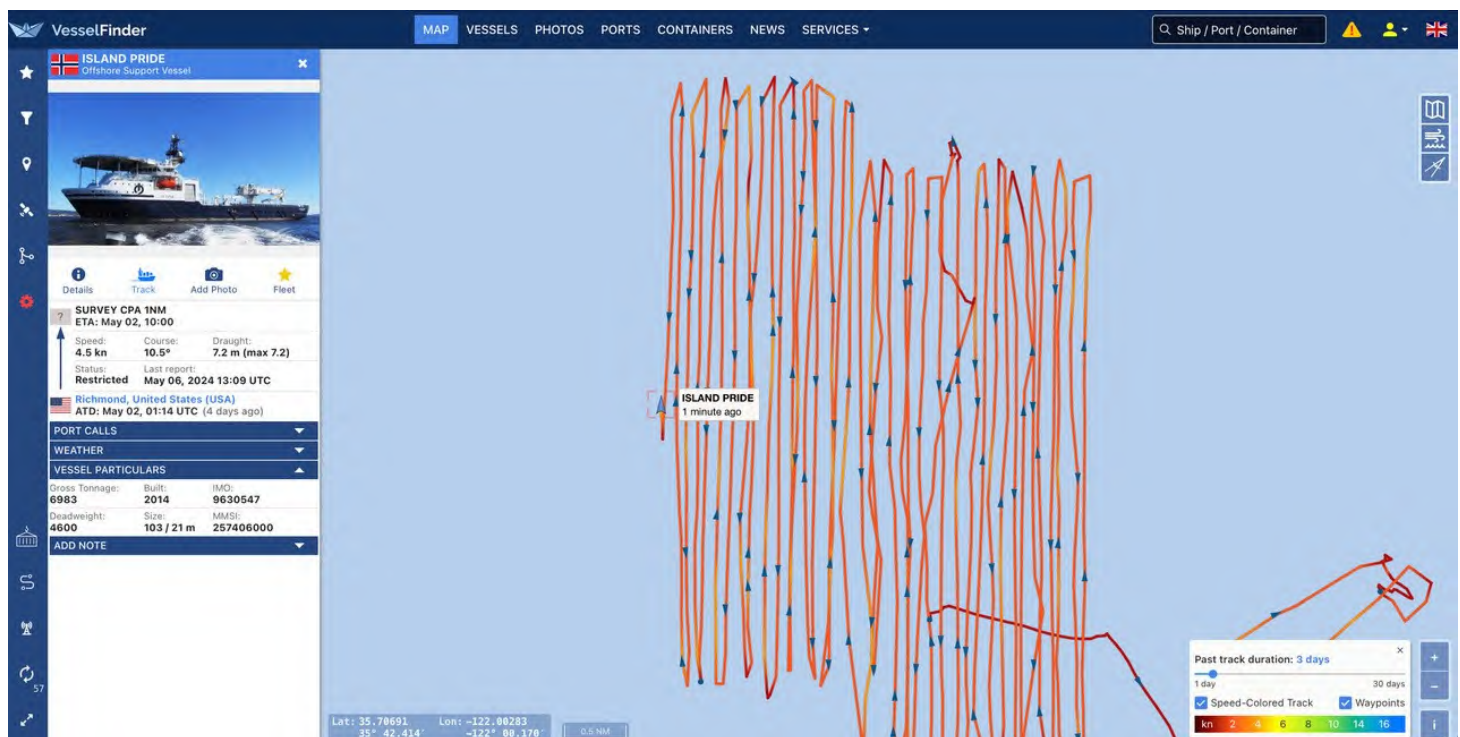
Fwd: Equinor damaging surveys in protected area without monitoring/mitigation - skirting legal process. / Working all night against SLC permit rules

mbcfo member [REDACTED]

Mon 05/06/2024 06:20 AM

To: Doug Boren [REDACTED]; Andrea Chmelik [REDACTED]; Dobroski, Nicole [REDACTED]
[REDACTED]; FGC <FGC@fgc.ca.gov>; Flint, Scott [REDACTED]; Greg Haas [REDACTED]
[REDACTED]; Harland, Eli [REDACTED]; Huckelbridge, Kate [REDACTED]
[REDACTED]; Lucchesi, Jennifer [REDACTED]; Mattox, Jennifer [REDACTED]
[REDACTED]; Miller-Henson, Melissa [REDACTED]; Michael Milstein [REDACTED]
[REDACTED]; Norway Embassy in Washington DC [REDACTED]; Payne, Elizabeth [REDACTED]
[REDACTED]; Reece, Elizabeth [REDACTED]; John Romero [REDACTED]
[REDACTED]; Wyer, Holly [REDACTED]

This screen shot of the Island Pride survey work this morning at 6am shows they worked thru the night. It looks like they have worked thru the night the night before as well all against the permit regulations.



Begin forwarded message:

From: mbcfo member [REDACTED]

Subject: Equinor damaging surveys in protected area without monitoring/mitigation - skirting legal process.

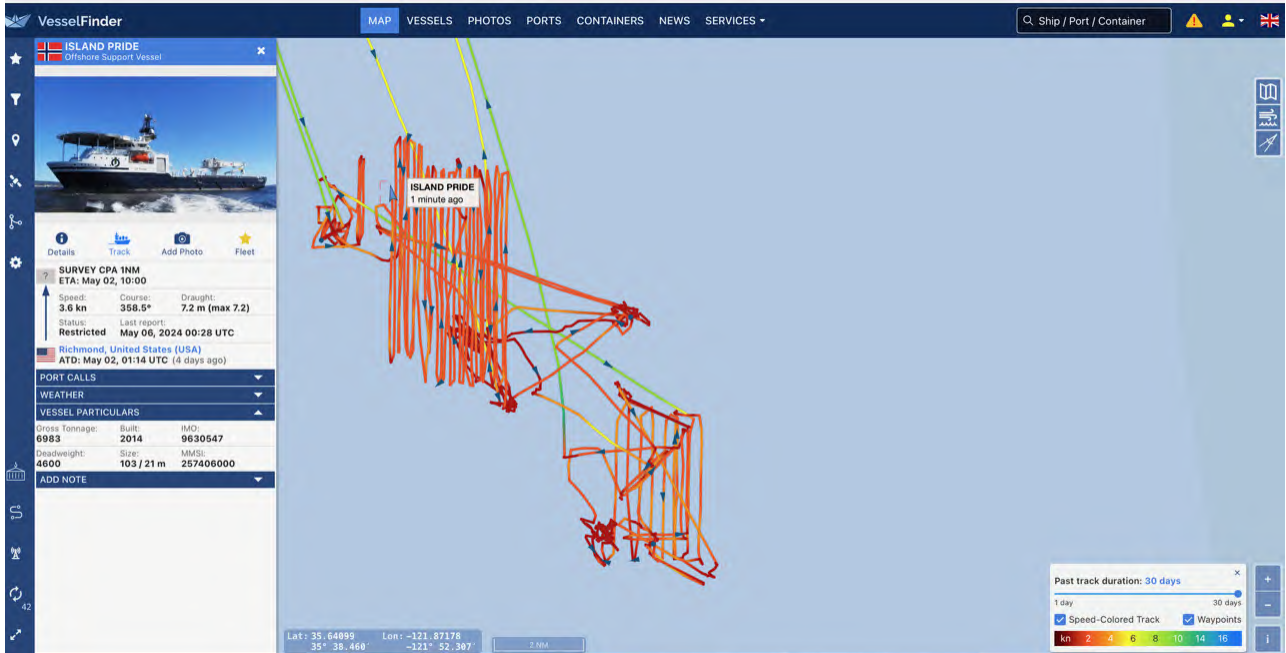
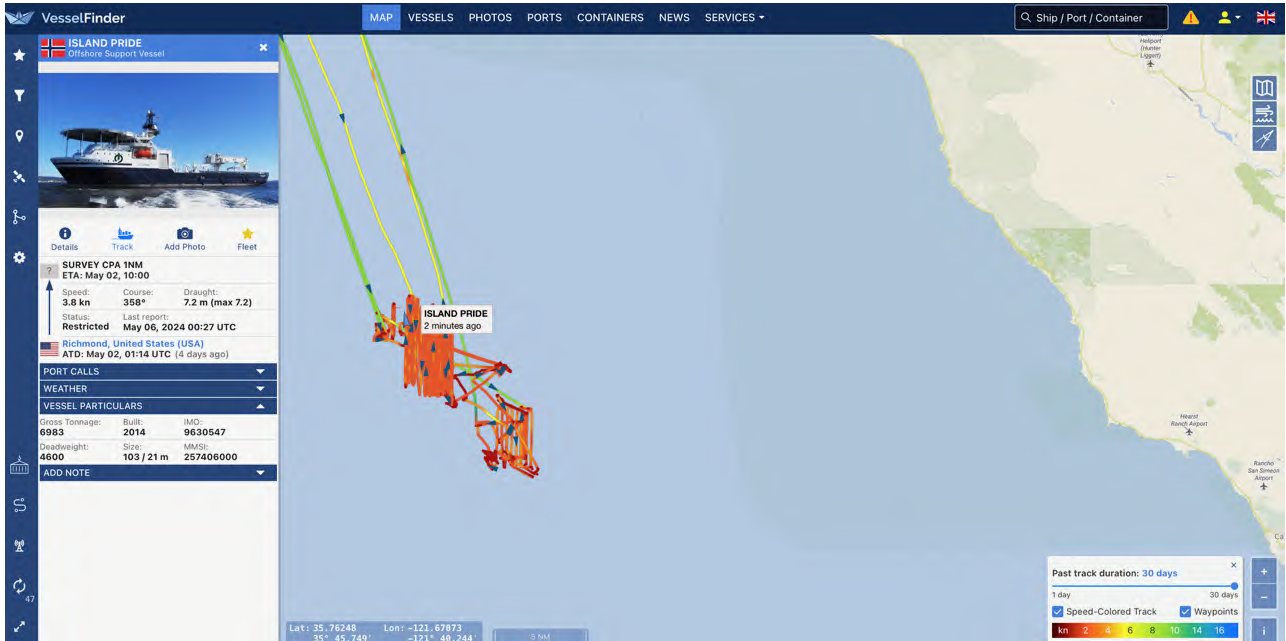
Date: May 5, 2024 at 5:44:43 PM PDT

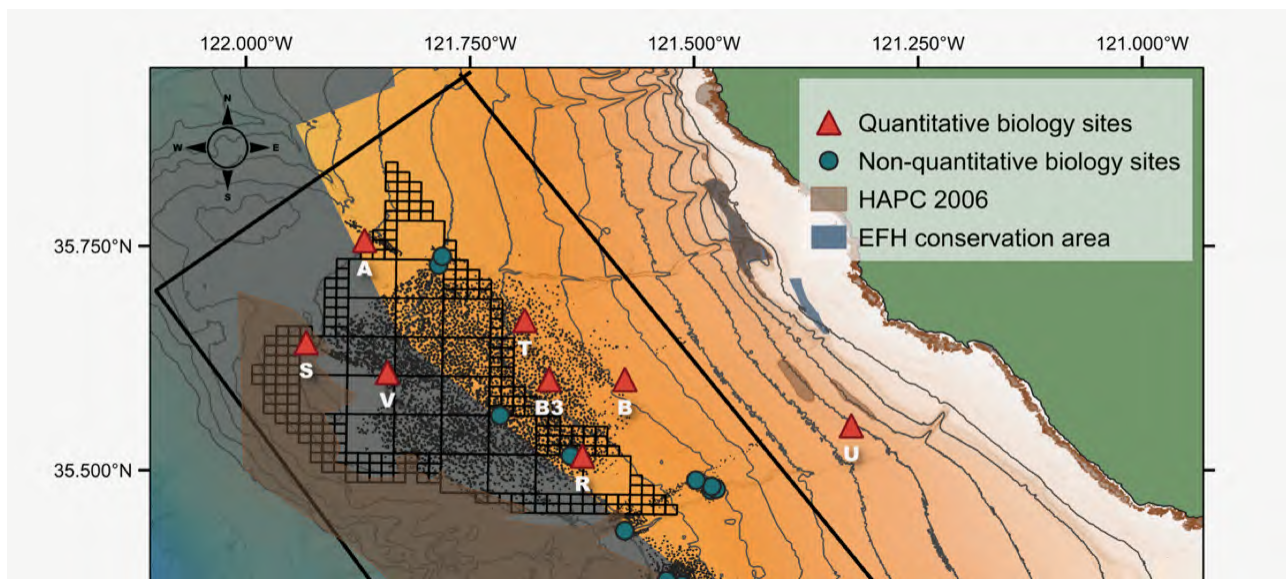
To: Doug Boren [REDACTED], Andrea Chmelik [REDACTED], Nicole Dobroski [REDACTED], FGC <fgc@fgc.ca.gov>, Scott Flint [REDACTED]

[REDACTED], Greg Haas [REDACTED], Eli Harland
[REDACTED], Kate Huckelbridge [REDACTED], Jennifer
Lucchesi [REDACTED], Jennifer Mattox [REDACTED],
Melissa Miller-Henson [REDACTED], Michael Milstein
[REDACTED], Norway Embassy in Washington DC
[REDACTED], Elizabeth Payne [REDACTED],
Elizabeth Reece [REDACTED], John Romero
[REDACTED], Holly Wyer [REDACTED]

To those hopefully concerned,

This is the survey work the last 30 days by a foreign Norway flagged vessel the Island Pride contracted by Equinor and permitted by the California Coastal Commission despite Condition 7 of the Consistency Determination not met and SB 286 Best Practices for Site Surveys not determined commencing without any mitigation to impacted fishermen or independent acoustic monitoring or adequate enforcement of the permit perimeters. Black cod fishermen have already experienced a 67% decline in their catches since surveys began. The survey work is located in protected Essential Fish Habitat and Habitat of Particular Concern with apparently no concern from California.





Tom Hafer, President

[REDACTED]

Tom Hafer, President

[REDACTED]

Data collection for impacts from Site Surveys

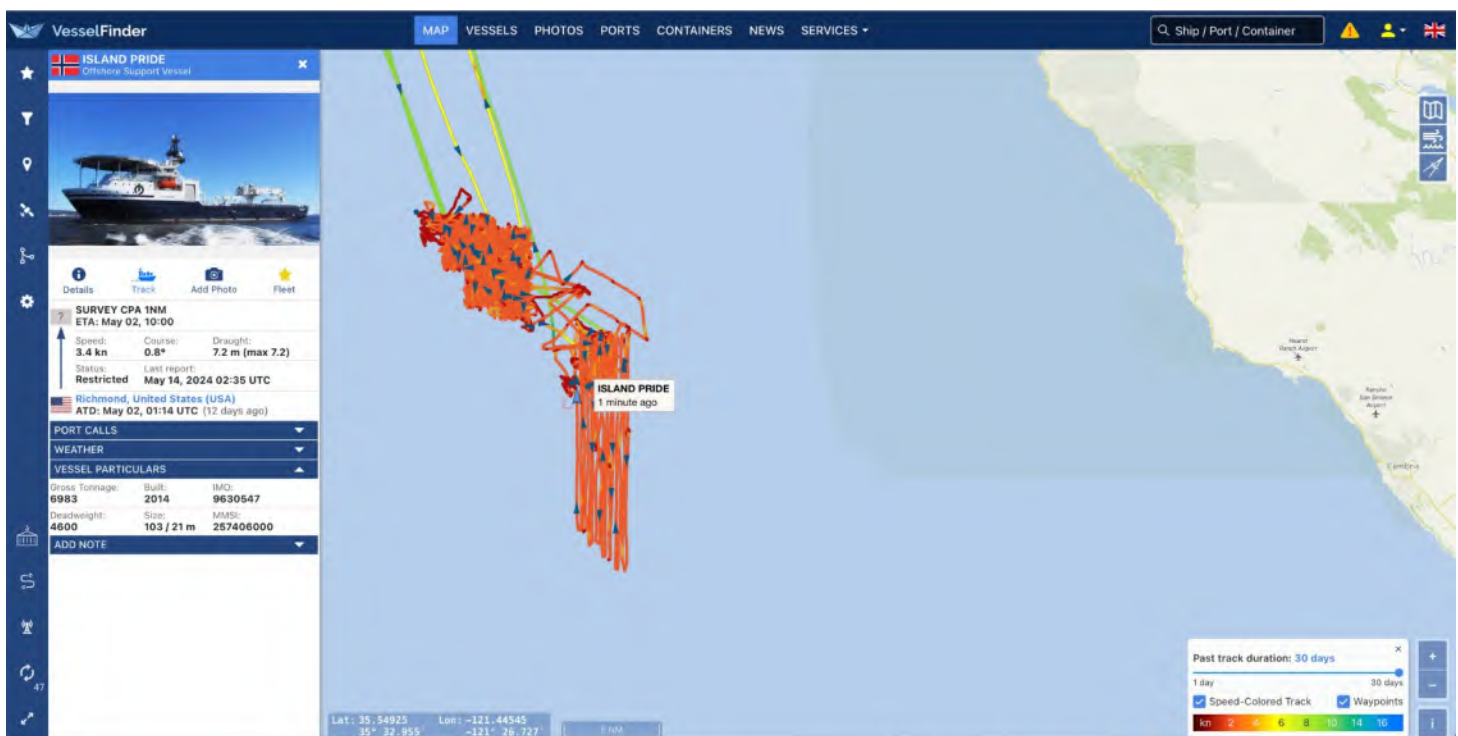
mbcfo member [REDACTED]

Thu 05/16/2024 11:05 AM

To: Aimee.Keller [REDACTED]; craig.russell [REDACTED]; curt.whitmire [REDACTED]
[REDACTED]; julia.clemons [REDACTED]; Michael Milstein [REDACTED]
Cc: Doug Boren [REDACTED]; Andrea Chmelik <[REDACTED]>; Dobroski, Nicole [REDACTED]
[REDACTED]; FGC <FGC@fgc.ca.gov>; Flint, Scott [REDACTED]; Greg Haas
<[REDACTED]>; Harland, Eli [REDACTED]; Huckelbridge, Kate [REDACTED]
[REDACTED]; Lucchesi, Jennifer [REDACTED]; Mattox, Jennifer [REDACTED]
[REDACTED]; Miller-Henson, Melissa [REDACTED]; Payne, Elizabeth [REDACTED]
[REDACTED]; Reece, Elizabeth [REDACTED]; John Romero
[REDACTED]; Wyer, Holly [REDACTED]

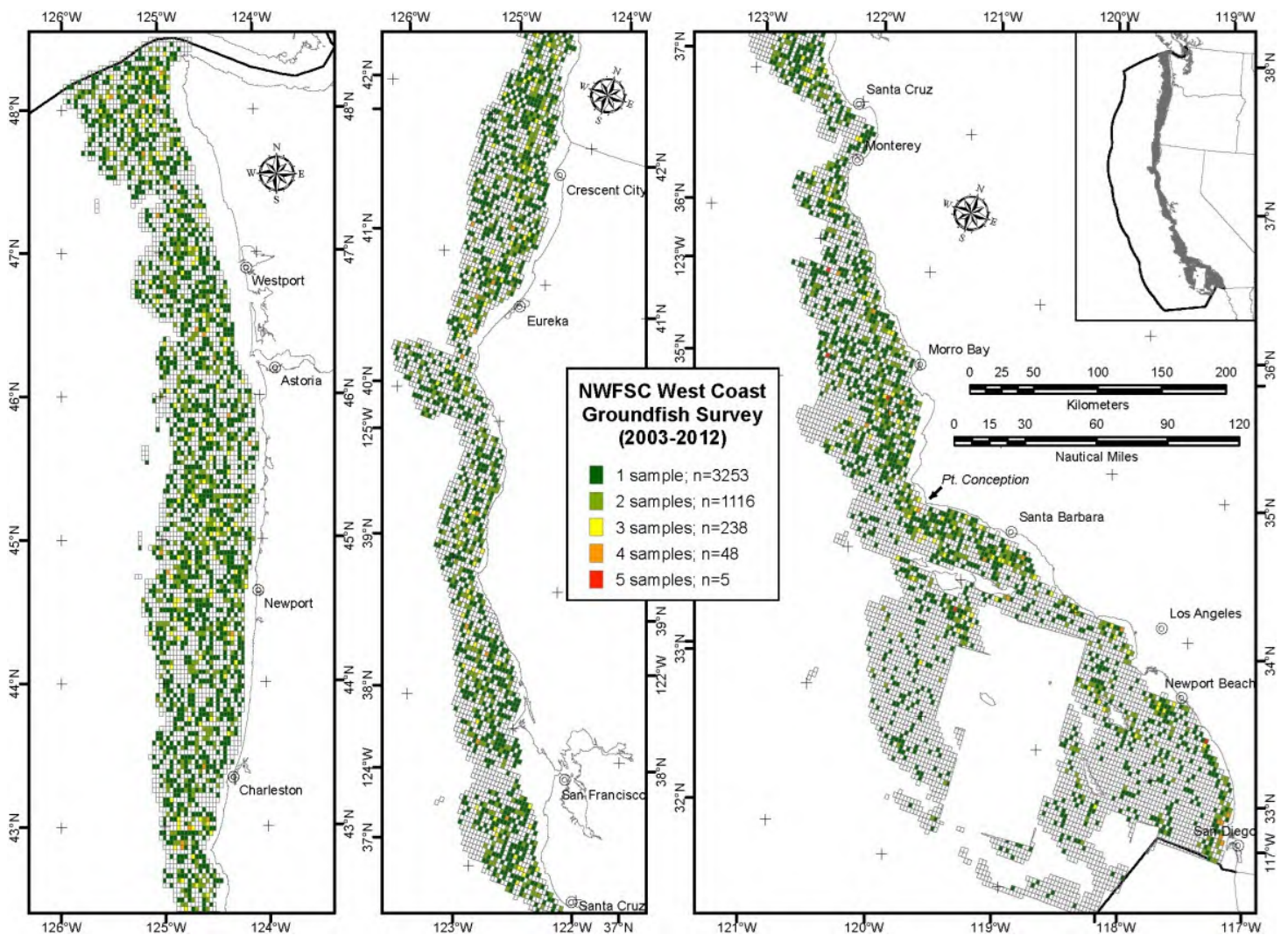
Dear NOAA,

Equinor/Atlas Wind llc, OSV Island Pride has been doing High Resolution Survey work since April 19 and since May 2 have been going steadily 24/7 in Equinor's Morro Bay, California offshore wind lease area. Here is recent tracking from Vessel Finder of 30 days of their survey work. They intend to continue doing survey work until December.



There has been NWFSC West Coast Groundfish surveys at least since 2003 in and around BOEM's Morro Bay Lease area. **Can NOAA do a bottom trawl survey during and after the HRG survey work to gather some kind of information regarding possible impacts from the surveys?** If you look closely at the attached

record of surveys, you will see just off Point Conception in the area of the HRG surveys is a RED dot depicting an area where multiple baseline studies have been done.



Thank you for your consideration in this matter,

Tom Hafer, President

[REDACTED]
[REDACTED]

Equinor is giving an inaccurate description of their location to the fishermen and public

mbcfo member [REDACTED]

Thu 05/16/2024 11:27 AM

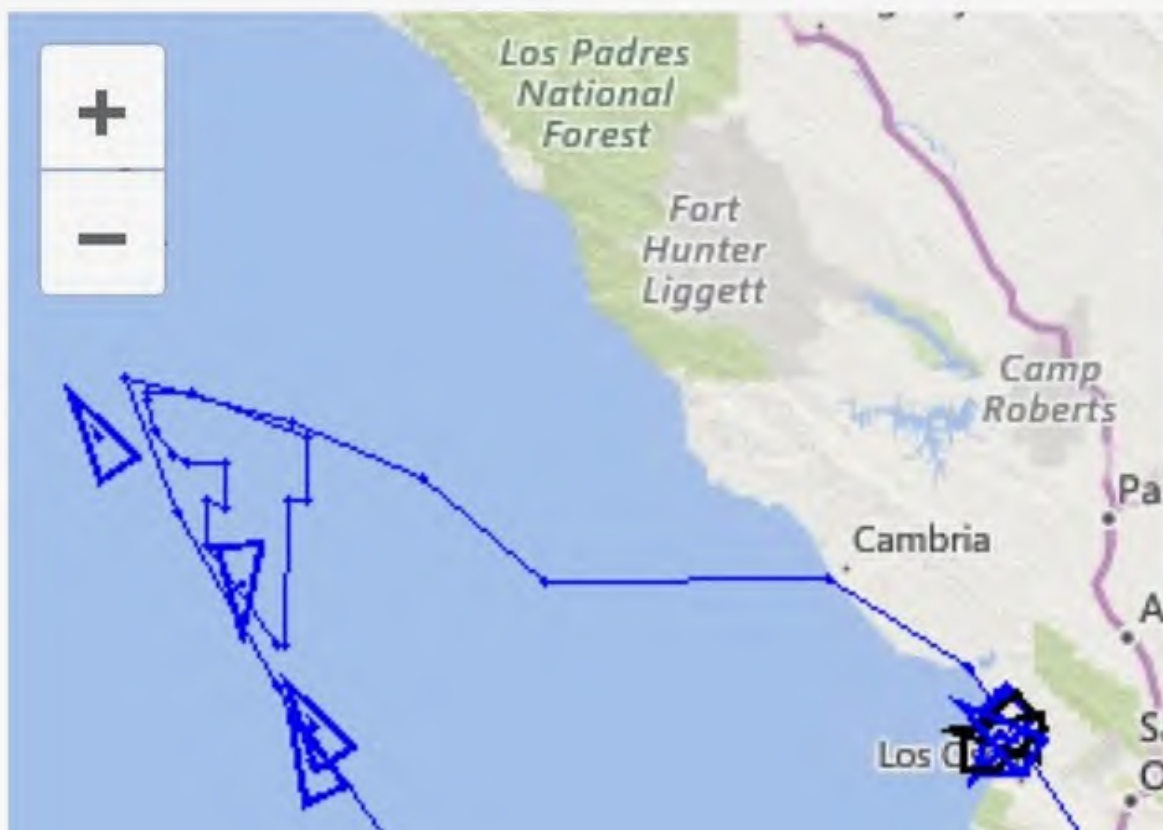
To: Doug Boren [REDACTED]; Andrea Chmelik [REDACTED]; Dobroski, Nicole [REDACTED]
[REDACTED]; FGC <FGC@fgc.ca.gov>; Flint, Scott [REDACTED]; Greg Haas
[REDACTED]; Harland, Eli [REDACTED]; Huckelbridge, Kate [REDACTED]
[REDACTED]; Lucchesi, Jennifer [REDACTED]; Mattox, Jennifer [REDACTED]
[REDACTED]; Miller-Henson, Melissa [REDACTED]; Michael Milstein
[REDACTED]; Norway Embassy in Washington DC [REDACTED]; Payne, Elizabeth [REDACTED]
[REDACTED]; Reece, Elizabeth [REDACTED]; John Romero
[REDACTED]; Wyer, Holly [REDACTED]

Equinor gave the fishermen an update on April 25 attached below. It includes a "live AIS tracking of OSV Island Pride". If you click on the link, you will get a tracking of something other than where the Island Pride is. This is what the Atlas Wind website tracking shows:

Fisheries General Information

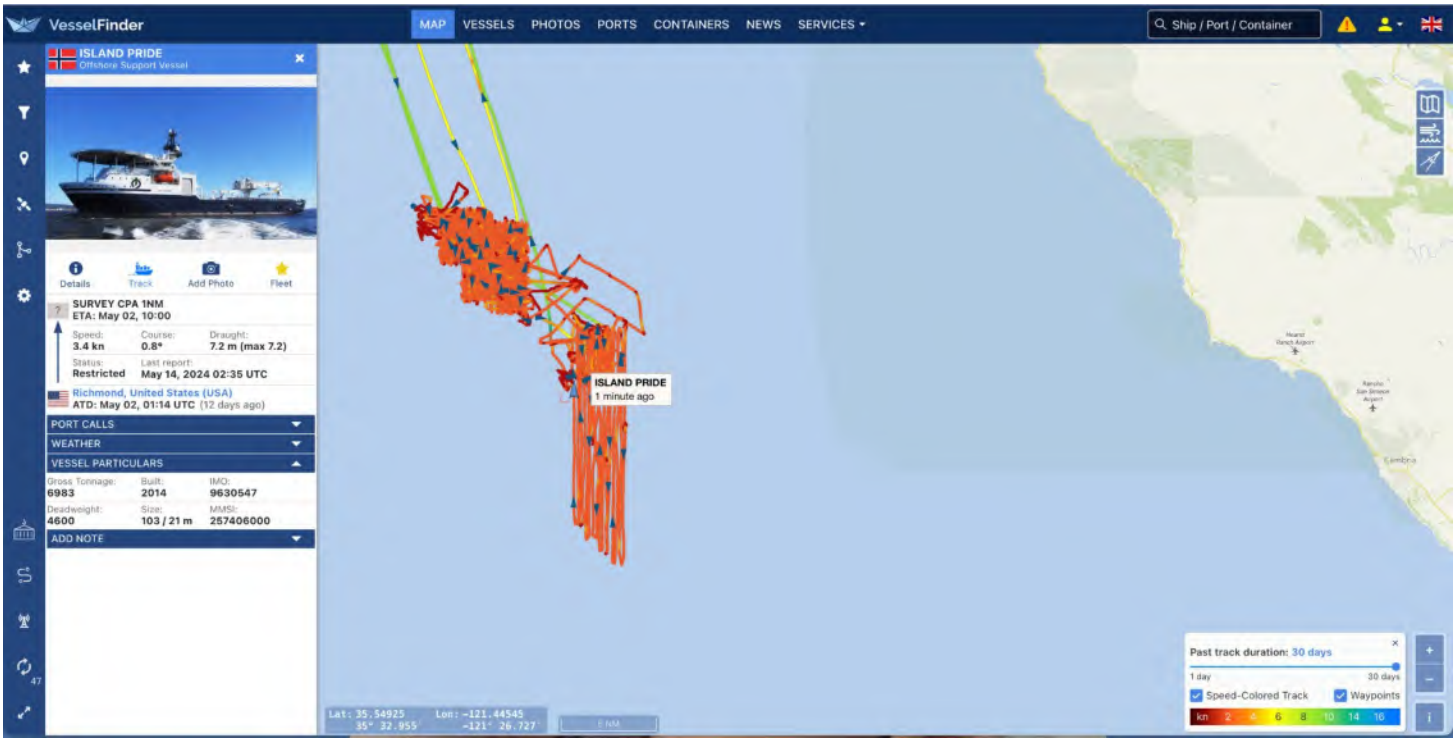
Fisheries Communication Plan
December 2023

Fisheries Communication Plan
November 2023





We have been using Vessel Finder and tracking the Island Pride. This is actually where Island Pride has been:



The fishermen have reported issues with “seeing the Island Pride on their radar”. The Coast Guard was asked if they have turned off their AIS, evidently they have a very weak signal. And the AIS tracking on their website is of a different vessel. Obviously they have not gone into Port San Luis. This may be a supply ship. It is important for the fishermen to have an accurate description of where their 338’ vessel is located for safety and for economical reasons. This is another violation of their Fisheries Communication Plan.

Tom Hafer, President
[REDACTED]
[REDACTED]

Atlas Wind Mariner's Update_240419

April 25, 2024

We are providing an update on our previous communications on April 1, 2024, regarding Atlas Wind survey activities. As of April 18th, the Atlas Wind project has received all required permits for surveying activity in offshore federal waters. Calibrations have been conducted and the geophysical survey campaign within the Equinor Offshore Wind Lease Area (OCS-P0563) as shown in the map below will now mobilize.

As described in the April 1st notice to the USCG Local Notice to Mariners (<https://www.navcen.uscg.gov/sites/default/files/pdf/ltnms/LNM11152024.pdf>), and Atlas Wind Mariner's update (<https://mailchi.mp/7b44ccd37c52/equinor-mariner-updates-12686389>

survey activities will commence April 2024 and are scheduled to continue through December 2024. Offshore surveys will take place on a 24-hour-per-day basis.

While working offshore, high resolution geophysical surveys (HRG) will be completed using autonomous underwater vehicles (AUVs).

Offshore Supply Vessel (OSV) Island Pride, a 338 ft (103 m) long multi-purpose subsea vessel, will be conducting the lease area surveys. The Island Pride will not use the port facilities at Morro Bay Harbor or Port San Luis.

Please visit the Atlas Wind website for live AIS tracking of OSV Island Pride: [link](#)

Third Party, Offshore Fisheries Liaison Representative, Thomas Hill, is onboard and can be reached on CH 16 for fisheries communications.

Approaching vessels are requested to pass at a safe speed and distance.

Morro Bay Wind Energy Site Assesment Concerns

mbcfo member [REDACTED]

Fri 05/24/2024 08:32 AM

To: Doug Boren [REDACTED]; Andrea Chmelik [REDACTED]; Dobroski, Nicole [REDACTED]
[REDACTED]; FGC <FGC@fgc.ca.gov>; Flint, Scott [REDACTED]; Greg Haas [REDACTED]
[REDACTED]; Harland, Eli [REDACTED]; Huckelbridge, Kate [REDACTED]
[REDACTED]; Lucchesi, Jennifer [REDACTED]; Mattox, Jennifer [REDACTED]
[REDACTED]; Miller-Henson, Melissa [REDACTED]; Michael Milstein [REDACTED]
[REDACTED]; Norway Embassy in Washington DC [REDACTED]; Payne, Elizabeth [REDACTED]
[REDACTED]; Reece, Elizabeth [REDACTED]; John Romero [REDACTED]
[REDACTED]; Clint Weirick [REDACTED]; Wyer, Holly [REDACTED]

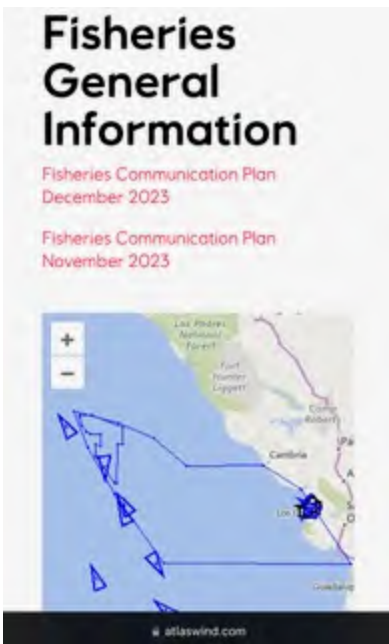
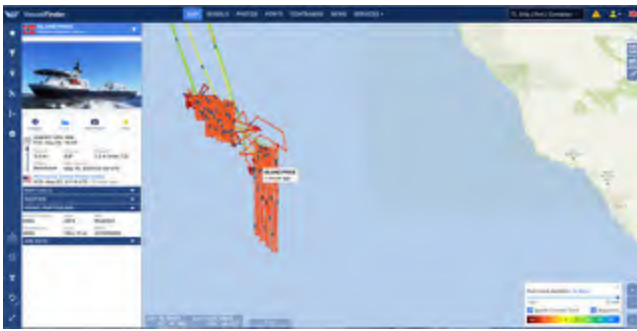
1. BOEM WEA lease and Fishery Communication Plan violations

1. How are they able to **survey at night and/or with low visibility**? Because they have been since May 2. If they have some type of alternative "low visibility capability", how do we know it is working? Who is checking on this? Because otherwise, the BOEM permit standards does not allow surveys at night or low visibility.

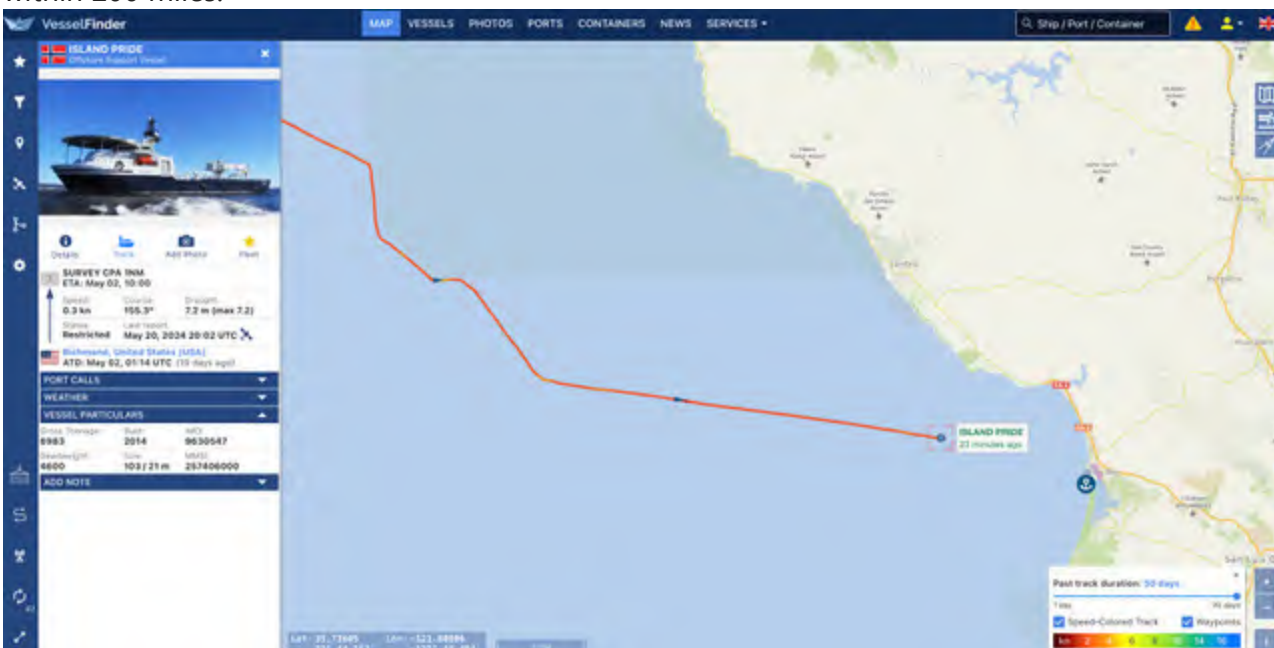
Commercial Wind Lease and Grant Issuance, and Site Assessment Activities 2022 – Humboldt Wind Energy Area

Description of Potential Impacts	Impact-Producing Factors	Best Management Practices to Avoid or Minimize Impacts from the Proposed Action
		<ul style="list-style-type: none">• Submission of an Alternative Monitoring Plan detailing monitoring methodology that will be used during nighttime and low-visibility conditions. <p>Use of Vessel Strike Avoidance Measures including, but not limited to, the following measures:</p> <ul style="list-style-type: none">• All vessels limited to vessel speed of 10 knots in the Action Area;• Maintain a vigilant watch for all protected marine species and slow down, stop, or alter course;• Minimum separation distance of 500 m from all ESA-listed marine mammal species, and 100 m from any sea turtle, around all vessels; and• All crew members responsible for navigation duties must receive site-specific training on protected species sighting/reporting and vessel strike avoidance measures. <p>Prevent entanglement of protected species including, but not limited to, the following measures:</p> <ul style="list-style-type: none">• Use of best available mooring systems;• Reduce entanglement risk by using: shortest practicable line length, rubber sleeves, weak-links, chains, cables or similar equipment types that prevent lines from looping, wrapping, or entrapping protected species; and• Prompt reporting of entanglement events.

2. Why is the **AIS "live" tracking of Island Pride** on Atlas [Wind.com](https://www.wind.com) given to us by the fishery liaison officer **inaccurate**?



3. On May 20th the Island Pride came into the nearshore to 4 miles off Morro Bay with **no advanced notice**. The fishery liaison officer gave notice by email at 10:57am the same day. Also, they have **no required scout boat**. So the fishermen had no time to move their gear or change their fishing area. When the fishermen called the "3rd Party Fisheries Rep." on the Island Pride, whom should have been the one notifying them, he was also foreign. The Jones Act requires (I don't know how many) Americans to be on foreign vessels when within 200 miles.

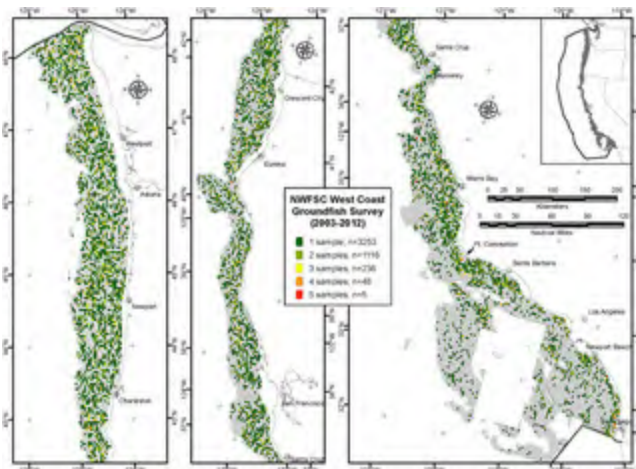


2. Jones Act Violations

1. They are **using a Foreign vessel and crew. Do they have any American crew onboard?** Has the USCG been able to board the Island Pride to verify? We were told the USCG is not allowed to board the Island Pride for safety checks, is that true?
2. They are **taking samples of the ocean floor** (it is written up as part of their project plan on [AtlasWind.com](https://atlaswind.com)), they are not a “research vessel” they are an Offshore Support Vessel. The Jones Act (going back to oil drilling days) prevents any removal of US soil within 200 miles by a Foreign vessel.
3. Magnuson-Stevens Act and Endangered Species Act violations

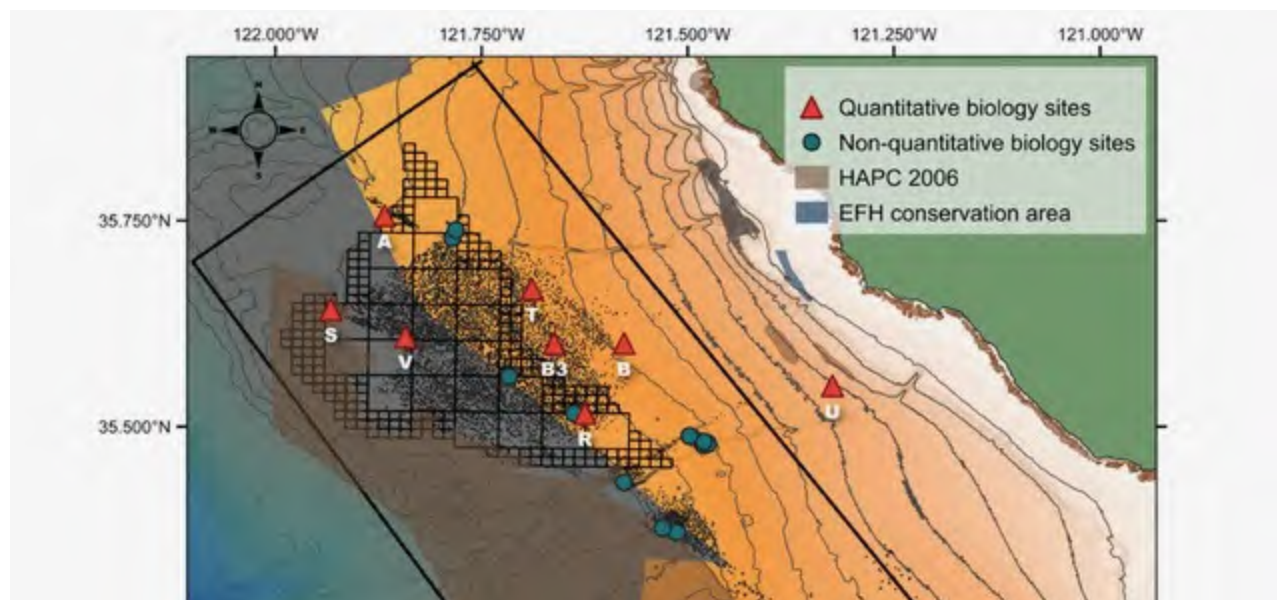
There has NEVER been a biological assessment of the impacts of HRG surveys at this scale in the Pacific Ocean. **The relevant data on HRG survey's impacts is low.** Therefore, the **Precautionary Approach is required** until better data is provided. There needs to be studies to insure the HRG surveys are not causing damage that is only “temporary and minimal” as assumed in the BOEM EA. Especially when California is talking about mapping over 4000 square miles to meet AB 525. And, also because the **Morro Bay black cod fishermen are already showing significant impacts of 67% reductions in catch** near site surveys in deep water.

1. To **better understand the biological impacts from the Site Surveys**, why can't we use the baseline studies done by **NOAA's West Coast Groundfish Survey**? These are the locations of surveys. There is one in Red (used multiple times) in the middle of the call area. We should do a Control and Impact area. Before/During/After.

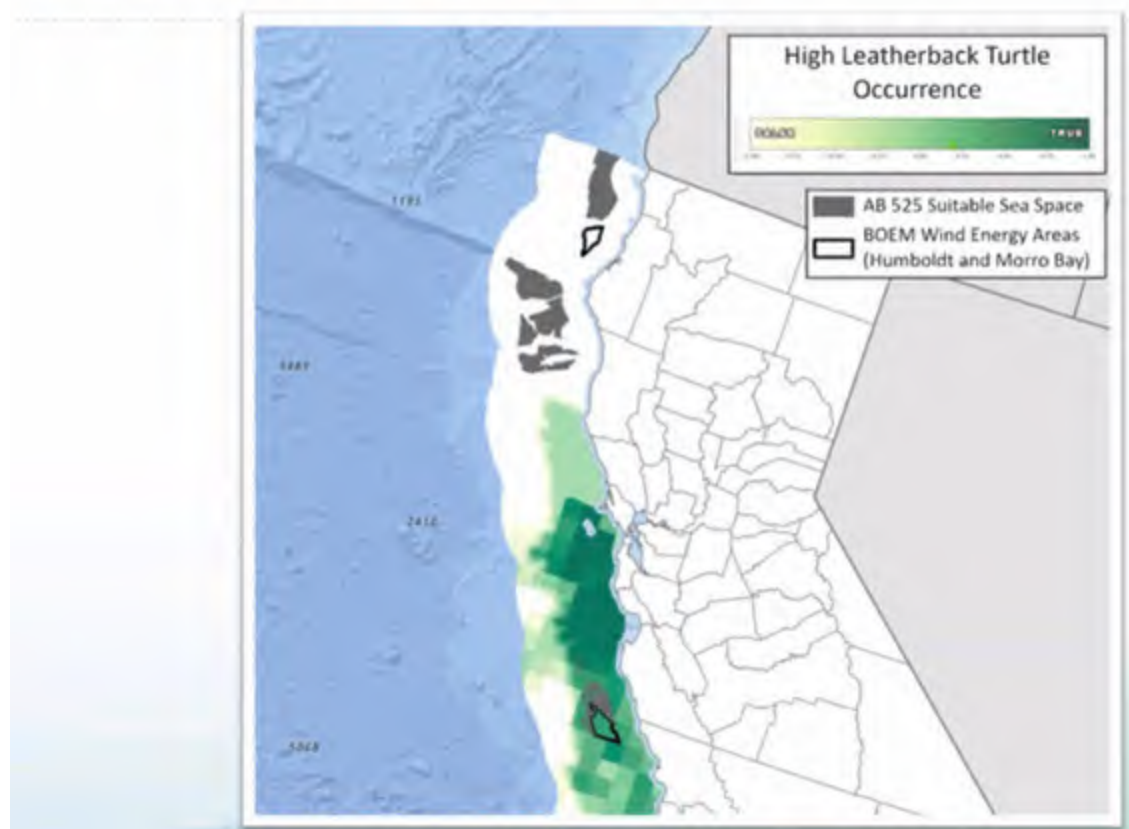


2. **How is anthropogenic noise being enforced?** Especially in an area of Essential fish habitat and Endangered Species Habitat. Who is making sure they are using the equipment that they say they are using at all times? Why do we not have **Independent Acoustic Monitoring**? The Rand Acoustic Report shows that the Survey vessels on the East Coast were over their permitted noise and no one in government did anything about it. The Rand report says it was mainly because the Thrusters and Positioning Systems put out continuous 126 dB at 9.5 Hz which were never calculated into safety zones. There needs to be independently contracted acoustic specialist with hydrophones in the water checking what is going on. This keeps them honest. The East Coast had mass mortality events of whales and other cetaceans, why should we risk that happening here?
3. Equinor's Wind Energy Area is located **inside Essential Fish Habitat** - where Ancient Sea Coral is protected from bottom trawling. Their WEA is also located **inside Endangered Leatherback Sea Turtle Habitat**. Shouldn't monitoring be a priority??

It is a **violation of the Endangered Species Act to have continuous noise over 120 db for long periods of time in an Endangered Species habitat.** The Island Pride has been going 24/7 since May 2 without stopping in the WEA until May 20 when they began to do cable routes. And were there before for another 18 days off and on for 12 hours at a time. This low frequency, high decibel constant noise from the Island Pride positioning system can be more damaging than the sonar survey equipment on marine life and has not been calculated into the BOEM EA.



Leatherback Turtle



We know it is easy to ignore emails. We hope you don't. We would appreciate a response to our concerns.

Tom Hafer, President MBCFO

[REDACTED]

[REDACTED]

Equinor's Geophysical Equipment being used in the Morro Bay Wind Energy Area/cable routes

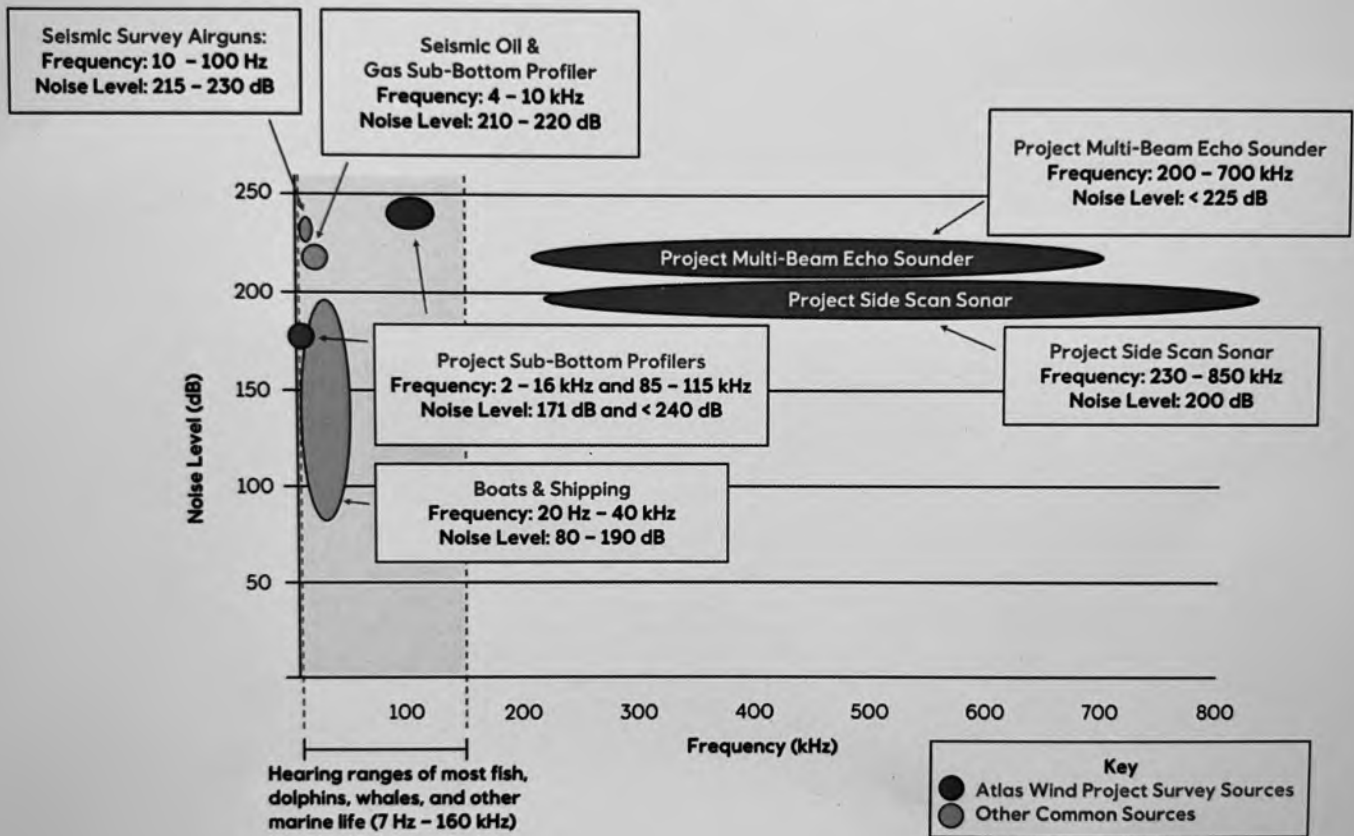
mbcfo member [REDACTED]

Fri 06/14/2024 07:48 AM

To: Doug Boren [REDACTED]; Andrea Chmelik [REDACTED]; Justin Cummings [REDACTED]; Dobroski, Nicole [REDACTED]; FGC <FGC@fgc.ca.gov>; Flint, Scott [REDACTED]; Greg Haas [REDACTED]; Harland, Eli [REDACTED]; Dr. Caryl Hart [REDACTED]; Huckelbridge, Kate [REDACTED]; Lucchesi, Jennifer [REDACTED]; Mattox, Jennifer [REDACTED]; Miller-Henson, Melissa [REDACTED]; Michael Milstein [REDACTED]; Norway Embassy in Washington DC [REDACTED]; Payne, Elizabeth [REDACTED]; Reece, Elizabeth [REDACTED]; John Romero [REDACTED]; Clint Weirick [REDACTED]; Wyer, Holly [REDACTED]

Couldn't believe it when I looked at this closer. This is from the handout that the fishery liaison from Equinor-Elizabeth Marchetti - was handing out. I couldn't believe they are **using up to 240 dB** at low frequencies of **2 kHz!**

Noise Level and Frequency of Geophysical Surveying Equipment



Tom Hafer, President

New science not used in BOEM EA for Morro Bay offshore wind energy site assessments

mbcfo member [REDACTED]

Wed 06/19/2024 07:45 AM

To: Doug Boren [REDACTED]; Justin Cummings [REDACTED]; Dobroski, Nicole [REDACTED]; FGC
<FGC@fgc.ca.gov>; Flint, Scott [REDACTED]; Harland, Eli [REDACTED]; Dr. Caryl Hart
[REDACTED]; Huckelbridge, Kate [REDACTED]; Lucchesi, Jennifer [REDACTED]; Mattox,
Jennifer [REDACTED]; Miller-Henson, Melissa [REDACTED]; Michael Milstein [REDACTED];
Payne, Elizabeth [REDACTED]; Reece, Elizabeth [REDACTED]; John Romero
[REDACTED]; Wyer, Holly [REDACTED]
Cc: Greg Haas [REDACTED]; Clint Weirick [REDACTED]; Andrea Chmelik [REDACTED]; Debbie Arnold
[REDACTED]; bgibson [REDACTED]; Carla Wixom [REDACTED]; Zara Landrum
[REDACTED]

To U.S and California legislators and policy makers regarding Offshore Wind Energy,

This is an email quote from acoustic specialist Arthur Popper to Tom Hafer regarding his results in "An overview of fish bioacoustics and impacts of anthropogenic noise on fish".

Hi Tom,

*Those data came from a series of studies done by my lab using a special device (called a "fishabrator") that allowed us to closely duplicate sounds of seismic devices and provide probably the best estimation of the potential effects of intense sounds on fishes. Indeed, these suggested levels are now being used world-wide as the only science-based criteria for fishes. At the same time, in the US, NOAA (NMFS) insist on using old sound levels which are much lower for potential impacts on fishes. **However, those data are not based on anything close to good science, but the organization refused to change their suggested levels** - as one former employee points out, NOAA will not change unless sued!*

So, the point is the levels from our paper, are the best available suggestions. In developing these data, we were very careful to call these interim criteria since we anticipate that when more studies are done there are likely to be refinements. But, in my view, nothing has been done since we did our analysis in 2014 to warrant changes.

Art

The 2014 study Arthur Popper is referring to that was not used by NOAA in the BOEM EA is: "[ASA S3/SC1.4 TR-2014 Sound Exposure Guidelines for Fishes and Sea Turtles: A Technical Report prepared by ANSI-Accredited Standards Committee S3/SC1 and registered with ANSI](#)"

I highlighted sections that seemed relevant. He spends a lot of time saying how difficult it is to say with absolute accuracy what the guidelines should be since there are 32,000 varieties of fish and there is limited data. **His main takeaway is that species with swim bladders and especially those whom swim bladders are involved with hearing are the most susceptible to mortality, injury, and/or behavior changes. These are mostly small bait/prey fish, the bottom of the food chain.**

Pg 49. Behavioral responses have been shown by blueback herring (*Alosa aestivalis*) to simulated sonar pulses at frequencies from 110 to 140 kHz at sound levels above 180 dB re 1 μ Pa (peak).

He does say that inaudible sound can cause damage as well.

pg. 28 Sounds outside the hearing range of the animals, that are inaudible, may be capable of causing damage to tissues.

He discusses how there may not be impacts to a certain species but it may have impacts to the food chain that will indirectly impact that species

pg. 21. While death of a single fish may have some importance if it is a protected species, it may be more relevant to consider effects upon populations or sub-populations. As noted above, such population effects could result if exposure to sound has an impact on breeding or feeding success or alters migratory patterns. Widespread impaired hearing or sub-lethal injuries may result in impacts on populations. Effects could last from the immediate period of sound exposure (e.g., masking) to several weeks if fish are displaced from their preferred areas.

Findings most relevant to OSW surveys is for mid frequency (1Khz to 10Khz) used in sonar/echo sounder/sub bottom profiler equipment which is permitted in the BOEM EA permit.

The tables below are taken from the Morro Bay BOEM EA for site surveys. It shows that equipment used with frequencies as low as 2.7 kHz at peak levels of 225 dB.

Note that the BOEM EA never addresses fish, only whales, cetaceans, and sea turtles. They even admit there needs to be more study on fish on page 41 of BOEM EA

These are findings in Popper’s 2014 study pg. 48 of mid frequency sonar (1Khz to 10 kHz)

Table 7.6 Mid Frequency Sonar. Data from Halvorsen et al. (2012b)

Type of Animal	Mortality and potential mortal injury	Impairment			Behavior
		Recoverable injury	TTS	Masking	
Fish: no swim bladder (particle motion detection)	(N) Low (I) Low (F) Low	(N) Low (I) Low (F) Low	NA	NA	NA
Fish: swim bladder is not involved in hearing (particle motion detection)	>210 dB rms	> 210 dB rms	NA	NA	NA
Fish: swim bladder involved in hearing (primarily pressure detection)	>210 dB rms	> 210 dB rms	>210 dB rms	(N) Low (I) Low (F) Low	> 209 dB rms
Sea turtles	NA	NA	NA	NA	NA
Eggs and larvae	NA	NA	NA	NA	NA

Notes: rms sound pressure levels dB re 1 µPa. All criteria are presented as sound pressure even for fish without swim bladders since no data for particle motion exist. Relative risk (high, moderate, low) is given for animals at three distances from the source defined in relative terms as near (N), intermediate (I), and far (F).

He does discuss how large vessel noise travels very far and can “impact sound communication” of marine species. Pg. 50 Estimated source levels can range from <150 dB to over 190dB (re 1 uPa at 1m) for the largest commercial vessels. (Richardson et al. 1995; Arveson and Vendittis 2000; Hildebrand 2009; McKenna et al. 2012). Low frequency sounds from larger vessels can travel hundreds of kilometers and can increase ambient noise levels over large areas of the ocean, interfering with sound communication in species using the same frequency range (see Southall 2005).

Tom Hafer, President

Bear Draft Comments From HOWL and Public support sign on.

Dear CDFW Staff, Commissioners, et al,

I am writing to submit HOWL's cover letter and our detailed comments and recommendations on the draft bear plan. These documents are attached for your review. In addition, I have attached a separate file containing nearly 1200 signatures/names of individuals who support our recommendations, which we have gathered over the past three days since Tuesday, June 11, 2024.

We chose to compile these names in a single document to avoid overwhelming your inbox with individual emails. Over the past several months, we have diligently reviewed the draft plan and identified areas where we believe improvements are necessary. We appreciate your attention to our feedback and are available to answer any questions you may have.

Thank you for your time and consideration.

Sincerely,

Charles Whitwam

President/Founder

[HOWL for Wildlife](#) / Hunting Is Human





June 12, 2024

Dear CDFW Leadership, Wildlife Managers and Commissioners,

HOWL for Wildlife is pleased to submit the attached comments on the 2024 Bear Conservation Plan (Draft). HOWL is a non-profit organization focused on nurturing grassroots hunting, conservation, and wildlife advocacy. While HOWL is active in supporting our members in dozens of states, our roots are here in California where we have been active in bringing diverse and often underrepresented voices to share the values of hunting, and hunters. HOWL was created amid multiple attacks on the sustainable harvest of black bears in California. We are pleased to see this Conservation Plan update, and we are eager to contribute.

We have identified 79 items which we believe need additional work before the Conservation Plan can be considered complete. At a high level, the plan under-reports the negative consequences of over-abundance, and needs to provide robust support and discussion of the social, ecological, and economic values hunting and black bear harvest provides. Finally, for the Commission and Legislature to consider future regulatory and statutory updates, we believe this Plan needs to have a comprehensive review of season structures and additional methods of take. Incorporating data from other states will be essential for informed discussion.

The attached table lists the items we are concerned about, with line #, content in question and our feedback for each item. Please reach out to discuss any of these items, if clarification or other input is needed while the Bear Conservation Plan is being updated and finalized.

HOWL for Wildlife and the broad and diverse hunting community appreciate the work you do, and especially enjoy the opportunity to be active stakeholders in the planning process.

Sincerely,

Charles Whitwam

WWW.HOWLFORWILDLIFE.ORG
CHARLES@HOWLFORWILDLIFE.ORG

Section	Line Number(s)	Plan Statement	Comment
Introduction	105	conservation	Will "conservation" be defined in the document, with juxtaposition to "preservation" which has been called for by orgs who oppose hunter harvest of any kind?
Introduction	110	passive and active management strategies...for maintaining black bear populations throughout California while mitigating... human-black bear conflict (HBC)	If maintaining (<i>current abundant</i>) populations is a goal and objective, this may create needs for mitigation beyond HBC : (1) negative impacts to ungulate and other species which suffer when bears are overpopulated (2) potential for increased disease in overabundant populations.
Introduction	118	while annual age data...	insert: <i>collected from hunter harvested specimens</i>
Introduction	132	recreational harvest	provide definition of recreational harvest as "non-commercial" harvest. Background: anti-hunting organizations in multiple states are using the word "recreational" to steer public sentiment against hunting, because the word makes hunting sound trivial, whimsical, and frivolous. The historical meaning was "non-commercial, ie: the meat is not for sale". Please provide context for use of the word "recreational".
Introduction	158	substantially funded	Provide data to indicate what "substantially" means. Add the scale of \$\$ and/or % of funds via hunting license and tags sales; provide context of hunter funds added to the BGMA which supports wildlife.
Introduction	163	provide CDFW with tooth samples	Provide data for this reference, ie: XX,000 tooth samples over YY years, hunters contribute directly to the largest data set of black bear information the CDFW has available.
Introduction	170	Hessami et al 2021	Clarification: the Plan suggests that modern conservation is out of alignment with Indigenous values, whereas the referenced paper indicates that conservation is aligned with many indigenous values: "...the NAM's underlying conservation values. In many ways, these values share common ground with various Indigenous worldviews. For example, the idea of safeguarding wildlife for future generations, utilizing best available knowledge to solve problems, prioritizing collaboration..."
Introduction	173	access to nature....	Add perspective: abundant species (black bear) which can be hunted provide the lowest barrier to entry for hunters of diverse social and economic backgrounds throughout CA. For DEI: we cannot simultaneously REDUCE opportunity to bear hunting and INCREASE diversity, equity, inclusivity, access, participation. Increasing opportunity to hunt bear = increased DEI, access.

Section	Line Number(s)	Plan Statement	Comment
Black Bear Conservation Goals:	180	Goals as stated	<p>The goals are laid out adequate, however we need to also establish a population management objective. "Abundant" is overly open ended, too loose and to protect interpretation errors by readers, an objective measure or framework for what good looks like should be presented.</p> <p>Recommend rewording the goals to make clearer along with adding goal for habitat.</p> <ol style="list-style-type: none"> 1. Establish and oversee population targets for black bears to safeguard their abundance, disease resilience, and genetic diversity both statewide and regionally. 2. Prioritize the conservation and improvement of habitats necessary for black bear populations. 3. Provide opportunities for black bear hunting, viewing, and public education; minimize human-black bear conflict; consider animal welfare and ecosystem health, <u>including abundance and health of other species</u>, in black bear conservation; and be inclusive of all Californians in black bear conservation decisions.
Introduction	181	Conserve	<p>Define this (and contrast with preservation).</p> <p>From USDA "<u>Conservation</u> is generally held to include the management of human use of natural resources for current public benefit and sustainable social and economic utilization."</p>
Introduction	189	inform conservation actions...	The Plan goals need to go beyond hunting and human interactions: success criteria need to include ecosystem health, prey species, competing predator species and health (disease resilience) of our abundant black bear populations.
Introduction	197	specific recommendations about hunting... will not be made	While NOT making specific recommendations... THE PLAN MUST include data and anecdotes regarding current and future possible methods of take, season structures, bag limits. Spring hunting, baiting, using hounds to pursue and tree bears all should be addressed objectively for their effectiveness and potential economic and ecological values to bear, wildlife, humans and bear mgmt.
Introduction	197	specific recommendations about hunting... will not be made	The Plan should propose a maximum harvest % by BCR and Statewide for each license year, to eliminate friction and debate over quotas; harvest mgmt. needs to be mechanized with simple tools.
Chapter 2	212	hibernate	Torpor; define and utilize torpor vs. hibernation.
Chapter 2	233	occasionally	isn't this a <u>frequent</u> occurrence, ie: Lake Tahoe Basin and other areas with high level of habituation has multiple instances of bears bedding in structures, bears entering structures.
Chapter 2	257	homes and storage sheds	add "vehicles"
Chapter 2	277	primarily chickens	<p>Where do young cattle, sheep, goats and other livestock fall on this?</p> <p>Surprising that just chickens are noted.</p>

Section	Line Number(s)	Plan Statement	Comment
Chapter 3	284	It is a goal of the California Department of Fish and Wildlife (CDFW) to conserve abundant black bear populations	"abundance" alone is NOT an adequate goal: abundance + healthy bears free of disease, increased hunting opportunity with greater chances for successful harvest, healthy ecosystems with equally abundant prey species for human and predator populations to use and enjoy.
Chapter 3	315	remainder of black bear population...	What data collection options are available and can be utilized in these BCRs where hunting is not yet allowed? This section could propose several options to enhance data collection for the new lower density zones, including hunter harvest and sampling; camera traps; collaring, etc?
Chapter 3	335	For all these reasons...	Once again, "Abundance" is not an adequate stand-alone goal. There are points where abundance is unchecked and creating a net-negative on the ecosystem, while not adding commensurate value to human participation. Another reason we want black bear abundant is to provide access to varied and substantial hunting opportunity. Hunting opportunity supports DEI goals for access and participation in nature, ecology.
Chapter 3	339	"a desired population abundance is subjective"	Defining population abundance in HUMAN terms is subjective... HOWEVER from a scientific and data-based perspective this should be something that can be objectively defined: What # and/or density yields the best of: bear #s, sustainable hunter harvest, healthy prey species, healthy ecosystems, minimal risk for disease or HBC due to over-population.
Chapter 3	349	as such CDFW intends ...	the Plan goal statement disregards ecosystem balance, wildlife success, other species abundance.
Chapter 3	376	habitat where black bears encounter	I think that in wilderness areas (Emigrant, Desolation, Hoover, John Muir, etc) and backcountry trails (High Sierra, John Muir, Tahoe Rim, PCT etc) the incidence of bear encounters is quite significant.
Chapter 3 - Disease	405	Comments on the section	Disease section needs to include data on mange and other problems seen in high density populations. https://www.google.com/url?q=https://dwr.virginia.gov/wp-content/uploads/media/Black-Bear-Mange-Brochure.pdf&sa=D&source=docs&ust=1717359585678535&usg=AOvVaw01OqBNrDk0JqAgTS6RyhhR
Chapter 3 - Disease	405	Comments on the section	https://www.google.com/url?q=https://dwr.virginia.gov/wildlife/information/black-bear/%23section-mange-and-black-bears&sa=D&source=docs&ust=1717359585569152&usg=AOvVaw2VRvvhauc8cYdlfg0UE3q9
Chapter 3 - Disease	405	Comments on the section	What is the correlation between disease, bear population densities and human habituation?
Chapter 3 - Disease	410	diseases like sarcoptic...	What is the trend over time, and incidence rate for diseases relative to bear densities? Is there correlation b/t population densities OR human habituation and mange, encephalitis, etc?

Section	Line Number(s)	Plan Statement	Comment
Chapter 3 - Disease	458	"with increasingly severe wildfire associated with climate change"	<p>This part of the sentence should be deleted; there are numerous factors related to wildfire activity and <u>climate change may or may not be significant</u>, relative to other variables such as decades of fire suppression and decadent mono-culture forests.</p> <p>It is not the purpose of this Plan document to assert cause/effect relationships of wildfire; fires happen (for whatever reason) and we care most about how it affects bears.</p>
Chapter 3.6 Hunting	501	Comments on the section	<p>This section should have the following elements:</p> <ul style="list-style-type: none"> - hunter testimony, comments, emails excerpts - hunter values statements from the 2021-2022 petition process where 1000s of hunter generated comments and live testimony took place (email, letters, FGC meetings, WRC meetings). <p>Discussion should include WHY <u>hunting black bear is a social value</u> to be supported:</p> <ol style="list-style-type: none"> (1) meat and other sustainable & renewable resources (2) historical account of the use of bear meat throughout the US 1600s-1900s (3) management purpose for population mgmt, ecosystem health, reduction of HBC, mitigating black bear x human habituation (4) physical, spiritual, psychological and emotional health benefits and connections experienced during hunting (5) highly valued non-meat resources from black bears including rendered fat, hides, skulls and claws (6) economic value of bear hunting creates highly sustainable regulated system of harvest and human participation (7) bear population, season length, zone accessibility and proximity, multiple methods of take make black bear hunting the pre-eminent opportunity for the greatest # of Californian's from all demographic categories.
Chapter 3.6 Hunting	516	recreational	Change to non-commercial / or define recreational so that it is not weaponized via mischaracterization
Chapter 3.6 Hunting	517	bag limit was reduced to one in 1968	<p>Why did this happen? Was it because some hunters were taking > 1 and bear populations were trending downward and statewide harvest needed to be curtailed?</p> <p>Does the inverse relationship currently exist, ie from a practical matter it would make sense to allow > 1 bag limit where populations support it.</p>
Chapter 3.6 Hunting	525	these samples are the key source of data	Put #s and % on the value, depth, breadth, and scope of the hunter harvest data - especially relative to all other data sets from science and research in CA? The value of hunter participation as the MOST effective and broad source of data needs more emphasis.

Section	Line Number(s)	Plan Statement	Comment
Chapter 3.6 Hunting	543	in unhunted populations near carrying capacity	In each of our BCRs what is the carrying capacity benchmark? We need this as a guide for future decisions and actions. If we cannot currently develop a carrying capacity benchmark, what is needed to do so and how will we get there? (inclusive of other species' needs for success)
Chapter 3.6 Hunting	551	additive form of mortality	<p>This statement by itself is misleading and contradictory to other statements and results of hunting in California. It suggests that bear harvest will cause population declines, however the Plan identifies studies and data showing that up to 15% harvest can maintain stable populations.</p> <p>This document needs to call out situations where management objectives SHOULD call for population containment or reduction: HBC, incidence of disease, to relieve excess pressure on prey species or relieve excess pressure on competing predator species.</p> <p>The word "conservative" is not a good word for a data based, scientific planning document, as it has no definition. The Plan should state a % of to be held below 10% (or 15%?) to maintain abundance.</p>
Chapter 3.6 Hunting	563	OR and WA mentioned	Provide reference that WA and OR have stable to increasing bear populations as well, with higher harvest rates; what about ID, MT, CO, WY, AZ, etc which all support bear hunting?
Chapter 3.6 Hunting	581	sportsman's associations	Replace with "hunting and wildlife conservation organizations"
Chapter 3.6 Hunting	614	the use of bait (ethics discussion)	Remove from this list of hunter ethics mentions; Baiting - is frequently positioned as the most ethical hunting method where bears are not stressed , they can be studied and not harvested, age/sex of the bear can be targeted, sows and cubs avoided. etc. It does not belong in this section.
Chapter 3.6 Hunting	631	R3 program and transforming barriers into opportunities	Fall black bear hunting (tags) and hunting has the lowest barrier to entry or complexity for any hunter statewide: the biggest hunting zone, the longest season, no need to wait or win a tag via lottery or preference points, multiple legal methods of take, and more lbs of meat, fat and usable products per animal than deer. With abundant bear populations F&G and CDFW have the ability to remove barriers and increase opportunities through additional zones, seasons, tag allocation, harvest limits - WHILE maintaining sustainability and abundance.
Chapter 3.7 Viewing	648	most black bear viewing in CA likely occurs...	Important to note specifically that "Black bear viewing" takes place outside of areas where hunting takes place; thus... hunting and viewing are not in conflict and they are not mutually exclusive to each other. Both things can happen, both constituencies can be served equally within the same Conservation plan. Spring season hunts, NE and Central CA hunts – have ZERO impact on viewing.

Section	Line Number(s)	Plan Statement	Comment
Chapter 3.8 other wildlife	662	section notes	<p>Bottom line up front: we know from data and anecdotes that black bear abundance is negatively affecting deer, elk and mtn lion populations. Additionally, wolves, which CDFW hopes to support the recovery of, are unlikely to find adequate prey species due to black bear abundance and their impact to deer and elk.</p> <p>Request: a stronger presentation and statement of black bear abundance becoming a limiting factor to prey-species, and possible limiting factor for mtn lion success. Bear population #s vs. Deer #s vs. Mtn Lion #s; in absence of data what does the anecdotal evidence suggest and what localized tools or tactics can be used to test, measure, and substantiate or challenge this concern?</p>
Chapter 3.8 other wildlife	662	Section notes	<p>Drawing from unpublished CDFW research (D4, D5 herds studies; Sara Holm et al): predator pressure favors non-migratory deer staying in close proximity to human settlement year-round (either learned behavior or thru selection and survival).</p> <p>With CWD present in CA the resident non-migratory deer habits are more aligned with eastern white tail than they are aligned with western states migratory mule deer.</p> <p>THUS: Pressure from predators could be exacerbating spread of CWD by pushing deer into human settled areas.</p>
Chapter 3.8 other wildlife	664	influence on ungulate population dynamics	<p>https://www.google.com/url?q=https://bioone.org/journals/ursus/volume-17/issue-2/1537-6176(2006)17%255b95%253aTROABB%255d2.0.CO%253b2/The-role-of-American-black-bears-and-brown-bears-as/10.2192/1537-6176(2006)17%5B95:TROABB%5D2.0.CO;2.short&sa=D&source=docs&ust=1717359585678181&usg=AOvVaw3CnhQja3rhFgc2WPu3l6Tx</p>
Chapter 3.8 other wildlife	664	influence on ungulate population dynamics	<p>Plan needs to specifically CALL OUT ADDITIVE MORTALITY on prey species and possibly secondary mortality impacts to mtn lions.</p>
Chapter 3.9 conflict	711	Section notes	<p>Does hunting with hounds create a human avoidance effect? (research, anecdotes?)</p> <p>Are there examples of using a pursuit only season to push black bears out of human settlement?</p> <p>What happens to the bear when it is killed via depredation permit (vs. hunter harvest?) It is tossed into a dump vs. harvested, valued and utilized?</p> <p>Does human habituation increase from one generation to the next as a learned behavior? Are sows teaching their cubs to live and forage within human settlement?</p> <p>Historically did ancient and indigenous populations welcome wild black bears living directly in their communities; is enabling and supporting habituated bears a modern and unnatural outcome?</p>

Section	Line Number(s)	Plan Statement	Comment
Human Bear Conflict	787	Hunting black bears at a rate high enough to reduce their growth rates and abundance across a large spatial scale can be effective for reducing HBC (Garshelis et al. 2020a). In California, however, hunting levels over the past decade have been low (e.g., less than 3% annually of the statewide population), and there is substantial public opposition to increasing black bear harvest to a level that would be effective in controlling populations (CDFW 2022b)	<p>It's important to recognize the potential benefits of using hunting as a management tool.</p> <ul style="list-style-type: none"> - Research, such as the study by Garshelis et al. (2020a), suggests that hunting black bears at a sufficient rate can effectively reduce their population growth and abundance, thereby mitigating issues like human-bear conflicts (HBC). - Given the low hunting levels observed over the past decade in California, with less than 3% annually of the statewide population being harvested (CDFW 2022b), there may be an opportunity to explore the potential of increasing hunting as a means of population control. - it's essential to consider the ecological impacts of unmanaged bear populations and make management decisions based on science and not human emotions, expressed by non-participating observers. - Efforts to strike a balance between conservation goals and addressing human-wildlife conflicts may involve engaging with stakeholders to better understand their concerns while also emphasizing the importance of sustainable wildlife management practices. - By implementing carefully regulated hunting programs, California could potentially achieve a more balanced bear population while also addressing concerns related to HBC. - This approach could promote both ecological conservation and public safety in areas where human-bear interactions are a significant concern.
Human Bear Conflict	787	Section notes	HBC section does not really touch on the habituation of bears to human presence and if this habituation is caused by the lack of hunting and threats and if this habituation could be mitigated by increasing hunting opportunities.
Chapter 3.9 conflict	789	hunting level over the past decade...	<p>This sentence is incorrect and data supports the opposite conclusion. Hunting levels for bears have increased ~25% since 2013, yet harvest is low due to unfavorable regulatory climate that removed season and method of take options that are favorable to a successful hunt.</p> <p>DATA: since the ban of the use of dogs to pursue black bear (2012) tag sales have increased (~24k 2010 to 2013 vs. 30k 2021 to 2023), however harvest black bear have decreased. Indicating: hunter levels are up; harvest down – the most important variable is method of take.</p> <p>This section should identify that HBC can be mitigated through increased hunter participation and harvest, which may result from (a) addition of a spring season hunt (b) enabling hunting or pursuit seasons with the use of dogs (c) increase tag allocation and harvest limits (d) allowing the use of bait to target bears of specific age/sex classes.</p>
Chapter 3.9 conflict	790	there is substantial public opposition to increasing black bear harvest	<p>THIS STATEMENT IS <u>DRAWN FROM THE HSUS PETITION</u> WHICH IS (A) <u>BIASED</u> AND WANTED TO BAN BEAR HUNTING (B) IS <u>NOT SCIENTIFICALLY COLLECTED</u> VIA UNBIASED POLLING METHODS AND (C) THROUGHOUT THE FGC AND WRC MEETING PROCESSES, THE <u>"GENERAL PUBLIC" SENTIMENT WAS VASTLY IN FAVOR OF HUNTING BEARS.</u></p> <p>THIS STATEMENT MUST BE STRUCK FROM THE DOCUMENT / CONVERSELY THERE ARE 1000s OF INDIVIDUAL EMAILS, LETTERS, AND VIDEO FROM DIVERSE LIVE TESTMONIALS IN FAVOR OF BEAR HUNTING WHICH SHOULD BE REFERENCED.</p>

Section	Line Number(s)	Plan Statement	Comment
Chapter 3.9 conflict	790	there is substantial public opposition to increasing black bear harvest	<p>FALSE statement, unsupportable and must be removed or reversed.</p> <p>The vast majority of adults support hunting when it is regulated, has purpose and the meat is harvested and consumed.</p> <p>When fairly and accurately positioned as such (regulated, purposeful, meat + harvest) bear hunting is supported. See the reporting from Responsive Mgmt studies (Mark Duda et al).</p>
Vehicle Collisions	815	“vehicle collisions. An average of 111 black bears were reported killed on California roads annually during 2016-2020 (University of California 2021).	<p>Can CDFW provide data that shows if the number of vehicular collisions with bears has increased or decreased in the past 20 years? This data could give insights to population increase, density, habituation to roads, etc.</p> <p>Are increasing bear populations or increasing habituation causing more bear mortality on roads?</p>
Climate Change	854	Either way, wildfires with substantial areas of high burn severity have not been found to be catastrophic for black bears (Crabb et al. 2022, Koel et al. 2019).	<p>This statement contains bias and is faulty. The findings presented by Crabb et al. (2022) and Koel et al. (2019) shed light on the nuanced relationship between wildfires and black bear populations. Despite the perception that wildfires may have catastrophic effects on black bears, <u>the research suggests otherwise</u>. The studies indicate that wildfires, even with substantial areas of high burn severity, do not necessarily result in catastrophic outcomes for black bears. This challenges the common assumption that wildfires uniformly devastate bear habitats and populations. Instead, the research suggests that black bears exhibit resilience and adaptability to wildfire disturbances. These findings have important implications for wildlife management and conservation efforts, particularly in fire-prone regions. While wildfires can undoubtedly alter habitat structure and composition, the research suggests that black bears can persist and even thrive in post-fire environments. This resilience underscores the importance of considering the ecological role of wildfires in shaping bear habitats and populations. Furthermore, these findings highlight the need for nuanced approaches to wildfire management and conservation planning. Rather than viewing wildfires solely as destructive forces, conservation efforts should aim to understand and leverage the ecological benefits of fire for black bear habitats. By incorporating fire ecology principles into management strategies, conservationists can promote habitat resilience and support healthy black bear populations in fire-adapted landscapes. Overall, the research by Crabb et al. (2022) and Koel et al. (2019) challenges conventional wisdom regarding the impacts of wildfires on black bears. By recognizing the resilience of black bears to wildfire disturbances, conservationists can develop more effective strategies for preserving bear habitats and promoting coexistence with fire-prone ecosystems.</p>

Section	Line Number(s)	Plan Statement	Comment
Climate Change	890	Although black bear populations are likely to be resilient to climate change due to their remarkable adaptability to changing environmental conditions (Garshelis et al. 2020b), they may face declines due to interactions between climate change and forest management -induced food shortages and anthropogenic pressures (Baruch-Mordo et al. 2014, Laufenberg et al. 2018, Rettler et al. 2021).	<p>This statement contradicts the current data in California within this plan.</p> <p>California has gone through a substantial shift associated with climate change, droughts and fires and as a result has seen nothing but an increase in abundance of Black bears.</p> <p>CDFW can keep this statement but add a statement that summarizes that CA bear populations are going though these conditions and <u>yet are still increasing</u>.</p>
Chapter 3.12 Rulemaking Process	925	Section notes	<p>Calif. Fish & Game Code specifically calls for support of deer populations; the potential conflict between bear abundance and deer success is analogous to the anticipated conflict b/t wolves and deer - cited on page 11 of https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=135026&inlinehttps://codes.findlaw.com/ca/fish-and-game-code/fgc-sect-450/</p>
Chapter 3.12 Rulemaking Process	925	Section notes	<p>Statute specifically favors support for abundance and enjoyment of ungulates in CA; secondly code and F&G/CDFW charter call for management of healthy ecosystems in CA.</p> <p>Both goals call upon the Dept to seek increased harvest of bear, yielding sustainable abundance but also favorable outcomes for other species.</p>
Chapter 4.2 IPM	1022	Section notes	Establish a cadence, and additional triggers, for updates to the IPM statewide and for BCRs
Chapter 4.2 IPM	1022	Section notes	Establish maximum harvest ratio or % per BCR and per statewide population for (1) population growth (2) population maintenance and (3) population reduction objectives. This would replace the "Quota" and eliminate fighting over a specific # as the max harvest, because it would be based on ecological objectives, data, and population #s.
Chapter 4.2 IPM	1022	Section notes	<p>What are the variations in population model accuracy between regions with hunting activity vs. those where no hunting data is gathered?</p> <p>Is there a higher margin of error in populations in the "no hunt" units?</p> <p>Would the model be more accurate if there was hunting in those areas rather than proposing camera trapping?</p> <p>Maybe proposing limited draw hunts in those regions would be a good step.</p>

Section	Line Number(s)	Plan Statement	Comment
Integrated population model Line 1035	1035	The age at which this occurs was then used as a parameter for estimating the total population size. However, a key accuracy assumption of the model was violated when hunter effort and success changed in 2013, when the use of dogs to hunt black bears was discontinued (Harris and Metzgar 1987, CDFW 2022b).	This statement seems to lack clarity and direction. The assumption has been contradicted, but what implications does this hold for the model from 2013 onwards, as well as in preceding years? Additionally, how did the utilization of hound hunting contribute to the effectiveness of this model?
Chapter 5.3 Disease	1246	Section notes	What guardrails related to disease rates, incidence etc. in each BCR will be established to guide adaptive mgmt. planning? Studying disease and knowing more about it is good - but THIS plan needs to indicate how that new information will be used to inform mgmt. objectives and tools enabled to meet those objectives.
Chapter 6 Adaptive Mgmt	1322	section notes	To remove the friction associated with quota setting at the state level or the BCR level, the Plan will DO VERY WELL to establish State Harvest Quota % and BCR Harvest Quota % pre-emptively. Establish a mechanism and data set to inform an output which guides harvest maximums. Include depredation and vehicle strikes in the tally. It should offer capacity for using harvest to reduce bear #s where they are overly abundant but not put local or state populations at risk. Land this gearing ratio in the document, and it will enable year to year adjustments for tag allocations, bag limits, season structures etc to adjust, be nimbler and more responsive to IPM outputs.
Chapter 6	1323	Conserving abundant black bear...	Healthy vs. abundant / again "abundance" is not a sufficient North Star goal , as it can result in negative consequences for other species, people and even bears.
Chapter 6	1334	if there is ... concern... CDFW will use the IPM...	Rather than use IPM In response to concern, IPM should be used consistently on an annual or other X-year basis to inform stakeholders and determine hunting guardrails proactively.
Chapter 6	1351	if there is concern about black bear overpopulation...	In this Plan, establish metrics and/or anecdotal indicators that would trigger concern: disease, population density, rate of kleptoparasitism, lack of abundance of prey species, etc.

Section	Line Number(s)	Plan Statement	Comment
Chapter 6	1365	CDFW would also evaluate the application of non-lethal strategies 1365 for managing the potential effects of black bear predation on ungulates and other species 1366 of management or conservation concern. For	<p>No... no... this is backwards:</p> <p>Until HARVEST exceeds a defined threshold within any BCR, regulated hunting should be the prioritized mgmt. tool as it provides both economic and ecological benefits, while increasing opportunity and thus supporting JEDI, access, opportunity goals for the state.</p>
Chapter 6 Line 1370	1370	As there is anecdotal information suggesting black bears have recently expanded their range in some areas of California (Section 3.2) effecting a potential for increased hunting opportunity and increased HBC, CDFW will prioritize analysis of occurrence (e.g., cameras) and movement (e.g., GPS collars) monitoring in these areas. If necessary, CDFW will create additional BCRs to reflect the changing distribution of black bear populations.	<p>Given the expansion of black bear range in certain areas of California, it's imperative that CDFW consider hunting opportunities as not just a means to manage abundance and habituation, but also as a valuable tool for gathering crucial data.</p> <p>Rather than just mentioning hunting in this statement it should be emphasized. By allowing hunting in these areas, CDFW can gather important information that would contribute to better population estimates and enhance genetic knowledge. Additionally, the implementation of hunting activities can serve to mitigate potential conflicts between humans and bears in these expanding range areas.</p> <p>CDFW should prioritize the analysis of occurrence and movement through methods such as camera trapping and GPS collaring to monitor bear populations effectively. In cases where significant changes in bear distribution are observed, CDFW should be prepared to establish additional Bear Conservation Regions (BCRs) to accurately reflect these shifts. This proactive approach will not only aid in the effective management of bear populations but also ensure the conservation of California's diverse wildlife for future generations.</p>
Chapter 6 = Disease Resilient Black Bear Populations	1385	section notes	<p>should be titled "Maintaining Disease Resilient Bear Populations "</p> <p>In other states and provinces how does abundance, and density of population relate to disease and other causes of mortality? Can this document establish a goal of pre-emptively responding to over-abundance as a source of disease or mortality, so that hunter harvest is preferred over diseased bear populations?</p>

Section	Line Number(s)	Plan Statement	Comment
Chapter 6 Hunting Opportunities	1392	section notes	<p>CDFW charter and responsibility is to provide access and opportunity. Section 6.4 needs a robust expansion and extended presentation of ecological and economic impacts of providing access and opportunity.</p> <p>Given a status of abundance and sustainability, THIS DOCUMENT needs to stack rank and objectively review access, opportunity, zones, methods of take, harvest maximums, rationale for bag limits in lieu of hitting quotas or other guardrails. This document needs to provide data (from other states?) regarding different hunting seasons, methods of take (bait, hounds, spring, summer-fall-winter, etc) along with success metrics, pros-cons, incidental vs. intentional harvest, economics (tag sales, R3 and non-resident participation, license sales) etc. data for spring hunt: is "killing lactating sows" really a significant risk or just an socially driven worry? baiting and use of hounds: # of bears seen, treed vs. harvested; ability to harvest specific size, age, sex of bear vs. random harvest in DIY spot-stalk fall hunt?</p>
Chapter 6 Hunting Opportunities	1392	data on hunter opportunity	without data presenting values, pros/cons, economics, success, precision etc of various options for opportunity, there will not be any meaningful adjustments - these are required for a document of this nature.
Chapter 6 Hunting Opportunities	1392	hunting seasons	<p>Spring bear orphaned cub study vs. common "threat" of orphaned cubs? https://bioone.org/journals/ursus/volume-15/issue-1/1537-6176(2004)015%3c0023%3aURDTMA%3e2.0.CO%3b2/Using-reproductive-data-to-model-American-black-bear-cub-orphaning/10.2192/1537-6176(2004)015%3C0023:URDTMA%3E2.0.CO;2.short Also: do orphaned cubs exist where there is NOT a spring hunting season? What cause of orphaned cubs is most significant?</p>
Chapter 6 Hunting Opportunities	1392	Hunting seasons	<p>Additionally: As a separate data source, any state that has both a Spring hunt and requires tooth collection (like Idaho), should have hard data on lactating female take numbers. My understanding is that the "tooth ring" is different in lactating years vs. non-lactating years for sows, so the data is objective and tied to the hunt rather than reliant on self-reports or anecdotes regarding "found cub orphans", who may well have been made orphans by non-hunter means. We should issue public records requests to all such states if the data isn't available informally.</p>

Section	Line Number(s)	Plan Statement	Comment
6.4 Providing Black Bear Hunting Opportunities, Line 1393	1393	Consistent with Fish and Game Code (FGC) Section 1801, CDFW will analyze and assess black bear population data, and other sources of information including data on hunter opportunity and success, to inform any recommendations to the Commission about changes to hunting regulations (e.g., tag limits, seasons, methods of take). ... Regulatory changes (Title 14 CCR) would be required for this to be possible. This is because current regulations set a 1,700 black bear annual harvest limit at the state level. CDFW will continue to promote hunter ethics through hunter education activities	<p>I ask that CDFW add a statement summarizing the importance of hunting.</p> <p>While regulatory changes may be necessary to implement management strategies at the BCR scale, CDFW should acknowledge that using hunting as and adaptive management tool is a proactive step toward ensuring the conservation of black bears, their populations, and their habitats.</p> <p>CDFW should acknowledge the importance of hunter involvement in wildlife management and the need to promote hunter ethics through education and outreach initiatives.</p> <p>Further: this document should acknowledge hunting opportunity as a critical element for meeting the charter and mission of F&G and the Dept.</p>
Chapter 6 Hunting Opportunities	1404	promote hunter ethics	<p>Suggestion: As methods of take and/or season hunt changes are adopted by statute or regulatory updates, CDFW will utilize new and updated Advanced Hunter Education resources to ensure hunters are well informed on both the ethical and practical elements of the hunt. ie: spring season could require "boar, sow and sow with cubs" identification course to help ensure hunters are targeting boars and avoiding cubs or sows with cubs.</p>

Section	Line Number(s)	Plan Statement	Comment
6.5 Managing Human-Black Bear Conflict and Consideration of Animal Welfare Line	1405	Does not acknowledge hunting as a tool for HBC.	<p>Consider some of the following in this section and within the HBC section:</p> <p>Increasing hunting opportunity can serve as a strategic tool to reduce human-bear conflicts (HBC) by managing bear populations in areas where conflicts are prevalent. By allowing hunters to harvest bears selectively in these regions, wildlife managers can control population size and behavior, thereby reducing the likelihood of bears coming into conflict with humans.</p> <p>The implementation of increased hunting opportunity can help to achieve several key objectives in mitigating HBC. First, it can help to regulate bear populations at levels that are sustainable and compatible with available habitat resources. By reducing population densities in areas where conflicts are common, there may be fewer instances of bears venturing into residential areas in search of food or shelter. Second, increased hunting opportunity can target specific individuals or demographic groups within the bear population that are more likely to engage in behaviors that lead to conflicts, such as raiding crops or garbage bins. By selectively harvesting these bears, managers can influence population dynamics and reduce the prevalence of problem behaviors over time. Furthermore, hunting can serve as a deterrent to bears, influencing their behavior and spatial distribution. Bears may become more wary of human activity and avoid areas where hunting pressure is high, thus reducing the likelihood of conflicts occurring in these locations. Overall, the use of increased hunting opportunity as a tool to reduce HBC requires careful planning and coordination between wildlife agencies, hunters, and local communities. By strategically managing bear populations through hunting, managers can contribute to the conservation of bears while minimizing conflicts with humans and promoting coexistence between people and wildlife.</p>
Chapter 6.5 HBC	1413	60 bears per year	What happens to these bears their use and value as a resource? Hides, skulls, meat, fat/oil - is it utilized the way that a hunter harvest is used? What does killing a depredation bear cost the state vs. what does the avg harvested bear bring in as tag sales revenue?

Section	Line Number(s)	Plan Statement	Comment
6.5 Managing Human-Black Bear Conflict and Consideration of Animal Welfare Line	1422	CDFW will continue to consider animal welfare in its planning activities and regulatory change proposals affecting regulated hunting. Besides conserving abundant, genetically diverse, and disease-resilient bear populations, and consistent with efforts to promote hunter ethics (see section 6.4), CDFW will consider the effects of hunting seasons and methods of take on animal welfare.	This statement has no merit, hunting was not mentioned in the Animal welfare section but in this summary its mentioned multiple times. There is currently a lack of empirical studies that directly assess the impact of hunting on animal welfare in black bear populations. While CDFW acknowledges the importance of considering animal welfare in all its planning activities and regulatory change proposals related to regulated hunting, it's essential to note that there is no conclusive evidence indicating that hunting negatively impacts the welfare of black bears. The management of bear populations through regulated hunting is primarily aimed at conserving abundant, genetically diverse, and disease-resilient populations, as well as addressing human-wildlife conflicts. However, CDFW remains committed to promoting hunter ethics and ensuring that hunting seasons and methods of take are conducted in a manner that minimizes any potential negative impacts on animal welfare. I respectfully request that CDFW either remove this statement or acknowledge that while hunting may have impacts on individual animals welfare when harvested, it contributes to increasing overall animal welfare at the population level through various means: 1. Population Management: Hunting helps regulate wildlife populations, preventing overpopulation which can lead to starvation, disease, and habitat degradation. This maintains healthier ecosystems and reduces animal suffering due to overcrowding and competition for resources.2. Disease Control: By managing wildlife populations, hunting can help control the spread of diseases within animal populations, thus improving overall animal health and welfare.3. Habitat Conservation: Hunting license fees and taxes on hunting equipment often fund conservation efforts and habitat restoration projects. Preserving and enhancing habitats benefit not only the hunted species but also countless other wildlife species, promoting biodiversity and ecosystem health.4. Ethical Harvesting: Hunters are typically required to adhere to strict regulations and ethical guidelines, such as using appropriate hunting methods, pursuing quick and humane kills, and respecting bag limits. This ensures that hunting activities are conducted with minimal suffering to the harvested animals.5. Scientific Research: Hunting can provide valuable data for scientific research, including population dynamics, disease prevalence, and genetic diversity. This information contributes to better-informed wildlife management decisions, ultimately benefiting animal welfare. Overall, when conducted responsibly and sustainably, hunting can play a role in improving animal welfare by maintaining healthy populations, controlling diseases, conserving habitats, and supporting scientific research.
Chapter 6.6 Communication and Outreach	1434	black bear working group	add to this: "black bear working group ...hunting community, interested elected officials at State, County levels."
Chapter 7.4 Collaboration and Co-management	1511	Section notes	Highlight the value and cooperation that the bear hunting community provides; there is NOT A MORE ACTIVE and INVESTED group who wants bears to be successful and abundant within balanced ecosystems than bear hunters. Collaboration and voluntary or mandatory data or sample collection from hunter harvest, trail cameras, volunteer support for collaring projects, etc have the potential to increase quality of data and accelerate the success of bear research in CA.

Section	Line Number(s)	Plan Statement	Comment
Literature Cited	1572	Petition 2021-027	STRIKE THIS FROM THE DOCUMENT / BIASED, PRODUCED BY AN ANTI-HUNTING ORG W/OUT scientifically or objectively produced polling data.

first_name	last_name	full_name
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Jordan	Germyn	Jordan Ger
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Marc	Smith	Marc Smith
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Jefferson	Croci	Jefferson C
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Mike	Street	Mike Street
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Grant	Jerry	Grant Jerry
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Anthony	Fresquez	Anthony Fre
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Jake	Sant	Jake Sant
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Zac	LaPierre	Zac LaPierr
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James	Bane	James Bane
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Travis	Bowman	Travis Bow
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Robert	Berry	Robert Berr
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Phil	Cox	Phil Cox
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danny	meadows	danny mea
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paul	lane	paul lane
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Kevin	Puent	Kevin Puent
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Kyle	Stangel	Kyle Stange
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Joe	Kondelis	Joe Kondeli
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Jacob	Pickett	Jacob Picke
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Brad	Sanders	Brad Sande
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Max	Fennell	Max Fennel
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Brandon	M Keller	Brandon M
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Jared	Koenig	Jared Koeni
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Thomas	Eastwood	Thomas Ea
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Seth	Watts	Seth Watts
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Brandon	Williams	Brandon Wi
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Garret	Hoppe	Garret Hop
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Daniel	Ryan	Daniel Ryan
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Carl	Andersen	Carl Anders
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Dylan	Dipietro	Dylan Dipie
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Jacob	Leonard	Jacob Leon
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Randy	Donis	Randy Doni
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Lance	Bauer	Lance Baue
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Donald	Bouslog	Donald Bou
Mark	Tonkin	Mark Tonkin
Cameron	Ziesak	Cameron Zi
Bradley	Warren	Bradley Wa
Cody	Barnes	Cody Barne
Brandon	McDow	Brandon Mc
Aaron	Yoder	Aaron Yode
Abram	Zoschg	Abram Zosc
Devin	Staker	Devin Stake
Matthew	Staude	Matthew St
Daniel	Martin	Daniel Mart
Ryan	Lane	Ryan Lane
Tim	Sandau	Tim Sandau
Cody	Rapke	Cody Rapke
Aaron	Lingwall	Aaron Lingw
Casey	Griffith	Casey Griffi
Travis	Hobbs	Travis Hobb
Tyler	Pytlik	Tyler Pytlik
Edward	Morris	Edward Mor
Trever	Thompson	Trever Thom
Colton	Minton	Colton Mint
Beau	Martoni	Beau Marto
Kenneth	Nale	Kenneth Na
Jaeger	Luke	Jaeger Luke
Les	Mikkelsen	Les Mikkels
Skyler	Gloor	Skyler Gloo
Blake	Baxter	Blake Baxte
Brett	Adams	Brett Adam
Eric	Schlukebir	Eric Schluk
Clinton	Smith	Clinton Smi
Michael	Willie	Michael Wil
Jake	Downs	Jake Downs
Jason	Matthew	Jason Matth

Steve	Snowden	Steve Snow
Jon	Miller	Jon Miller
Ron	Rockwell	Ron Rockw
Mark	Newkirk	Mark Newki
Garrison	Kinsel	Garrison Ki
Brock	Akers	Brock Akers
Dan	Epperson	Dan Eppers
Rylan	Lynam	Rylan Lyna
Joseph	DesJardin	Joseph Des
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Matthew	Musser	Matthew M
Skip	Hambright	Skip Hambr
Robert	Moody	Robert Moo
Justin	Jones	Justin Jones
Scott	Delbo	Scott Delbo
Derek	Arterburn	Derek Arter
Adam	Croy	Adam Croy
Jeremy	Sanderson	Jeremy San
Andrew	villa	Andrew vill
Craig	Vanarsdale	Craig Vanar
Sterling	Debner	Sterling De
Kavan	Dewar	Kavan Dew
Owen	Bacon	Owen Baco
Timothy	Hill	Timothy Hil
Cody	Tapie	Cody Tapie
Garett	Yoder	Garett Yode
Francisco	Gaytan	Francisco G
Jacobus	Brennan	Jacobus Bre
Rob	Minturn	Rob Mintur
Jeff	Lessans	Jeff Lessan
Gary	Strassburg	Gary Strass
Amanda Starnes	Amanda St	Travis
Whitney	Travis Whit	

Willi	Schmidt	Willi Schmi
Fidel	Mercado	Fidel Merca
Lucas	Noling	Lucas Nolin
Michael	Schubert	Michael Sc
Evan	Burch	Evan Burch
Joel	Smith	Joel Smith
Travis	Van Dyke	Travis Van D
Robert	Johnson	Robert John
William	Link	William Lin
Tavis	Rogers	Tavis Roger
Mike	Costello	Mike Costel
Brandon	Brandon	Brandon Br
John	Pezzin	John Pezzin
Shawn	Figari	Shawn Figa
Christophe	Bunn	Christophe
Alexander	Walechka	Alexander
Colin	Rouaud	Colin Roua
Drew	Lambert	Drew Lamb
Jason	Boulanger	Jason Boula
Damon	DiMaria	Damon DiM
Eric	Sandstead	Eric Sandst
Dustin	Arth	Dustin Arth
Jimmy	Daniels	Jimmy Dani
Alex	Gruin	Alex Gruin
Mathew	Vargas	Mathew Var
Josh	Haen	Josh Haen
Logan	Rosenlund	Logan Rose
Fernando	Guillen	Fernando G
Andrew	Zeiders	Andrew Zei
Tyson	Hanson	Tyson Hans
Cody	Sandri	Cody Sandr
Skyler	Coleman	Skyler Cole
Henry	Ferguson	Henry Fergu

Cade	Luckett	Cade Lucke
Mark	Cerf	Mark Cerf
Sue	Tidwell	Sue Tidwell
Gunnar	Allen	Gunnar Alle
Bob	Thompson	Bob Thomp
Charley Brown	Charley Bro	Jordan
Rutherford	Jordan	Ruth Jeff
	Holbrook	Jeff Holbroo
Matthew Harrold	Matthew Ha	Jeff
	Frabel	Jeff Frabel
Mike	Herz	Mike Herz
Thomas	Batzlaff	Thomas Bat
Chris	Strole	Chris Strole
Joseph	Bezona	Joseph Bez
Cory	Maxwell	Cory Maxwe
Heather	Aldrich	Heather Ald
Dalton	Lebeda	Dalton Leb
Prentice	Danner	Prentice Da
Matt	Rutz	Matt Rutz
Joseph	Varcalli	Joseph Varc
Colton	Chance	Colton Cha
Jeremy	Dugger	Jeremy Dug
Jimmy	Shaw	Jimmy Shaw
Michael	Strong	Michael Str
Rob	Graham	Rob Graha
Brad	Marlow	Brad Marlo
Kevin	Crews	Kevin Crew
Diane	Rose	Diane Rose
John	Ryan	John Ryan
David	Bartley	David Bartl
Chris	Johnson	Chris Johns
Ryan	Lampers	Ryan Lamp
Joseph	Campogian	Joseph Cam

Mike	Kelly	Mike Kelly
Grant	Bentz	Grant Bentz
Jeremy	Daniel	Jeremy Dan
Manuel	Ponce	Manuel Pon
Clint	Dye	Clint Dye
Aaron	Gillespie	Aaron Gille
Kevin	Leger	Kevin Leger
Shawn	Sampson	Shawn Sam
Seth	Morris	Seth Morris
Clint	McInnes	Clint McInn
Anthony	O'Neill	Anthony O'
Matthew	Stillson	Matthew St
Connor	Schroeder	Connor Sch
Cody	Rich	Cody Rich
Beau	Bridgman	Beau Bridg
Bryan	Miller	Bryan Miller
Destry	Wilcox	Destry Wilc
Matthew	Mahony	Matthew M
Kyle	Lukes	Kyle Lukes
Lauren	Vance	Lauren Van
John	Alston	John Alston
Danny	Stotler	Danny Stotl
Dennis	Donati	Dennis Don
Scott	Ball	Scott Ball
Charles	Tripp	Charles Trip
Thomas	Burbank	Thomas Bu
Pj	Selinski	Pj Selinski
Brandon	Bogan	Brandon Bo
Chris	McKelvy	Chris McKe
Jason	Lewis	Jason Lewis
Rick	Hooley	Rick Hooley
Drew	Helms	Drew Helm
Jared	Anna	Jared Anna

Aaron	Swallow	Aaron Swal	Tyler
	Scott		Tyler Scott
Brent	Owens	Brent	Owen
David	Hallof	David	Hallo
Philip	Bischof	Philip Bisch	Ian
	Elstrom	Ian	Elstrom
Logan	Jennings	Logan Jenni	Rick
	Mattis	Rick	Mattis
Benjamin	Honig	Benjamin H	Justin
	Keeling	Justin	Keeli
James	Forslund	James	Forsl
Andrew	Prescott	Andrew Pre	Jason
	Matzinger	Jason	Matzi
Scott	Lassell	Scott	Lasse
Jason	Lankford	Jason	Lankf
Richard	Gallimore	Richard Gal	Nick
	Bubolz	Nick	Bubolz
Jeff	Teti	Jeff	Teti
Tyler	Dowdle	Tyler Dowdl	
Brant	MacDuff	Brant MacD	
Eric	Redder	Eric Redder	
Brent	Varriale	Brent Varria	
Joell	Adair	Joell Adair	
Scott	Long	Scott Long	
Brett	Rogers	Brett Roger	
Timothy	Galde	Timothy Ga	
Johnny	Mack	Johnny Mac	
Logan	McCallum	Logan McC	
Darren	Sullivan	Darren Sulli	
Ronald	Arroyo-Lop	Ronald Arro	
Teddy	Elwell	Teddy Elwe	
Chris	Hoex	Chris Hoex	
Omni	Warner	Omni Warn	

James	Sciacca	James Scia
Bill	Sallee	Bill Sallee
Jeff	Heil	Jeff Heil
Ron	Allen	Ron Allen
Billy	Harvey	Billy Harvey
Jim	Hogan	Jim Hogan
Chris	Galaske	Chris Galas
Trey	Milhoan	Trey Milhoa
Michael	Guran	Michael Gu
Corey	Turner	Corey Turne
Jeremiah	Woody	Jeremiah W
Andy	Elliott	Andy Elliott
Kevin	Crossman	Kevin Cross
David	Gough	David Goug
Jacob	Anderson	Jacob Ande
Gus	Lundquist	Gus Lundqu
Lukas	oktaba	Lukas oktab
Aaron	Litz	Aaron Litz
Nicolas	Scroggins	Nicolas Scr
Ethan	Benson	Ethan Bens
Scott	Boggs	Scott Boggs
Kevin	Toye	Kevin Toye
Richard	Voss	Richard Vos
Ryan	Eckersley	Ryan Ecker
Drew	Stafford	Drew Staffo
Scott	Buechner	Scott Buec
Chuck	Mason	Chuck Mas
Travis	Scott	Travis Scott
spencer	schairer	spencer sc
Chris	Torborg	Chris Torbo
Duane	Kramer	Duane Kram
Bryce	Hubbard	Bryce Hubb
Kris	Cantrell	Kris Cantrel

Josh	Hegnes	Josh Hegne
Paul	Smith	Paul Smith
Jacob	Tisor	Jacob Tisor
Brent	Thiemer	Brent Thiem
Micah	Dungey	Micah Dung
Bryan	McKinney	Bryan McKi
Braden	Barranco	Braden Bar
Charles	Pressley	Charles Pre
Pat	Coyne	Pat Coyne
Ben	Harrison	Ben Harriso
shawn Cahall	shawn Cah	Timothy
Price	Timothy	Pri Jacob
	Conley	Jacob Conl Bob
	Terwilliger	Bob Terwilli
Erick	Ericksen	Erick Ericks
Erik	Thompson	Erik Thomp
Adam	Janke	Adam Janke
Dan	Caluian	Dan Caluia
Glen	Ryan	Glen Ryan
Gene	Shipanik	Gene Shipa
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Gregory	Kirtley	Gregory Kirt
Dan	Kozma	Dan Kozma
Troy	Vaughn	Troy Vaugh
Chris	Collier	Chris Collie
Christophe	Shertzer	Christophe
Joe	Eppele	Joe Eppele
Chris	Flick	Chris Flick
Gerrad	Barcom	Gerrad Barc
Justin	Smith	Justin Smit
Ryan	Dewell	Ryan Dewel
Chad	Jansen	Chad Janse
Matt	Smythe	Matt Smyth

Bob	Alexander	Bob Alexan
Susan	Ingham	Susan Ingh
David	Slaughter	David Slaug
Josh	Carter	Josh Carter
Richard	Daniels	Richard Da
Larry	Holjencin	Larry Holjen
Garrett	Robinson	Garrett Rob
Tanner	Willey	Tanner Will
Ralph	Harris	Ralph Harri
Michael	DeLalio	Michael De
Michael	Schmidt	Michael Sc
Dan	Schilling	Dan Schillin
Billy	Patterson	Billy Patters
Levi	Hansen	Levi Hanse
Fran	Yesh	Fran Yesh
Michael	Tennant	Michael Ten
Jonathan	Last	Jonathan La
Reina	Seraaj	Reina Seraa
Alex	Perkins	Alex Perkin
Steve	McGovern	Steve McGo
Jason	Fettig	Jason Fettig
Charlie	Stull	Charlie Stul
Kirk	Hale	Kirk Hale
Nathan	Miller	Nathan Mill
Paul	Craven	Paul Craven
Stefanie	Wickham	Stefanie Wi
Eric	Chisholm	Eric Chisho
Stephen	Carey	Stephen Ca
Tim	Borghello	Tim Borghe
Tom	Ryle	Tom Ryle
Jason	Wisniewski	Jason Wisn
Kyle	Vogt	Kyle Vogt
Harrie	Dennison	Harrie Denn

Zack	May	Zack May
Wayne	Raupe	Wayne Rau
Bruce	Brenna	Bruce Bren
Jeff	Proctor	Jeff Proctor
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Sue	Dennison	Sue Dennis
Linden	Loren	Linden Lore
Elroy	Turnbow	Elroy Turnb
Scott	Ohlander	Scott Ohlan
Ian	Thoennes	Ian Thoenn
Mitchell	White	Mitchell Wh
Ryan	Schuman	Ryan Schu
Eric	Mehlberg	Eric Mehlbe
Philip	Kepple	Philip Kepp
Jay	Clark	Jay Clark
Mike	Smith	Mike Smith
Mark	Rizvi	Mark Rizvi
Blaine	Page	Blaine Page
Devon	Johnson	Devon John
Mike	Kraft	Mike Kraft
Dillon	Denison	Dillon Deni
Bryan	Watson	Bryan Wats
Daniel	Druia	Daniel Drui
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August	Thurmer	August Thur
Richard	Billings	Richard Bill
Steev	Wilson	Steev Wilso
Kyle	Pete	Kyle Pete
Benjamin	Strand	Benjamin S
Ben	Rusch	Ben Rusch
Bryan	Alexander	Bryan Alexa
Jim	Anderson	Jim Anderso
Christian	Killoran	Christian Ki

Thomas Deuel	Thomas De	Robert
Adamson	Robert	Ada John
	McKeever	John McKee
Jacob	m Brady	Jacob m Bra
Rett	Triplett	Rett Triplett
Rick	Bostwick	Rick Bostwi
Drew	Ericksen	Drew Ericks
Charles	Kelly	Charles Kel
Johnathan	Kassik	Johnathan
Matt	Eastman	Matt Eastm
Scott	Amberman	Scott Ambe
Leif	Wywadis	Leif Wywad
Austin	Alred	Austin Alred
Jenifer	Wisniewski	Jenifer Wisn
Cole	Jasper	Cole Jasper
Greg	Ehle	Greg Ehle
David	Pekala	David Pekal
Ken	Swasey	Ken Swasey
Mark	Clark	Mark Clark
Brent	Fassett	Brent Fasse
Jason	Stolte	Jason Stolte
john	koleszar	john kolesz
Darryn	Epp	Darryn Epp
Kyle	Reedy	Kyle Reedy
Chip	Wittrock	Chip Wittro
Paul	Ellis	Paul Ellis
Jason	Clark	Jason Clark
Tyler	Gillberg	Tyler Gillber
Adam	Seamans	Adam Seam
Ryan	Byrd	Ryan Byrd
Kurt	Sacks	Kurt Sacks
Kyle	vistuba	Kyle vistuba
Greg	Hunter	Greg Hunte

Holly	Nye	Holly Nye
Timothy	Roach	Timothy Ro
Jordan	Barnes	Jordan Barn
Keith	Swope	Keith Swop
Bradley	Joyce	Bradley Joy
Ryan	Staskey	Ryan Stask
Christophe	Locke	Christophe
Nick	Weeks	Nick Weeks
Kurt	Smith	Kurt Smith
J.	Woolard	J. Woolard
Dillon	Damarin	Dillon Dam
Daniel I	Dockham J	Daniel I Do
Joe	Oâ€™Kelley	Joe Oâ€™Ke
Curt	Gibson	Curt Gibson
Richard	Spring	Richard Spr Jeff
	McLean	Jeff McLean
Jeff	Givens	Jeff Givens
Richard	Mullowney	Richard Mu
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Josh	Homer	Josh Homer
Trae	Stelzer	Trae Stelzer
Evan	Anestis	Evan Anesti
Art	Peaslee	Art Peaslee
Matt	Hagan	Matt Hagan
Tim	Lammert	Tim Lamme
Daniel	Torres	Daniel Torr
Andrew	Irvine	Andrew Irvi
Randall	Norred	Randall Nor
Trenton	Bammert	Trenton Ba
Jonathan	Bates	Jonathan B
Jeff	Beasley	Jeff Beasley
Stanley	Steele	Stanley Ste
Kirk	Jessop	Kirk Jessop

David	Prater	David Prate
Jake	Jensen	Jake Jensen
Dan	Young	Dan Young
Tyson	Powell	Tyson Powe
Curtis	Parry	Curtis Parry
Scott	Hughes	Scott Hugh
Joe	Hart	Joe Hart
Joshua	Bartling	Joshua Bart
Jake	Parks	Jake Parks
Ryan	Wallace	Ryan Walla
Benjamin	Hierlmeier	Benjamin H
Seth Moore	Yaak River	Seth Moore
Richard	Polenz	Richard Pol
Mike	Kusold	Mike Kusold
Thomas	Crews	Thomas Cre
Dan	Elkins	Dan Elkins
Jesse	Langsev	Jesse Langs
John	Maerzke	John Maerz
Matthew	Bloom	Matthew Bl
Robert	Kenyon	Robert Ken
trevor	carlson	trevor carls
Tyler	Pike	Tyler Pike
Keith	Kubista	Keith Kubis
Chase	Watson	Chase Wat
Bryan	Cook	Bryan Cook
Sam	Carkhuff	Sam Carkh
Duane	Aubuchon	Duane Aub
Paul	Rossignol	Paul Rossig
Tucker	Smith	Tucker Smit
Jim	Bonanno	Jim Bonann
Timothy	Harris	Timothy Ha
Dan	Bruce	Dan Bruce
Thomas	Pizzino	Thomas Piz

Ethan	Hall	Ethan Hall
Andrew	Hamilton	Andrew Ha
Dillon	Flint	Dillon Flint
Raymond	Livingston	Raymond Li
Richard	Bernal	Richard Ber
Nicholas	Palma Jr	Nicholas Pa
Jeremy	Indes	Jeremy Inde
Forrest	Drenning	Forrest Dre
Forest	Spradlin	Forest Spra
Jason	Davidson	Jason David
Billy	Glover	Billy Glover
Benjamin	Haren	Benjamin H
William	Lehmann	William Leh
Trent	Barnes	Trent Barne
Josh	Caple	Josh Caple
marc	beaudoin	marc beaud
Jake	Munro	Jake Munro
Arul	Selvarayan	Arul Selvara
James	Fallert	James Falle Jayson
Schmidt	Jayson	Sch Benjamin
Schraeder	Benjamin	S Chris
	Prsha	Chris Prsha
Jacob	Neathawk	Jacob Neat
David	Stump	David Stum
travis	parry	travis parry
Micah	Leadford	Micah Lead Dean
	McKinnon	Dean McKin
Grady	Peterson	GradyPeter Jana
	Waller	Jana Waller
Cody	Harto	Cody Harto
Brandon	Fullmer	Brandon Fu
Edward M	Hebbe IV	Edward M H
Kurt	Davis	Kurt Davis

Thomas	Lough	Thomas Lo
Wesley	Mendez	Wesley Men
Nicholas	Cartwright	Nicholas C
Ian	Martiszus	Ian Martisz
Doris	Rusch	Doris Rusch
eric	moore	eric moore
Greg	Brewington	Greg Brewin
Justin	Carrier	Justin Carri
Ross	Tomazin	Ross Tomaz
Matthew	Johnson	Matthew Jo
Eric	Nelson	Eric Nelson
Samuel	Parell	Samuel Par
Kaleb	Ferriter	Kaleb Ferrit
Andy	Trewhitt	Andy Trewh
Joseph	Bryan	Joseph Brya
Cody	Hutton	Cody Hutto
Ryan	Fix	Ryan Fix
Dustin	Boyes	Dustin Boye
George	Sever	George Sev
David	Aldrich	David Aldric
Jesse	Elliott	Jesse Elliott
Daniel	Plantz	Daniel Plan
Cynthea	Gunderson	Cynthea Gu
Joshua	Ramsey	Joshua Ram
Tony	Brookens	Tony Brook
Kiel	Casari	Kiel Casari
George	Jonah	George Jon
Stephen	Coale	Stephen Co
Derek	Maine	Derek Main
Rodney	Schurger	Rodney Sch
Dylan	Soares	Dylan Soare
Patrick	Nolan	Patrick Nol
Chad	vivian	Chad vivian

Cody	Brandes	Cody Brand
Rob	Lyman	Rob Lyman
Derrick	Hobbs	Derrick Hob
Drew	Thelen	Drew Thele
Ward	Schraeder	Ward Schra
Jonathan	Favre	Jonathan Fa
Trish	Napolitano	Trish Napol
Jason	Noel	Jason Noel
Matthew	Taylor	Matthew Ta
Bob	Linkins	Bob Linkins
Justin	Gaudet	Justin Gaud
Sebastian	Garcia	Sebastian G
Doug	Champion	Doug Cham
Jeff	Dumas	Jeff Dumas
Rick	Hall	Rick Hall
Michael	Elrod	Michael Elr
Daniel	Davis	Daniel Davi
Samuel	Donnelly	Samuel Do
Marlee Secary	Marlee Sec	Richard
Owens	Richard	Ow Michael
Gamino	Michael	Ga Eric
	Crivello	Eric Crivello
Robert	Davis	Robert Davi
Noah	Short	Noah Short
Leonard	Curtis	Leonard Cu Rick
	Beck	Rick Beck
Tim	Fidler	Tim Fidler
Daniel	Stephenso	Daniel Step Billy
	Center	Billy Center
David	Childers	David Child
John	Winscher	John Winsc
Cj	Chiddy	Cj Chiddy
Teri	Crosby	Teri Crosby

David	Madrigal	David Madr
Terry	Jones	Terry Jones
Jace	Horak	Jace Horak
David	Carpenter	David Carp
Chris	Davis	Chris Davis
Jeremy	Hemler	Jeremy Hem
Daniel	Mcgill	Daniel Mcgi
Jared	Karshner	Jared Karsh
Tyler	Kiess	Tyler Kiess
Ezra	Lloyd	Ezra Lloyd
Jeff	Kirtley	Jeff Kirtley
Gerald	Bond	Gerald Bon
Ben	Dillon	Ben Dillon
Mike	Martin	Mike Martin
Conrad	Sheley	Conrad She
Greg	Bonetti	Greg Bonet
Jason	Douglas	Jason Doug
Steven	M Hayes	Steven M H
Terry	Shepherd	Terry Sheph
Dean	Bartz	Dean Bartz
Pat	Ellis	Pat Ellis
Andy	Oien	Andy Oien
Neil	Harber	Neil Harber
Christophe	Heidger	Christophe
Gerald	Jones	Gerald Jone
Skyler	Meyer	Skyler Meye
Austin		Austin
Rice	Austin	Rice Bruce
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Michael	Chappuis	Michael Ch
Westly	Richardson	Westly Rich
Jason	Brown	Jason Brow
Josh	Tugmon	Josh Tugmo

Bernard	Buiting	Bernard Bui
Peter	Sibello	Peter Sibell
Gage	Smolko	Gage Smolk
Caleb	Griffith	Caleb Griffi
Jared	Getz	Jared Getz
Daniel	Alsup	Daniel Alsu
Ronnie	Naizer	Ronnie Naiz
tom	schweitzer	tom schwei
Ivy	Raborn	Ivy Raborn
Tyler	Lutz	Tyler Lutz
Chris	Mahoney	Chris Maho
Alex	Vierra	Alex Vierra
Betty	Savini	Betty Savini
Steven	Banks	Steven Ban
Jelindo	Tiberti	Jelindo Tibe
John	Shima	John Shima
James	Soares	James Soar
Jessie	Cuellar	Jessie Cuel
Jacob	King	Jacob King
Jacob	Nelson	Jacob Nelso
David	Wolf	David Wolf
Brodey	Fobes	Brodey Fob
Alexander	Murray-Wa	Alexander M
Jacob	Turin	Jacob Turin
Stuart	Holmes	Stuart Holm
Peter	Joy	Peter Joy
Jeremy	Kusmin	Jeremy Kus
Wolfgang	Troxel	Wolfgang Tr
Joshua	Helmes	Joshua Hel
Drew	Cross	Drew Cross
Luis	Gonzalez	Luis Gonzal
Timothy	Shoepe	Timothy Sh
Grant	Riquier	Grant Riqui

Jason	Lane	Jason Lane
Rick	Boback	Rick Bobac
Ross	Beal	Ross Beal
Robby	Mulligan	Robby Mulli
Jason	Hulstein	Jason Hulst
Elijah	Schueller	Elijah Schu
Lauryn	McAferty	Lauryn McA
Hunter	Sansone	Hunter San
Philip	Trump	Philip Trum
Philip	Prescott	Philip Presc
Thomas	Wilson	Thomas Wil
Tyler	Carlson	Tyler Carlso
Damon	Gardella	Damon Gar
Jarrold	Snavely	Jarrold Snav
Corey	Crandall	Corey Cran
Wesley	Warner	Wesley War
Mark	Ross	Mark Ross
Gavin	Foster	Gavin Foste
Blayne	James	Blayne Jam
Adrian	Vigil	Adrian Vigil
Carl	Woody	Carl Woody
Darren	Nutt	Darren Nutt
Seth	Biby	Seth Biby
Elijah	Harrell	Elijah Harre
Collin	Massie	Collin Mass
David	Janklow	David Jankl
Richard	Ballew	Richard Bal
Braxton	Hamilton	Braxton Ha
Isaac	Hadley	Isaac Hadle
Peter	Wadden	Peter Wadd
Ryan	Browne	Ryan Brown
Zane	Stevens	Zane Steve
Karl	Weinner	Karl Weinne

Chris	Sommervill	Chris Somm
Thaddaeus	Kronenwett	Thaddaeus
Jeff	myers	Jeff myers
Christophe	Shell	Christophe
Jedediah	Hohf	Jedediah H
Brooks	Campbell	Brooks Cam
Jesse	Lamb	Jesse Lamb
Mike	Doering	Mike Doerin
Alan	May	Alan May
Jeremiah	Kuhn	Jeremiah K
Charles	Stewart	Charles Ste
Bret	Martin	Bret Martin
Ronald	Morin	Ronald Mor
Austin	Farias	Austin Faria
Crystal	Groves	Crystal Gro
Gary	Macdonald	Gary Macdo
Stephen	Johnson	Stephen Jo
Jason	Gray	Jason Gray
Chris	Hopfauf	Chris Hopfa
Rick	Thomas	Rick Thoma
David	Smith	David Smith
Stewart	Pulk	Stewart Pul
Christophe	Cox	Christophe
Cory	Marlow	Cory Marlo
RyLee	Turner	RyLee Turn
Ted	Ratcliff	Ted Ratcliff
Thomas	Noe	Thomas No
Ted	Benge	Ted Benge
Brandon	Leavitt	Brandon Le
Robert	Mann	Robert Man
Jeremy	Sample	Jeremy Sam
Karl	Schoffstall	Karl Schoffs
Lance	Johnson	Lance John

Dan	Leupold	Dan Leupol
thomas	bridges	thomas brid
	Dupre	Jude Dupre
Josh	Tachell	Josh Tachel
Matthew	Taylor	Matthew Ta
Kyle	Willis	Kyle Willis
Jason	Huling	Jason Hulin
Roger	Rosado	Roger Rosa
Duane	Nasciment	Duane Nas
Jack	Oboczky	Jack Obocz
Taylor	Crawley	Taylor Craw
Brandon	Koolstra	Brandon Ko
Dylan	Bubeck	Dylan Bube
George	French	George Fre
Zachary	Nelson	Zachary Ne
Erek	Arnold	Erek Arnold
Keaton	Zyskowski	Keaton Zysk
Dustin	Rodrick	Dustin Rodr
Scott	Hughes	Scott Hugh
Matthew	Reat	Matthew Re
Hunter	Binford	Hunter Binf
James	Dussias	James Duss
Brian	Koestler	Brian Koest
Nicholas	Jeffries	Nicholas Je
Joseph	Stefani	Joseph Stef
Adam	Gall	Adam Gall
Taylor	Rains	Taylor Rain
timothy	schley	timothy sch
Jonathan	Horton II	Jonathan H
Erik	Akers	Erik Akers
Nicholas	Serratore	Nicholas Se
Harris	Emmons	Harris Emm
Patrick	Reinisch	Patrick Rein

Clint	Graf	Clint Graf
Damon	Smith	Damon Smi
Ryan	Foraker	Ryan Forak
Steven	Mahitka	Steven Mah
Matt	Looker	Matt Looker
Kurtis	Stoneback	Kurtis Ston
Randle	Carr	Randle Car
Brian	Reynolds	Brian Reyno
Matt	Maloley	Matt Malole
Raymond	Bisser	Raymond B
Edward	Gerlach	Edward Ger
Luke	Mitchell	Luke Mitch
Kate	Pate	Kate Pate
John	Coley	John Coley
Bill	Richmond	Bill Richmo
Eliot	Payson	Eliot Payso
Kyle	Pokorny	Kyle Pokorn
Mitchell	Farnik	Mitchell Far
	Mitcheli	Steve Mitch
Paul	Majewski	Paul Majew
Wesley	Yarnell	Wesley Yar
Lance	Tustyn	Lanc Jeff
	Brown	Jeff Brown
Dru	Sauer	Dru Sauer
Zakary	Hale	Zakary Hale
James	Wheelan	James Whe
Brian	Harmon	Brian Harm
David	McCord	David McCo
Anthony	Vinciguerra	Anthony Vin
Joseph	Tripoli	Joseph Trip
Kyle	Kinsey	Kyle Kinsey
Cody	Grassman	Cody Grass
Jason	Wasinger	Jason Wasi

Chris	Schnurbus	Chris Schn
George	Sever	George Sev
Lisa	Gargulak	Lisa Gargul
Terry	Johnson	Terry Johns
Stephen	Barnett	Stephen Ba
Ryan	DeCook	Ryan DeCo
Richard	Paumen	Richard Pau
Kyle	Baker	Kyle Baker
Christian	Moore	Christian M
Shaun	Dolan	Shaun Dola
Gerry	Sherman	Gerry Sher
Freddy	Morales	Freddy Mor
Naomi	Webb	Naomi Web
Mark	Dempsey	Mark DEMP
Doug & Ann	Barnes	Doug & Ann
Grant	Jerry	Grant Jerry
Jordan	Keeley	Jordan Keel
jeff	nicholson	jeff nichols
Destinie	Forman	Destinie Fo
chris	Duggan	chris Dugga
Brandon	Metreveli	Brandon Me
Benjamin	June	Benjamin Ju
Dominic	Sheets	Dominic Sh
Jason	Gray	Jason Gray
Michael	Roy	Michael Ro
Chad	Prante	Chad Prant
Brandon	Osborn	Brandon Os
Kevin	Lowery	Kevin Lowe
Eric	Greeley	Eric Greele
Austin	Lock	Austin Lock
Paul	Finley	Paul Finley
Andrew	Dean	Andrew De
Kristopher	kelley	Kristopher k

Trent	Bell	Trent Bell
Chandra	Proffitt	Chandra Pr
Steve	Atkinson	Steve Atkin
Nathan	Mercier	Nathan Mer
Derek	VerBeek	Derek VerB
Grant	Whitney	Grant Whitt
Rink	Polson	Rink Polson
Chad	Olson	Chad Olson
Josh	Parise	Josh Parise
Mark	Hill	Mark Hill
Luke	Byrne	Luke Byrne
Thomas	Karjola	Thomas Kar
Paul	Amoroso	Paul Amoro
Michael	Goyne	Michael Go
Michael	Martlaro	Michael Ma
Frank	Sprague	Frank Sprag
Jason	Duby	Jason Duby
Steven		Steven
Chris	Hendersho	Chris Hend
Paul	Glessing	Paul Glessi
Matt	Parker	Matt Parker
John	Milam	John Milam
Timothy	Bailey	Timothy Bai
Matt	Gagnon	Matt Gagno
Joshua	Katz	Joshua Katz
Matthew	Hillenbrand	Matthew Hi
Kasey	Bright	Kasey Brigh
Keldon	Jardine	Keldon Jard
Jeremy	Adams	Jeremy Ada
Mackenzie	Jardine	Mackenzie
Josh	Tolman	Josh Tolma
Paul	Young	Paul Young
Alicia	Thomas	Alicia Thom

Brent	Creer	Brent Creer
Daniel	Steving	Daniel Stev
Sean	Bingham	Sean Bingham
Matthew	Wohlwend	Matthew W
Michael	Soares	Michael So
Robert	Hawkins	Robert Haw
Douglas	Parkhurst	Douglas Pa
Andy	Gregory	Andy Grego
Tyler	Mills	Tyler Mills
Chris	Clinnin	Chris Clinni
Dustin	Brinkerhoff	Dustin Brin
Jessie	Huenergard	Jessie Huen
Ej	Gibson	Ej Gibson
Joseph	Sobolik	Joseph Sob
Robert	Meyer	Robert Mey
Cole	Peterson	Cole Peters
Greg	Ardzrooni	Greg Ardzro
Jim	Elder	Jim Elder
Zachary	Hanson	Zachary Ha
Brett	Goshorn	Brett Gosho
Seth	Hershey	Seth Hersh
Joel	Faestel	Joel Faestel
Matt	Schick	Matt Schick
Rusty	Smith	Rusty Smith
Stieg	Phillips	Stieg Phillip
Megan	Rivera	Megan Rive
Aaron	Schmaus	Aaron Schm
Kyle	Messinger	Kyle Messin
Jared	Anderson	Jared Ander
Matthew	Jarman	Matthew Ja
Jeremiah	Van	Jeremiah V
Matt	Gullikson	Matt Gulliks
Michael	Langer	Michael Lan

Corey	Garcia	Corey Garc
Mark	Gerken	Mark Gerke
Austine	Clark	Austine Cla
Brandon	Dietz	Brandon Di
Alfred	Bohm	Alfred Bohm
Connor	Brown	Connor Bro
Tyler	Kanaval	Tyler Kanav
Sean	Douville	Sean Douvi
Korey	Larsson	Korey Larss
Andrew	Wills	Andrew Wil
Kyle	Lewis	Kyle Lewis
Randy	Kyrk	Randy Kyrk
Don	Troxell	Don Troxell
Caleb	Efta	Caleb Efta
Rt	Monson	Rt Monson
Andrew	Sekula	Andrew Sek
Dylan	Halbach	Dylan Halb
Riley	Wilson	Riley Wilso
Maxwell	Orloff	Maxwell Orl
Adam	Adank	Adam Adan
Daniel	McHugh	Daniel McH
Tristen	Philippart d	Tristen Phili
Derek	Wirth	Derek Wirth
Aaron	Knight	Aaron Knigh
Cole	Platt	Cole Platt
Brian	Morrissey	Brian Morri
Jim	Thurber	Jim Thurber
Skeeter	Redding	Skeeter Red
Kendall	Gutzwiller	Kendall Gut
Joshua	Raposo	Joshua Rap
Ryan	Stieg	Ryan Stieg
Kyle	Mulhern	Kyle Mulher
Lane	Hanzel	Lane Hanze

Andrew	Dudley	Andrew Du
Frank	Heeren	Frank Heer
Shelly	Bartels	Shelly Barte
Jessica	Migliorato	Jessica Mig
Jason	Munchoff	Jason Munc
John	Tuite	John Tuite
Timothy	Feyen	Timothy Fey
Jeremy	Oury	Jeremy Our
Blake	Jordan	Blake Jorda
Raymond	Levering	Raymond L
Adam	Scofield	Adam Scofi
Lyle	Herrmann	Lyle Herrm
Matthew	Howard	Matthew Ho
Scott	Freiburger	Scott Freibu
Greg	Brumfield	Greg Brumf
Joe	Bradley	Joe Bradley
Brian	Harvey	Brian Harve
Riley	Bechard	Riley Becha
Jonathan	Miller	Jonathan M
Colton	Mitchell	Colton Mitc
Caleb	Frandsen	Caleb Fran
Carl	Thompson	Carl Thomp
Jason	Fithian	Jason Fithia
Nathan	Griffin	Nathan Grif
Brad	Holder	Brad Holde
Jacob	Newcomer	Jacob Newc
Tyler	Vieira	Tyler Vieira
Travis	Kruckenber	Travis Kruck
Adrian	Guyer	Adrian Guy
Curtis	McLain	Curtis McLa
Brian	Hauquitz	Brian Hauq
Walter	King	Walter King
Luke	Downing	Luke Downi

Nick	DeFabritis	Nick DeFab
James	Akers	James Aker
Rylan	Johnson	Rylan Johns
Cody	Winward	Cody Winw
Neal	Newman	Neal Newm
Austin	Looney	Austin Loon
Justin	Torbert	Justin Torbe
Eric	Obermiller	Eric Oberm
Philip	Gerhardt	Philip Gerh
Justin	Wells	Justin Wells
Staci	White	Staci White
Kyle	Higgins	Kyle Higgin
Sam	Price	Sam Price
Matt	Haggerty	Matt Hagge
Clayton	Murphy	Clayton Mu
Jesse	Painter	Jesse Paint
Matthew	Schumann	Matthew Sc
Darrell	McKinney	Darrell McK
Jeff	Hansen	Jeff Hansen
Jonathan	Bonnet	Jonathan B
Jason	Mccanless	Jason Mcca
Jason	Miklavcic	Jason Mikla
Talon	Cook	Talon Cook
Paul	Crossett	Paul Crosse
Tristan	Darnell	Tristan Dar
Zach	Maggi	Zach Maggi
Jared	Edlington	Jared Edling
Ryan	Mackerer	Ryan Macke
Benjamin	Gaskins	Benjamin G
Kerry	Nyhuis	Kerry Nyhui
Steven	LeCamu	Steven LeC
Nick	Radobenko	Nick Radob
Keanu	Keltner	Keanu Keltn

Stan	Coats	Stan Coats
David	Tucker	David Tuck
Philip	Kimble	Philip Kimb
Brian	Nance	Brian Nanc
erik	windham	erik windha
Taylor	Finlinson	Taylor Finlin
Sam	Bowles	Sam Bowle
Nicholas	Hill	Nicholas Hi
David	Rowden	David Rowd
Michael	Abell	Michael Ab
Mathew	Knight	Mathew Kni
Maxwell	Brien	Maxwell Bri
Tristan	Harner	Tristan Har
Logan	Blommel	Logan Blom
Dalton	Hotter	Dalton Hott
Aaron	Barnes	Aaron Barn
Dan	Helmers	Dan Helme
Ellen	Maxfield	Ellen Maxfie
Richard	Kiess	Richard Kie
Paul	Jackson	Paul Jackso
James	Wright	James Wrig
Taylor	Ottenbach	Taylor Otte
John	Amendola	John Amen
Mario	Farias	Mario Faria
Thomas	Farley	Thomas Far
Gary	Barcom	Gary Barco
Daniel	Henderson	Daniel Hen
Peter	vanDerLind	Peter vanD
Cherish	Marsh	Cherish Ma
James	Ferguson	James Ferg
James	Castner	James Cast
Paul	Veenendaa	Paul Veene
Kevin	Call	Kevin Call

Dayton	Howard	Dayton How
Mark	LHeureux	Mark LHeur
Joseph	Ryker	Joseph Ryk
Charles	Ganske	Charles Ga
Ryan	Hoover	Ryan Hoove
Bradley	Remfrey	Bradley Re
Mackenzie	Ashford	Mackenzie
Martin	Lara	Martin Lara
Phillip	Kvamme	Phillip Kvam
Alejandro	Marquez	Alejandro M
Scott	Pfeiffer	Scott Pfeiff
Tristan	Bull	Tristan Bull
Josh	McKenzie	Josh McKen
Evan	Masison	Evan Masis
Heath	Kroll	Heath Kroll
Justin	Hindman	Justin Hind
John	Patrick	John Patric
Chase	gruber	Chase grub
Aaron	Eggart	Aaron Egga
Peter	Churchbou	Peter Churc
ken	borlie	ken borlie
Jason	Wood	Jason Wood
Jonathan	Wolfe	Jonathan W
Brennen	Ruggieri	Brennen Ru
Joe	Kuehler	Joe Kuehler
Seth	White	Seth White
Kyle	Vesbach	Kyle Vesba
Jason	Hennen	Jason Henn
William	Hilf	William Hilf
Michael	O'bannion	Michael O'b
Eric	Muth	Eric Muth
Alex	Langub	Alex Langub
Jared	Dumke	Jared Dumk

John	Nassar	John Nassa
Brett	Reece	Brett Reece
Will	Lockwood	Will Lockwo
Ryan	Roberts	Ryan Rober
Kenny	Gruennert	Kenny Grue
Joey	Nizuk	Joey Nizuk
Alison	Fuchs	Alison Fuch
Ian	House	Ian House
Jonathan	Westlake	Jonathan W
William	Ziebold	William Zie
Steve	Eschbach	Steve Esch
Aaron	Sieracki	Aaron Siera
Bo	Maurer	Bo Maurer
Jeremy	Olsgard	Jeremy Ols
Kevin	Fair	Kevin Fair
Isaac	Goetzing	Isaac Goetz
Cody	Fish	Cody Fish
Cody	Turner	Cody Turne
Will	East	Will East
Hunter	Torrey	Hunter Torr
Kurt	Riskey	Kurt Riskey
Andrea	Thormod	Andrea Tho
David	Gittleson	David Gittle
Layton	Harris	Layton Harr
Cory	Mackey	Cory Macke
Mike	Dieltz	Mike Dieltz
matthew	mcdiffett	matthew m
Luke	Chwiedor	Luke Chwie
Joshua	Adams	Joshua Ada Chris
	Burke	Chris Burke
Alexandra	Bucan	Alexandra B Troy
	Gale	Troy Gale
Randy	Lay	Randy Lay

Michael	Mahoney	Michael Ma
John	Englebert	John Engleb
Kyle	Swann	Kyle Swann
Jason	Chamberla	Jason Cham
Nicholas	Howe	Nicholas H
Rachelle	Schrute	Rachelle Sc
Allison	Matthews	Allison Matt
Jonathan	Peyton	Jonathan P
william	lodermeier	william lode
John	Anderson	John Ander
Matt	DeLong	Matt DeLon
Chad	Ericsson	Chad Ericss
Dan	Toller	Dan Toller
Seth	Matson	Seth Matso
Charles	Wormek	Charles Wo
Nicholas	Torres	Nicholas To
Robert	Steenberge	Robert Stee
Mark	Brandvold	Mark Brand
Peter	Forbes	Peter Forbe
Cody	Goosmann	Cody Goos
John	McAdams	John McAda
Jake	DeBow	Jake DeBow
John	Ester	John Ester
Chad	Blass	Chad Blass
Justin	Fulton	Justin Fulto
Dale	Luginbill	Dale Luginb
Ryan	Smith	Ryan Smith
Dillon	Denison	Dillon Deni
William	Clarey	William Cla
Matthew	Jones-D'Ad	Matthew Jo
Derek	Smith	Derek Smit
Edward	Boyer	Edward Boy
Jeremiah	Huntington	Jeremiah H

Joshua	A	Joshua A
Lance	Trebesch	Lance Treb
Thomas	Wright	Thomas Wr

The black bear subject of hunting black bears in California

Larry Robinson <[REDACTED]>

Fri 06/14/2024 05:56 PM

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

Sent from my iPhone my name is larry robinson I am El Dorado counties second district fish and wildlife commissioner. I would like to make public comment about the black bear and hunting them. My proposal is that we start using dogs again to hunt the Bears because the black bear have became used to be around people, and are not afraid of humans anymore the reason we need to use dogs is to scare the bears with dogs and hunting to keep the bears from becoming habitat orientated around the public bears as you know have changed their habits. They are not afraid of humans and they come in very close , and mostly have become garbage bears and Tahoe Pines surrounding Sierra county please take an advisement that using dogs will scare the bears off away from humans and hunting them as well. Does the same thing we know this to be true? We have talked to the biologist from fish and wildlife and know that bears are very habit and what they do we need the changes so that the humans and the Bears do not see each other so often because the Bears are not hibernating the way they did they're depending on garbage food around Tahoe, Keys and Pollick Pines area and surrounding El Dorado County areas thank you for letting me comment to you fishing wildlife commission Officer 2nd district larry robinson

Letter regarding conditional curtailments for Shasta River

Jess Harris <[REDACTED]>

Sat 06/15/2024 10:58 AM

To:WB-DWR-ScottShastaDrought <DWR-ScottShastaDrought@Waterboards.ca.gov>;commentletters
<commentletters@waterboards.ca.gov>;Wildlife DIRECTOR <DIRECTOR@wildlife.ca.gov>;justin.ly@noaa.gov <justin.ly@noaa.gov>
Cc:Ekdahl, Erik@Waterboards <Erik.Ekdahl@waterboards.ca.gov>;Andersen, Tony@CNRA <Tony.Andersen@resources.ca.gov>;
Dougherty, Mona@Waterboards <Mona.Dougherty@waterboards.ca.gov>;erinmarie.ryan@mail.house.gov
<erinmarie.ryan@mail.house.gov>;FGC <FGC@fgc.ca.gov>;Howard, Sally [REDACTED]>;Scruggs,
Janae [REDACTED]>;Michael Kobseff <mkobseff@co.siskiyou.ca.us>;martha_williams@fws.gov
<martha_williams@fws.gov>;NorthCoast <NorthCoast@Waterboards.ca.gov>;Publisher SNN <publisher@siskiyou.news>;
rhaupt@co.siskiyou.ca.us <rhaupt@co.siskiyou.ca.us>;Rick Travis <rtravis@crpa.org>;shastavalleyproducers@gmail.com
<shastavalleyproducers@gmail.com>

Please see attached letter regarding the conditional curtailments for the Shasta River

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6/14/2024

California State Water Resources Control Board and Staff:

Siskiyou County residents have recently received notices for conditional curtailments on the Shasta River. The SWRCB's flow requirements are still excessively high and unjustified. The McBain and Trush study of 2013 estimated normal flows (even in low years) as 30-50 cubic feet per second (cfs). There were no recommended minimum flows for reaches 4 and 5 (McBain and Trush, pg. 107; 6.4 and 6.5). These lower reaches are what the SWRCB staff are using to recommend minimum flows. There is no biological study under the North American Model of Wildlife Conservation that justifies setting these minimum flows. One of the seven pillars of this model is Scientific Management, which states that wildlife management, use, and conservation should be based on sound scientific knowledge and principles. Without factual data, the SWRCB and its staff are not adhering to the requirements of the model. Water and wildlife are both protected under the public trust doctrine and must be fairly allocated to all. Special interest groups and tribes seem to believe they have a higher priority over others in our county.

The SWRCB continues to infringe on water rights. The failure of the SWRCB and its staff to fully understand the definition of a right, as opposed to a privilege, is extremely alarming. The ongoing attack on rights, under the guise of a false drought emergency declaration, should concern all citizens of the State of California. The Governor, SWRCB, and staff are fully aware that they can only justify this overreach by using a fictitious emergency order to maintain control. The overreach and apparent weaponization of the SWRCB is illegal and should be held accountable.

At a minimum, the SWRCB should drastically reduce the recommended minimum flow requirements. The staff recommendations are severely flawed, and I would question the motives of some staff members regarding the information they present to the board. The board is meant to provide oversight of the staff and their recommendations. The lack of oversight and the blind acceptance of staff recommendations will cause irreparable harm to our county and its economy. The minimum flow requirements should not exceed 30 cfs in the lower reaches of the Shasta River. The McBain and Trush average flow data is very clear and should not be manipulated to achieve an objective.

Jess Harris

Siskiyou County Resident

[REDACTED]

CC: NOAA Fisheries, CA Department of Fish and Wildlife

Letter regarding minimum flows in the Scott and Shasta Rivers

Jess Harris <[REDACTED]>

Mon 07/08/2024 05:08 PM

To:WB-DWR-ScottShastaDrought <DWR-ScottShastaDrought@Waterboards.ca.gov>;Andersen, Tony@CNRA <Tony.Andersen@resources.ca.gov>;commentletters <commentletters@waterboards.ca.gov>;Dougherty, Mona@Waterboards <Mona.Dougherty@waterboards.ca.gov>;Wildlife DIRECTOR <DIRECTOR@wildlife.ca.gov>;Ekdahl, Erik@Waterboards <Erik.Ekdahl@waterboards.ca.gov>;erinmarie.ryan@mail.house.gov <erinmarie.ryan@mail.house.gov>;FGC <FGC@fgc.ca.gov>;Howard, Sally <[REDACTED]>;justin.ly@noaa.gov <justin.ly@noaa.gov>;Scruggs, Janae <[REDACTED]>;Michael Kobseff <mkobseff@co.siskiyou.ca.us>;martha_williams@fws.gov <martha_williams@fws.gov>;NorthCoast <NorthCoast@Waterboards.ca.gov>;WB-EXEC-OPA <OPA@waterboards.ca.gov>;Publisher SNN <publisher@siskiyou.news>;rhaupt@co.siskiyou.ca.us <rhaupt@co.siskiyou.ca.us>;Rick Travis <rtravis@crpa.org>;shastavalleyproducers@gmail.com <shastavalleyproducers@gmail.com>

Please see attached letter regarding the minimum flows in the Scott and Shasta Rivers.

--

07/09/2024

State Water Resources Control Board

California and Siskiyou County farmers and ranchers have already experienced emergency regulation curtailments this year. Shasta Valley farmers and ranchers have experienced a sequence of curtailments: initially a conditional curtailment, followed by a full curtailment, and then a reversion back to a conditional curtailment. The desired minimum flows continue to exceed any scientifically documented data. According to the McBain Trush Study (pg. 106, Table 30), McBain Trush recommends a flow of 40 cubic feet per second (cfs) from April 1 to June 15 and notes that 36 cfs was sufficient in Reach 3 (the Shasta River between Parks Creek and Big Springs Creek). The study then recommends a flow of 13 cfs from June 16 to September 6, followed by 20 cfs until April 1.

Reach 4 is a main stem portion of the Shasta River. If flow requirements in this reach are sufficient for salmonids, then these flows should be adequate for the remaining sections of the river. The requirement of a 50 cfs minimum flow in the Shasta River is burdensome and neglects the scientific data. If similar irresponsible recommendations were made for the Scott River, the required minimum flows there would also be excessive and burdensome. Accurate science and unbiased decision-making are not only your responsibility but also mandated by law.

Minimum flows based on the McBain Trush study should clearly not exceed 20 cfs, except during the April 1 to June 15 timeframe, when outgoing salmonids require increased flow. A reasonable compromise would be 25 cfs, with conditional curtailments at 30 cfs. During April 1 to June 15, the recommended flows by the McBain Trush Study should be followed, setting the flow at 40 cfs, with conditional curtailment at 45 cfs. There is scientific evidence to support these minimum flow standards. The current minimum flow emergency regulations (E-regs) contradict the existing scientific data. Please revise your minimum flow requirements to align with the correct scientific data. Revising these minimum flow requirements would also suggest a review and possible correction of the Scott River requirements, in correlation with the necessary changes to the Shasta River.

The State Water Resources Control Board (SWRCB) has been appointed with the responsibility to protect the interests and safety of citizens using factual and accurate information. The SWRCB has failed to do so with the implementation of the emergency regulations set in 2024 with excessive minimum flow requirements. Immediate correction is needed to rectify this error and to prevent further negative impacts on the communities in Siskiyou County.

Jess Harris

Siskiyou County Resident

[REDACTED]

Cc: NOAA Fisheries, California Department of Fish and Wildlife, Siskiyou County Board of Supervisors

June19-20 Commission Hearing

mike kitahara <kitahara [REDACTED]>

Mon 06/17/2024 01:46 PM

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

Re: Red Abalones petition 2024-02

I respectfully urge the Commissioners to allow the development of an Experimental Fishery Permit program for harvest of red abalones at San Miguel Island.

Since the abalone fishery closure in 1997, divers at San Miguel Island have reported abundant numbers of red abalone which seems to indicate that there has been a positive recovery of this species. An experimental fishery would provide much needed data that could developed into a management plan for possible re-establishment of a red abalone fishery, not only at San Miguel Island, but possibly statewide.

Thank you for your consideration,

Michael Kitahara

Southern California Steelhead Status Comments

Tony Emmert <tonye@unitedwater.org>

Fri 06/21/2024 04:18 PM

To:FGC <FGC@fgc.ca.gov>;Wildlife Southern California Southern Steelhead CESA <SCSH@wildlife.ca.gov>

Cc:Mauricio Guardado <mauriciog@unitedwater.org>;Maryam Bral <Maryamb@unitedwater.org>;Marissa Caringella

<MarissaC@unitedwater.org>;Tracy Oehler <TracyO@unitedwater.org>;Murray McEachron <murraym@unitedwater.org>;Randall

McInvale <RandallM@unitedwater.org>;dboyer@aalrr.com <dboyer@aalrr.com>;christopher.francis@aalrr.com

<christopher.francis@aalrr.com>;Jackie Lozano <Jackiel@unitedwater.org>

Good afternoon.

Please find attached supplemental comments and information regarding the Status of Southern California Steelhead for the administrative record.

Thank you.

Best.



Board of Directors
Sheldon G. Berger, President
Lynn E. Maulhardt, Vice President
Catherine P. Keeling, Secretary/Treasurer
Keith Ford
Mohammed A. Hasan
Steve Huber
Gordon Kimball

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

June 21, 2024

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

California Department of Fish and Wildlife
Fisheries Branch
Attn.: Southern California Steelhead
PO Box 944209
Sacramento CA 94244-2090
Sent via email: SCSH@wildlife.ca.gov

Subject: United Water Conservation District Supplemental Comments on the Status of Southern California Steelhead (*Oncorhynchus mykiss*) for the Administrative Record

Dear Commissioners and Fisheries Branch Staff:

On April 18, 2024 the California Fish and Game Commission (Commission) voted to list Southern California steelhead-rainbow trout ("Southern SH/RT") (*Oncorhynchus mykiss*; *O. mykiss*) as an endangered under the California Endangered Species Act (CESA). Prior to the vote, the California Department of Fish and Wildlife (CDFW) produced the Status Review of the species, which among other things, reported very low abundance and negative population trends for both the anadromous steelhead and resident rainbow trout life-history forms of *O. mykiss*.

During the April 18 meeting, United Water Conservation District (United) provided two public comments to the Commission. The comments were limited to two minutes each, which was not adequate time to convey the absence of information and inaccuracies contained in the Status Review. In its public comments, United conveyed to the Commission that the Status Review grossly underestimated the population abundance of *O. mykiss* because, in part, the data that was relied upon only looked at populations in the migratory reaches and not in the upper parts of the watersheds where robust populations of resident rainbow trout are known to exist. In addition, United noted that population trends were actually increasing based on surveys conducted and documented in annual reports by biologists in the Santa Ynez River. In their Status Review, CDFW determined that the Santa Clara River Watershed supported a maximum of 170 resident rainbow trout per year based on a 12-year period obtained from United's operational records at the Freeman Diversion. United's prior written comments to the Commission and CDFW regarding the Status Review outlined the



multiple reasons for which this analysis does not appropriately characterize the population within the watershed¹.

Owing to the continued reliance on the unfounded conclusions in the Status Review as the basis for the Commission's decision to list Southern SH/RT, United has continued to pro-actively conduct *O. mykiss* abundance surveys to more accurately characterize the population within the watershed. In May and June 2024, United's environmental scientists surveyed two tributaries in the watershed, finding densities of *O. mykiss* at over 4,000 per mile. At the densities observed in these two surveys, the extrapolation to the watershed-level population is on the order of several hundred-thousand, and potentially over one million individuals within the Santa Clara River watershed. Clearly, the *O. mykiss* population is not limited to 170 individuals and the total abundance is vastly greater than what was reported in the Status Review. Other rivers in the listing unit, such as the Sisquoc River, have more rearing habitat than the Sespe Creek watershed and will likely have an even larger total population. United's surveys this year duplicated sites that CDFW surveyed in 2015 during the drought. The population trends at these sites have increased dramatically again showing that resident trout are recovering from the drought. These initial findings are consistent with the information presented by United to the Commission and CDFW with respect to the Santa Ynez River *O. mykiss* population surveys conducted by the Cachuma Operations and Maintenance Board². Below are some photos taken in Lion and Piedra Blanca Creeks this year, showing the abundance of all age classes of resident trout. Representative videos of one pool in each creek have also been attached in a flash drive. These videos can also be found at the following link:

<https://www.youtube.com/watch?v=p7Zzlj4ZRJg&t=6s>

<https://www.youtube.com/watch?v=M0V-se3XbnQ>

Population trends have been detailed in the last two years of the Cachuma Operation and Maintenance Board Annual Monitoring Summary (2022 and 2023). Recent snorkel surveys in the Sespe Creek watershed have also revealed increasing population trends. United asks that the Commission include these findings along with the video as part of the administrative record for the listing decision regarding Southern SH/RT.

Surveys in Piedra Blanca Creek

On May 31, 2024, United's environmental scientists and hydrologist surveyed approximately 1 mile of Piedra Blanca Creek, a tributary to Sespe Creek, which is a tributary to the Santa Clara River in Ventura County. Notably, Piedra Blanca Creek is identified as a currently occupied habitat within the Southern SH/RT listing unit (Figures 1 and 2). The surveys were bank observations and snorkeling of a one-mile section of

¹ See United's public comment letter to the Commission and CDFW dated April 1, 2024, for a full description and relevant details regarding the inaccuracies contained in the Status Review.

² See again United's April 1, 2024 letter to the Commission and CDFW for details.



the lower portion of the Creek. Some additional incidental observations of *O. mykiss* were made when crossing Sespe Creek to reach Piedra Blanca Creek. The side bank surveys revealed a healthy population of *O. mykiss*. These observations were not protocol surveys and are only expected to have documented a fraction of the population that inhabited these reaches. A total of 458 *O. mykiss* were observed, with the majority being young of the year (YOY). The only other fish observed were native stickleback (*Gasterosteus aculeatus*) and arroyo chub (*Gila orcuttii*). There were no non-native fish species observed.

Table 1. *O. mykiss* observed on a 1-mile section of Piedra Blanca Creek by size class

Size (inches)	Number of fish observed
3-5.9	80
6-8.9	9
9-11.9	1
YOY	368

Surveys in Lion Creek

On June 12, 2024, United surveyed a portion of Lion Creek that is also a tributary to the Sespe Creek (Figure 2). Populations in two specific pools were counted by snorkel surveys yielding a high count of fish observed and therefore a higher density of fish per stream mile. The pools surveyed by United were the same pools that were surveyed by CDFW in 2015 during the drought³. Using the same methodology that CDFW used to determine the estimated density of fish per mile, the survey found that this reach should have approximately 4,100 to 4,700 fish per mile depending on which pool is used in the calculation. In 2015, CDFW calculated a fish density of 115 fish per mile from Pool L1 and no fish were observed in Pool L2. The recent survey shows that the population trend for *O. mykiss* has increased dramatically since the 2015 drought.

Table 2. *O. mykiss* observed in Lion Creek at two different pools

Size Class	Reach Total	Pool L1	Pool L2
YOY	185	25	15
0 - 2.9"	10	5	3
3 - 5.9"	43	3	4
6 - 8.9"	13	1	1
9 - 11.9"	4	2	0
Total	255	36	23

³ CDFW 2015. Lion Creek Summary Report. June 15, 16, 18 and July 23, 2015. Heritage and Wild Trout Program



The Sespe Creek Watershed contains approximately 111 miles of good spawning and rearing stream habitat⁴ that includes approximately 6 miles on Lion Creek. If population densities are similar throughout Sespe Creek, the total current population estimate would be approximately 500,000 *O. mykiss* within the overall watershed. The total population in the Distinct Population Segment (DPS) would be expected to be much higher given the nearly 700 miles of Spawning and Rearing habitat that NMFS has identified in the DPS in its designation of critical habitat.

It should be noted that while United has documented thousands of fish per mile in the upper portion of the Santa Clara River watershed, only four resident *O. mykiss* have been observed at the Freeman Diversion during ongoing monitoring of the existing fish passage facility.

The information presented above demonstrates that the population abundance estimates in the Status Review, which form the basis of the Commission's decision to list Southern SH/RT, are based on data that does not reflect the true population. The Commission must consider this and other available information related to *O. mykiss* abundance (e.g., Santa Ynez River monitoring data) as part of the administrative record in the ultimate listing decision.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anthony A. Emmert".

Anthony A. Emmert
Assistant General Manager

Enclosures:

Figures

Flash Drive (Videos of Lion Creek, Piedra Blanca Creek Pools)

Copy: Mauricio E. Guardado, Jr.

⁴ NMFS 2004. Critical Habitat Analytical Review Teams (CHART) Report

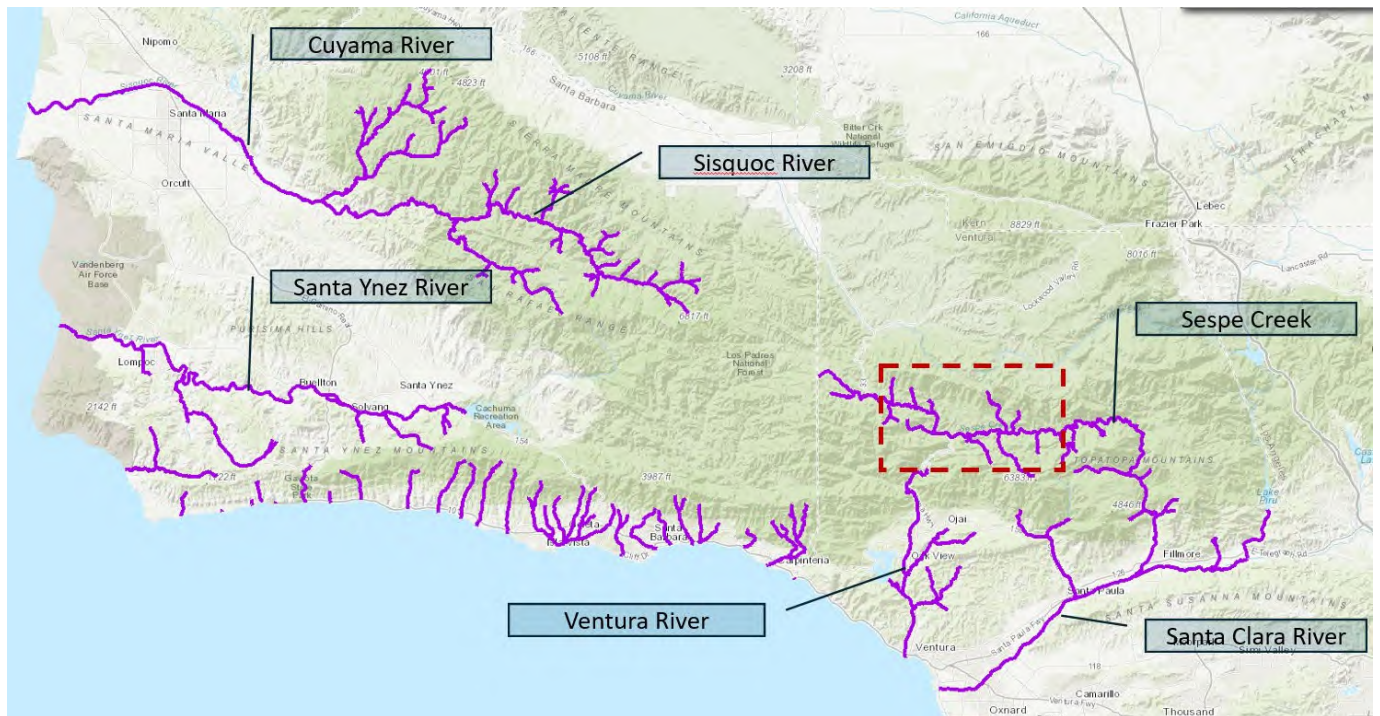


Figure 1. Streams in the Monte Arido Highlands BGP (denoted by purple lines) within the Southern SH/RT listing unit (red dashed line highlights Figure 2 location)

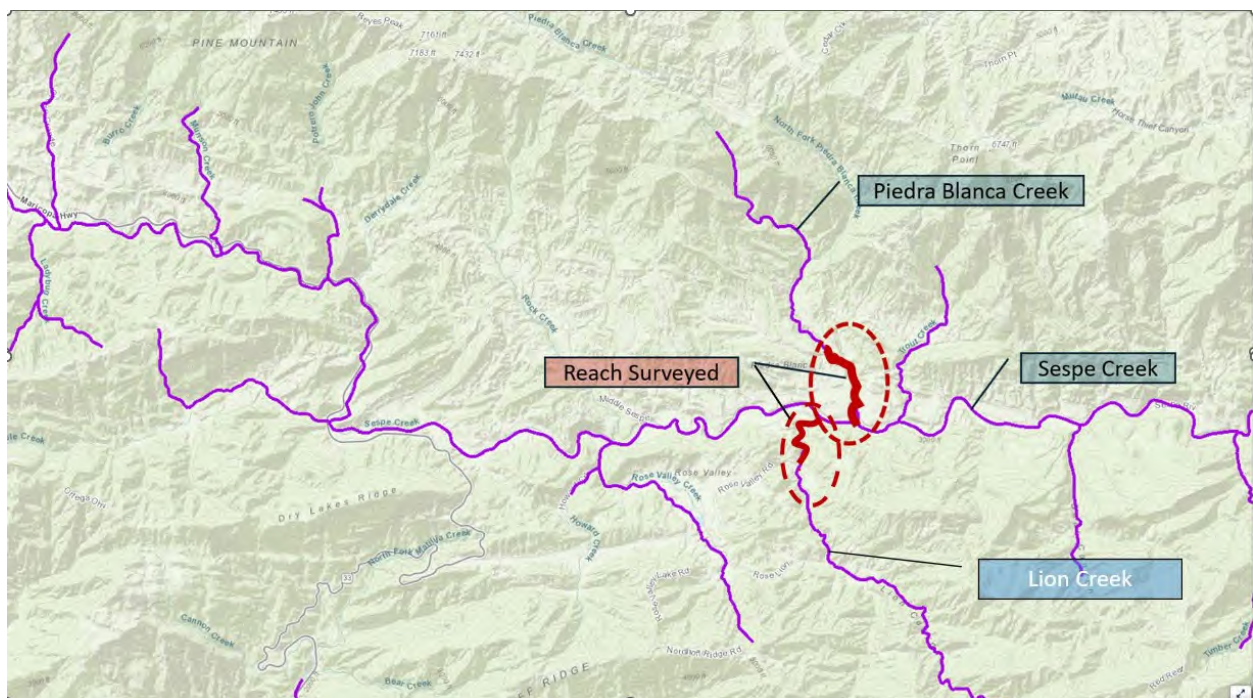


Figure 2. Surveys in Piedra Blanca Creek and Lion Creek



Figure 3. Screenshot of pool where the video was filmed – see YouTube link for full video



*Figure 4. Adult *O. mykiss* in pool (see video)*



*Figure 5. Pool below falls where several adult *O. mykiss* were observed in Piedra Blanca Creek*



Figure 6. Piedra Blanca Creek in the canyon section.



Figure 7. Adult O. mykiss observed in Piedra Blanca Creek



Figure 8. Numerous young of the year in Piedra Blanca Creek



Figure 9. Two O. mykiss hiding under the rocks, these fish would not be observed on the bank observation.

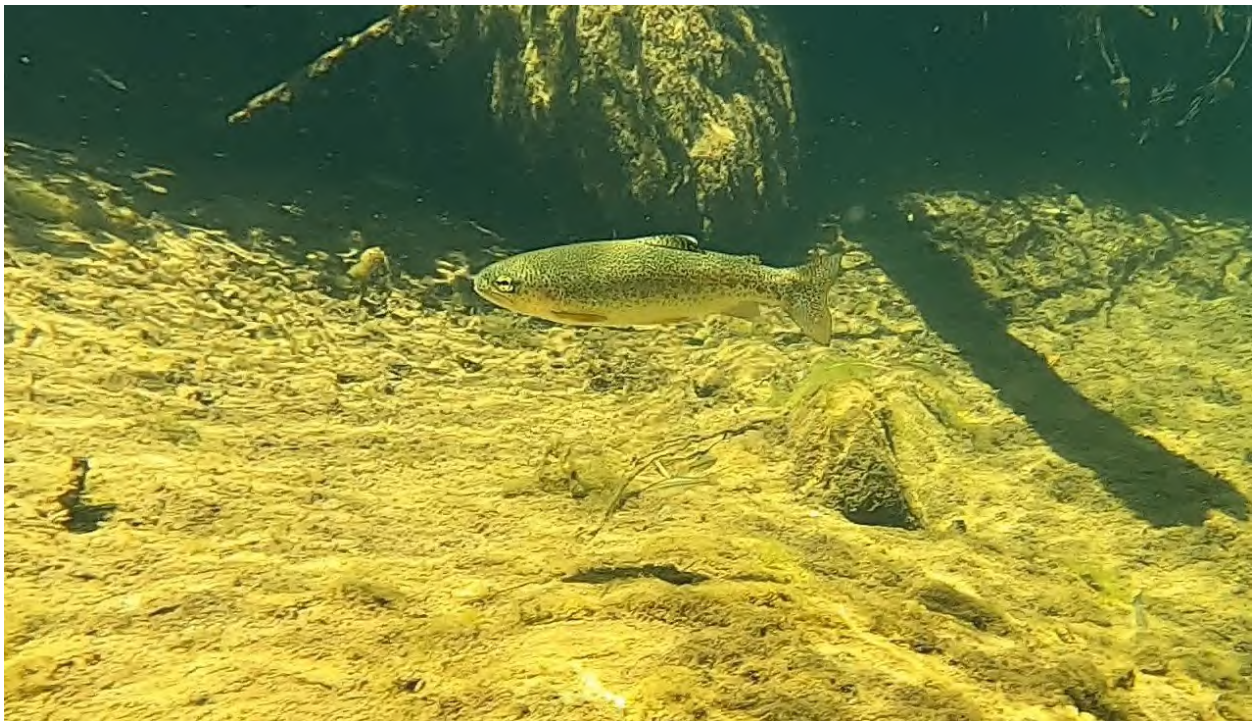


Figure 10. Typical adult trout in Piedra Blanca Creek



Figure 11. Two O. mykiss in a pool in Piedra Blanca Creek

Malibu,Ventura County Unincorporated Land Trust/National Park Garbage Dump

skycanyon70 <[REDACTED]>

Wed 06/26/2024 07:40 AM

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

The neighbors living in the Western Santa Monica Mountains/Ventura County Unincorporated, Deer Creek Canyon, Malibu are increasingly concerned with the filthy conditions and potential fire hazards located on the National Park Property/Public Land Trust, APN. 700 005 021+700 005 024, entrance located on Deer Creek Rd., Malibu. It has been a TOXIC Site with drug needles, human feces, and Gang tagging for over a year! This is the property. (see video attached)

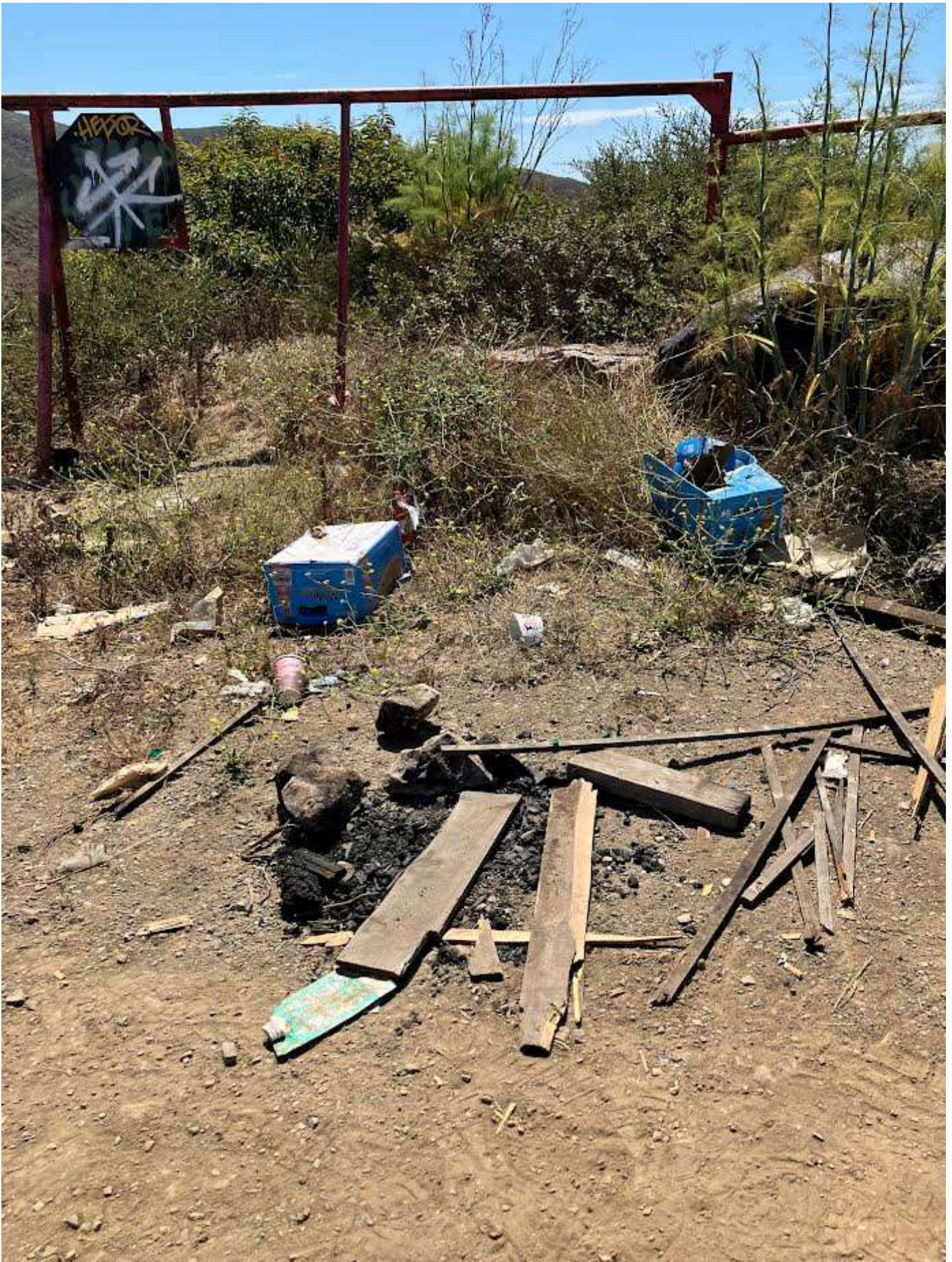
A promise was made to this last pristine area for protection of wildlife and open for the public to enjoy. It is a GARBAGE DUMP and the neighbors are reaching out for Fish and Game to help this last remaining untouched habitat.

www.tpl.org/our-work/deer-creek-beach

KABC TV NEWS REPORT:

<https://abc7.com/post/pristine-parkland-santa-monica-mountains-has-become-dump/14997095/>

Neighbor contact: Ruth Ackerman [REDACTED]





COUNTY OF EL DORADO
Board of Supervisors

330 Fair Lane
Placerville, CA 95667
(530) 621-6577
(530) 622-3645 Fax



RECEIVED AT CFGC
7/9/24

BROOKE LAINE
SUPERVISOR, DISTRICT V

California Fish and Game Commission
P.O.Box 944209
Sacramento, CA 94244-2090

Dear Commissioners,

I am aware that recently, the California Department of Fish and Wildlife (CDFW) reduced staffing of wildlife biologists from three positions to one position in the Lake Tahoe Basin. I am writing to express my strong support for reconsideration of this decision to reduce staffing of wildlife biologists. With the significant increase in human/bear conflicts, it is more important than ever to ensure that CDFW has the necessary resources and expertise to address these issues effectively and efficiently, right here in the Tahoe Basin.

The significant rise in black bear encounters poses challenges not only for public safety and the well-being of the bears, but also our tourism economy. Wildlife biologists play a crucial role in managing these conflicts through research, public education, and the development of strategies to minimize interactions between humans and bears.

The area's tourism economy is beginning to be affected by negative experiences while camping and recreating. Uneducated visitors are often the victim of vehicle/RV break-ins, causing them to abandon their vacations or not come at all. Recently, social media is wrought with posts regarding human/bear conflict issues, and visitors are warned to not camp in the Tahoe Basin.

* (The only wildlife biologist currently assigned to the Tahoe Basin lives and works over 150 miles outside of the basin. This creates an inability to react to human/bear conflicts as they develop in the basin. In 2023 alone, there were 660 documented calls regarding human/bear conflicts.

I urge you to prioritize the funding and support for multiple wildlife biologists within CDFW in the Tahoe Basin. By doing so, we can effectively manage bear/human conflicts and foster a harmonious relationship between California's residents, its visitors, and its wildlife in our state's precious "jewel of the Sierra".

Thank you for considering my request. I look forward to your continued commitment to wildlife conservation and public safety.

Sincerely,

Brooke Laine, District V
El Dorado County Board of Supervisors

County of El Dorado
Board of Supervisors
330 Fair Lane
Placerville, CA 95667-4197

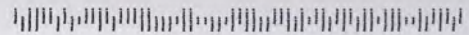
RECEIVED AT CFGC
7/9/24

EMERALD
15 JUL 2024 PM 3:7



California Fish and Game Commission
P.O Box 944209
Sacramento, CA 94244-2090

94244\$2090



Communication Re: Aratina Solar project

Kelly Clancy <[REDACTED]>

Wed 07/10/2024 01:17 PM

To:district2@kerncounty.com <district2@kerncounty.com>

Good afternoon,

I am not going to repeat all of the same information that everyone else has sent, but I would like to note that the [Western Joshua Tree Conservation Plan \(ca.gov\)](https://www.ca.gov/conservation/western-joshua-tree/) is currently in the process of being developed by the California Department of Fish and Wildlife. While this project slipped through the legislative cracks as a solar project that is grandfathered in, it seems that the project could be modified, if it legally cannot be denied. If the use is not permitted and requires a conditional use permit, then perhaps the findings cannot be made, as the "Western Joshua tree (*Yucca brevifolia*) is an iconic species in California that is both ecologically and culturally important. Western Joshua trees occur across a large portion of California's desert."

I understand the conversation plan is to directly offset those projects that negatively impact the western joshua tree, but do you, the board of supervisor really have no other choice than to approve this project that removes thousands of native trees that have been around for decades?

Thank you
Kelly Clancy

Another fishery closed.

Shane Blair <[REDACTED]>

Fri 07/12/2024 03:53 PM

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

To whom it may concern,

I am writing this to stress yet another substantial fishery for California anglers closing . Nationwide we can not keep seeing closures because we have control of the outcome . The proof is simple math and has been proven to work . There is no reason to shut down another fishery such as the Salmon and now sturgeon in California. The people who fish deserve to be able to continue to fish and be able to ethically harvest salmon and sturgeon . Many groups have fought to keep it open and have done studies and shared facts that it's not necessary. Why keep taking our rights as Americans when we have all paid to be able to fish? The economy and financial impact these fisheries have on so many households, businesses and communities who thrive and solely stay in operation because of these fisheries will now suffer and be a long lost memory. Please do what it takes to bring back a thriving fishery in the Great state of California for all to enjoy and share for generations ahead .

Shane Blair
[REDACTED]

Sturgeon fishery

ikeepgettingbackup1 <[REDACTED]>

Sat 07/13/2024 01:44 PM

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

My Grandfather guided the Sacramento River from the late 60s, through the 90s and he always said that the anadromous species would decline, because of bad water management. He said the pumps really messed up the Salmon fishery.

Now, Salmon are near endangered. And, you're talking about listing White Sturgeon.....and that makes zero sense! There's alot of Sturgeon in the system! I've read you say there's been a decline in Sturgeon numbers. Of course there is, you don't raise Sturgeon in the hatcheries! But even though there's not AS many, doesn't mean they're endangered. Everything is cyclical in nature.

My 2 cents: do close it for a year and see what the numbers are next year. Don't jump the gun and list them hastily.....please.

Thankyou

Shaun Rainsbarger

Po Box [REDACTED]

Cedar Ridge Ca [REDACTED]

[REDACTED]

Sent from my Verizon, Samsung Galaxy smartphone

July 12, 2024

To whom it may concern,

My name is Leonardo Battaglia, I have been a commercial fisherman for over 40 years, 30+ of them have been in here in the states.

I received your letter of rejection regarding the Plains Oil Spill Settlement, I have called and spoken to several people handling this oil spill claim. When I originally called and asked how people were notified for this claim, I was told via mail, email and newspaper. I informed them that I never received anything in the mail or an email, and unfortunately in the digital age who gets the newspaper anymore. When I asked how Plains Oil Spill received information on who qualifies on being compensated I was read a list of legal codes from one of the attorneys. I was then told they received their information from California Department of Fish and Wildlife (CDFW). Upon several more phone calls to the Plains Oil Spill they told me my fishing license did not exist in their list of fisherman for this settlement. I have a valid fishing license [REDACTED] since I have been in the states for the last 30 years, I get a bill every year and pay it. it's the same fishing license the other fisherman have that were compensated. That lead me to call California Department of Fish and Wildlife. I wanted to know why my license did not exist according to the Plains Oil Spill representatives. I have called consistently for weeks.

June 12, 2024 @ 11:33 per the gentleman that answered my call he told me I need to contact--

General Counsel @ 916-654-3821 (which I did)

General Concern @ 916-445-0411 (which I did)

Law Enforcement @ 916-653-4094 (which I did)

I called the South Coast Office in San Diego @ 858-467-4201

which I was told I need to call Los Angeles County (which I did)

I also called Community Unit @ 916-928-5822 no answer.

June 14, 2024 @ 11:47 I called the Oil Spill Prevention and Response (OSPR) @ 916-375-8580 I left a message and they did not return my call.

June 14, 2024 @ 9:16 am I spoke with Kelsey she said to call Marine Region @ 831-649-2870.

June 14, 2024 @ 9:31am I called Marine Region @ 931-649-2870 I left a message and they did not return my call.

June 14, 2024 @ 9:38 am called 916-375-4676 I left a message for Christine Klughe and she did not return my call.

I also called Melissa Miller Henson @ 916-653-4899 called and left her a few messages and they did not return my call.

June 18, 2024 @ 8:37 am I spoke with Kelsey again regarding no one answering their phones or returning any of my calls.

June 18, 2024 @ 8:43 am I call 831-649-2870 I left a message and they did not return my call.

June 25, 2024 @ 10:20 am called the licensing department @ 916-928-5805 I spoke with Pauline she transferred me to Stephanie Buck I left her a message as well, and she did not return my call.

June 25, 2024 @ 10:35 I spoke to Lee or Lou she said she would try to find information from her supervisor and call me back, she did not call me back.

June 28, 2024 @ 11:02 am I called 916-902-9078 I left a message and they did not return my call.

I have yet to receive a phone call back from anyone in any of the departments at California Department of Fish and Wildlife, I can only hope it is not this impossible to reach someone if there is an oil spill or some other catastrophe.

I asked the Plains Oil Spill representatives how the fisherman were compensated, I was told they either received their own individual check or the owner of the vessel they fished on signed a document that they the (owner) would pay each fisherman out of the lump sum check the owner received. How do we know if the owner received a check and did not pay the fisherman (the crew), I also asked the Plains Oil Spill attorney to let me know if my boss received a check and she said she could not give me any information.

No one from the California Department of Fish and Wildlife nor the Plains Oil Spill have yet to answer any of these questions for me.

Why was my information not given to the Plains Oil Spill Settlement ?

How was the information requested ?

Was the owner of the vessel sent a check for the fisherman on this vessel ?

How do I know this wont happen again, no one on the vessel I fish on received anything regarding this settlement no one. What are the odds of that. This wasn't \$20.00 or \$200.00 dollars, this was hundreds of thousands of dollars. This is money that myself and my family needed as well, that I have worked for, for the last 30 years. I hope someone can reach out to me and let me know how and why I was not included in this settlement. Something just isn't right here.

Regards,

Leonardo Battaglia

Eastman Place

San Pedro, Ca.

Since I am not home I am out to sea Sunday thru Friday if you have any questions and can not reach me, I give you permission to call my wife Elena Battaglia @ or my sister in law MaryLou Costa

Leonardo Battaglia

7/12/2024

Received at CA Fish &
Game Commission
July 23, 2024

Ms. Melissa Miller-Henson
Executive Director
California Fish and Game Commission
PO Box 944209
Sacramento, Ca 94244-2090

July 11, 2024

RE: Response to July 10, 2024 letter, ie. Petition 2024-002

Dear Ms. Miller-Henson:

Thank you for your very courteous letter. I appreciate hearing from you. A few thoughts about this experience.

First, I want to thank you and your staff for a high level of professionalism. I have found you and the California Fish and Game Commission (Commission) staff very comfortable to work with. Your courtesies are much appreciated. Unfortunately, the results continue to be the same. I feel we have not been treated fairly since the Commission of 2005.

Concerning the Department of Fish and Wildlife (Department). As Dr. Craig Shuman told me in San Jose, April 18th *"Everything is political..."* This statement is very troubling. For two very important California agencies, founded to preserve resources through science, I have doubts.

I found the hearing in Mammoth Lakes, June 20th to be lacking in any discussion of real abalone resource issues. I will use the word "extirpate" as an example. With all the hand-wringing over abalone the past 30 years, I consider this word alarming, but the only response I got was from President Murray who used "extirpate" as just another excuse to not let humans legally regain access to the abalone resource.

Such terms are not rare when it comes to sea otter predation as I alluded to in my testimony:

"McLean (1962) presents convincing evidence that the sea urchin Strongylocentrotus franciscanus has been nearly exterminated in a particular area on the California coast which is occupied by a considerable number of sea otters."

Kenyon, Karl W. (1969) The Sea Otter in the Eastern Pacific Ocean, US Division of Wildlife Research/USFWS.

McLean, J.H. (1962) Sublittoral ecology of kelp beds of the open coast area near Carmel, California. Biological Bulletin, vol 122, No. 1, p. 95-144.

"...all evidence indicates they (sea otters) pose a threat to human exploitation (of abalones) when the two are competing in the same area."

Cox, Keith, (1962) California Abalones, Family Haliotidae, Fish Bulletin 118, CDFG, Resources Agency.

I have cited published Department literature for many years, in defense of our invertebrate fisheries and have been dismayed by the reaction from the Department when I do this because they generally seem perturbed by my citations.

A reason for this is these published facts did not meet the revisionist rhetoric which was used by some Department biologists:

" I don't think collapse is too strong a word to describe the abalone situation in Southern California," says Konstantin Karpov, an associate marine biologist with the State Department of Fish and Game," From the 30s through the early 70s, over 2 million pounds of abalone were landed at the docks annually, but in the late 70s, that figure dropped to almost zero. The scam is simplicity itself. While diving for urchins, North State divers also load up on abalone. The abalone are later transferred at sea to boats headed for South State docks."

San Francisco Chronicle, Outdoors, October 15, 1990

There are a couple problems with these claims:

- 1) These dive boats get approximately 1 mile per gallon. Running them hundreds of miles, makes no sense.
- 2) These abalone would be out of the water for possible days. They are very fragile and would not be marketable.
- 3) The claim of "almost zero" is false.

If the desired intent was to enflame the sport diving community, then Karpov was successful. The northern sport divers lobbied the Department and Commission, 1995-1997, keeping their fishing ground open while sacrificing the south.

This was followed by Department biologist Peter Haaker telling the Commission "...*abalone sex ratios were skewed*." This alarmed the Commission who voted for moratorium. Soon after, Haaker retracted his false claims. Oops?!

Pressure to close the commercial abalone fishery did not begin with the Department, but with the Department of the Interior (Interior). Gary Davis of the National Park Service (NPS) began pressuring the Department—Haaker, Tanaguchi, Karpov—years earlier. Davis also provided pressure through the Abalone Ad-Hoc Committee chaired by Department biologist Earl Ebert. I was there.

It had been the commercial abalone divers who had lobbied the Department on sea otters back to the 1960s. At that time, the Department was also attempting to control sea otters. It was Department biologist Edna Fisher who had first predicted conflict between abalone fishermen and sea otter in 1939. With the proposal to translocate sea otters to San Nicolas Island, beginning 1979, it was the California Abalone Association (CAA) which took the debate on with the US Congress. I was there. CAA was holding it's own. By shutting down the abalone fishery, Interior took away funding to

oppose their translocation scheme. The connection between Interior/NPS/USFWS and closure was all too obvious.

Lastly, I cited Abalone Recovery and Management Plan (ARMP), Alternative 8 in my June 20th testimony and asked twice for a legal opinion. Commission Marine Advisor, Susan Ashcroft also made reference to my request. Although legal counsel from the Attorney General (AG) office was in attendance, I received no such opinion.

I am disappointed there is no reference to a legal opinion in your letter. I request one again. Alternative 8, as voted on and approved by a previous Commission:

"Section 7.3.8, Alternative 8. Limited Abalone Fishery at selected areas at a reduced density and prior to full recovery in all areas (applies to recovery areas within the moratorium area)." Page 7-33

We only ask for what a previous Commission already approved. Why the silence? Can we have a redo?

Lastly, concerning the Experimental Fishery Program (EFP). While it is a potential solution, I can find nobody interested in working with Dr. Shuman. Plus, all the conditions cited at Mammoth: Risk Assessment, complete Red Abalone Recovery Plan (RAMP), no current data, expense. What's the point? Continued denial is already built in.

If all the California abalone are endangered species like the Department and UC Davis told us last year, why no field data? The Department fakes alarm yet does no survey. By the way, "Recovery" is an Endangered Species Act (ESA) term. Red abalone are not endangered. How about changing the name of the RARP, to Red Abalone Conservation Plan (RACP)? Conservation being defined as "Wise Use."

I was 49 when abalone was closed, now I'm 76. Game over.



Steve Rebuck

PO Box [REDACTED]

San Luis Obispo, Ca [REDACTED]

Cc:

Ms. Joanna Grebel, Invertebrate Fisheries Program

Dr. Craig Shuman, Regional Manager

Chad Dibble, Deputy Director

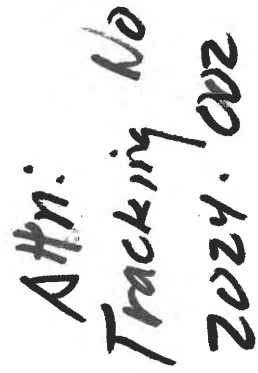
Nathanial Arnold, Acting Deputy Director

James Gallagher, Assembly Leader

Mike McGuire, Senator, Chairman, Joint Committee on
Fisheries and Aquaculture

Robert Treanor, Executive Director, California Fish and Game
Commission, retired

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California Fish & Game Comm
PO Box 944209
Sacramento, Ca

92422 2090

Re: Red Abalone Recovery Plan Update

Steve Rebuck <[REDACTED]>

Mon 07/29/2024 11:58 AM

To: Wildlife Abalone <abalone@wildlife.ca.gov>; Ashcraft, Susan <[REDACTED]>; Miller-Henson, Melissa <[REDACTED]>; Wildlife DIRECTOR <DIRECTOR@wildlife.ca.gov>; FGC <FGC@fgc.ca.gov>; Bob Treanor <[REDACTED]>
Cc: Owens, Brian <[REDACTED]>; Coyne, Doyle <[REDACTED]>; David Ebert <dave@lostsharkguy.com>; SALES@AMERICANABALONE.COM <SALES@AMERICANABALONE.COM>; Robert Duncan <[REDACTED]>; Bobby McKinley <[REDACTED]>; KITAHARA <[REDACTED]>; Bob_McMillen <[REDACTED]>; JEFFBALDWIN39 <[REDACTED]>; LEONARD.MARCUS <[REDACTED]>; UNIDIVERSB <[REDACTED]>; Ed Pierce <[REDACTED]>; Generic Bonnette <[REDACTED]>; SALMONKIRK <[REDACTED]>; Arapawbluepearls Co Info <info@arapawbluepearls.co.nz>; CF Goldblatt <chris@fishreef.org>; FB_GRANTDOWN <[REDACTED]>; SEAPETT <[REDACTED]>; Sam Shrout <[REDACTED]>; DANV@EJWEBER.COM <DANV@EJWEBER.COM>

To whom it may concern:

Concerning this latest delay in producing yet another "abalone recovery plan", I have alternate suggestions.

The State of California, Resources Agency (RA) Department of Fish and Wildlife (DFW) and Fish and Game Commission (FGC) (and elsewhere) already have over 110 years of published literature on the California abalone resources. A review of these published studies already reveals the various problems that have occurred over these years. For example, Cox, 1962, Fish Bulletin 118, includes 144 References by 108 authors. I cite some of them below with minor comments:

- 1) Edwards, C.L., 1913, The Abalone Industry, in California, Calif. Fish and Game Comm., Fish Bulletin 1, p. 5-15. Comment: Edwards was concerned about minimal laws originating from county government.
- 2) Fisher, Edna M.. 1939, Habits of the southern sea otter. Jour. Mamm., vol 20 no.1, p. 21-36. Comment: Fisher predicted future conflict arising between commercial abalone divers and sea otters. When divers Japanese-American divers return from internment following WWII, they found most of their former fishing grounds, south of Monterey, were dominated by sea otters with few remaining legal size abalone.
- 3) Croker, R.S., 1931, Calif. Div. Fish of and Game, Fish Bulletin 30, p. 58-72.
- 4) Phillips, J.B., 1937, Abalones, Div. of Fish and Game, Fish Bulletin 49, p.107-113.
- 5) Bonnot, Paul, 1930, Abalones in California, vol. 16, no.1, p, 14-23.
- 6) Bonnot, P., 1940, California Abalones, Calif. Fish and Game, vol. 26, no.3, p. 200-211.
- 7) Bonnot, p., 1948, The abalones of California, Calif. Fish and Game, vol 34, no.4, p. 1141-160. Comment: Bonnot, 1948, reported on commercial abalone divers teaching Department biologist how to use heavy diving gear. He also reported that the commercial divers were "keen observers."

More recent publications:

- 8) Ebert, 1968 a., A food habit study of the southern sea otter, *Enhydra lutris nereis*, Calif. Fish and Game, vol. 54, no 1, p. 33-42.
- 9) Ebert 1968 b., California sea otter census and habitat survey, *Underwater Nat.*, vol. 5, no. 3, 94 pp.
- 10) California Living Marine Resources, 1971, CDFG. Comment: Sport fishing landing data is very difficult to find. This publication estimated sport landings in southern California at 3-4 million pounds per year (page 31-33). When the Burge study data is included, these numbers jump to 6-8 million pounds. Commercial landing at this time were around 2.5 million pounds but began to rapidly decline due to fewer abalone reaching legal 7 3/4 inch size. However, DFG has historically omitted these findings while blaming decline solely on commercial divers without including sport bar-cut and high grading (replacing previously taken abalone when larger individuals were found) documented impacts. See: Burge below.
- 11) Miller, Daniel J., J.J. Giebel, 1973, Summary of blue rockfish and lingcod life histories: A reef ecology study; and giant kelp. M.p., Experiments in Monterey Bay, California, Fish Bulletin 158, Resources Agency, CDFG. Comment: Despite the title, this study proposes 3 components to a successful Marine Protected Area: 1) Clean water, 2) Controls on human use, 3) Controls on marine mammals. One example where this may be working is San Miguel Island. MPAs for red abalone were developed at SMI, post moratorium. Water quality is good, there is no human use and there are no sea otters. SMI is currently abundant with red abalone.
- 12) Lowry, Lloyd, J. Pearse, 1973, Abalone and sea urchins in an area inhabited by sea otters, *Marine Biology*, 23:213-219. Comment: Densities of red abalone in the sea otter were estimated at 1000-1100 per hectare, or half the "Minimum Viable Population" as identified in the ARMP.
- 13) Burge, Richard, S. Schultz, M. Odemar, 1974, Draft: Results of recent abalone research in California with recommendations for resource management, CDFG, 18 pp. Comments: Burge found replacement level at 113% and estimated bar-cut mortality at 100%.
- 14) Burge, Richard, S. Schultz, M. Odemar, 1975, Draft report on recent abalone research in California with recommendations for management, Operations Research Branch, Marine Resources Region, presented to the Cal. Fish and Game Commission, January 17, 1975, 30pp.
- 15) Schultz, Steven, no date (mid-1970s), Draft: The red abalone resource and fishery of northern California, Resources Agency, CDFG, 63 pp. Comment: Schultz reported 100% bar cut mortality.
- 16) Wild, Paul, J. Ames, 1974, A report on the sea otter, *Enhydra lutris l.*, in California, CDFG/MRD, Technical Report no. 20, 94 pp.
- 17) Schultz, Steven R. Burge, 1975, Cal. Dept. of Fish and Game, Cruise Report 75-KB-10 Abalone investigations, CDFG Marine Region, 9pp.
- 18) Hines, A., J. Pearse, 1982, Abalone shells and sea otters: Dynamics of prey populations in central California, *Ecology* 63:1547-1560.
- 19) Cooper, J.M., A. Wicland, A. Hines, 1977, Subtidal abalone populations inhabited by sea otters, *Veliger*, 20:163-167.
- 20) Gotshall, Laurent, Owen, Grant, Law, 1984, A quantitative ecological study of selected nearshore marine plants and animals at Diablo Canyon Nuclear Power Plant site: A pre-operational baseline, 1973-1978, Marine Resource Technical Report No. 48, California Department of Fish and Game, 726 pp. Comment: Gotshall and his DFG team began studies of the Diablo Canyon Nuclear Power Plant in the 1970s. At this time, Pt. Buchon was the last commercial fishing ground on the south central coast. Sea otters had reached the abalone grounds north of Morro Bay and had depleted them to the

point commercial diving for abalone was no longer viable. Also at this time, the fishery for red sea urchin had just begun at Pt. Buchon. Gotshall's team documented the end of the Morro Bay area commercial abalone fishery and the emerging sea urchin fishery. By the late 1970s, both fisheries at Pt. Buchon were terminated due to sea otter foraging, not commercial fishing.

21) Supplemental Environmental Document, Abalone Ocean Sport fishing, Cal. Dept. of

Fish and Game, August 1990. Comment: Table 3.3, Page 3-70, reports red abalone landings at San Nicolas Island, 1986, the first year of the sea otter translocation, at 41% of total landings. By 1990, only three years later, SNI landings were 3%. Fishing pressure increased at the other island, creating fishery compaction.

22) Parker, David, PC Haaker, KC Henderson, 1986, Densities and size composition of red abalone , h. r.,

at 5 selected locations on the Mendocino and Sonoma County coasts, Sept. 1986, Report 88-5 , 65 pp.

23) Wendell, Frederick, 1994, Relationship between sea otter range expansion and red abalone abundance and size distribution in central California, CDFG, vol. 80, no. 2, .p. 45-64.

Comment: These data originated from the unpublished findings and research begun by Richard Burge. These data chronicle the decline and collapse of the red abalone fishery in southern Monterey County and northern San Luis Obispo County due to sea otter foraging, not commercial fishing.

24) Fanshawe, Samantha, G.R. VanBlaricom, A.A.Shelly, 2002, Restoring top carnivores as detriments to the performance of marine protected areas intended for fishery sustainability:a case study with red abalone and sea otters, Conservation Biology, p. 273-283. Comment: The title says it all.

25) Alistair .J. Hobday, M. Tegner, 2002, The warm and the cold: Influence of temperature and fishing on local population dynamics of red abalone, CalCofi, vol. 43, p. 74-96. Citation 1: "The model locations represent the "warm" Santa Cruz Island, which has a fishing history of declining abalone stocks, and the "cold" San Miguel Island, which has a history of stable catches." p. 74, Abstract. Citation 2: ".,,current conditions at the islands showed in the absence of larval connectivity the warm population would go extinct in 75 years regardless of fishing level." p. 74, Abstract

26) Prince, Jeremy, S. Valincia, 2009, A new beginning for abalone management in California: Critique and comment on the Abalone Advisory Group, 44 pp.

27) Abalone Advisory Group, 2009, Butterworth, Gorfine, Schroeder, Webber, Evaluation of the red abalone stock assessment, Red abalone consideration.

28) Prince, Jeremy, 2012, Proposal for red abalone research fishery at San Miguel Island (SMI) Feb/Dec

2012, California abalone Marketing Association (CAMA).

29) Cook, Peter, 2023. Worldwide abalone production: an update, New Zealand Journal of Marine and Freshwater Research, 14 pp. Comment: How wild caught abalone and aquaculture are managed in other countries. Citation: "According to California Department of Fish and Wildlife (2014), abalone poaching is nowadays operated by organized criminal gangs and could be worth as much as

US\$25

million each year." page 6.

30) Schiel, David, S. Gerrity, S. Orchard, 2023, Allocations, quota and abalone fishery management: the tragedy of the commons revisited, New Zealand Journal of Marine and Freshwater Research, 38 pp.

Comment: Similar problems as in California occurring in New Zealand with solutions identified.

Conclusion:

(Note: The list above is not complete, but demonstrates the depth of available published literature on the subject of abalone).

It is beyond obvious why the Abalone Recovery and Management Plan (ARMP) cannot work for red abalone. The majority of the best grounds for red abalone have been dominated by sea otters for over 80 years. Over this time, the red abalone resource has been depleted below the ARMP 75% required for red abalone recovery throughout its range. This fact was well known to the authors of the ARMP so this 75% requirement was obviously intended to block any future red abalone fishery from occurring. However, the FGC of 2005 saw through this ruse and created ARMP, Alternative 8 and Appendix H, et al, which allowed for a small scale fishery to resume at San Miguel Island, Santa Barbara County with well defined limitations. Modern technologies, like cell phones and cameras, provide for immediate monitoring and reporting of catch.

Former commercial abalone divers (25 divers) have submitted 3 Petition for Regulatory Change since 2020. It is time for the FGC to honor the "Preferred Alternative" as identified in Alternative 8 by a previous Commission and allow commercial red abalone and recreational red abalone fishing to resume at San Miguel Island. Data collection, which is not currently available, could be used to better design future abalone fisheries with allocation and quotas defined.

October 15, 1990, DFG abalone biologist Konstantin Karpov was quoted in the San Francisco Chronicle, saying, "The scam is simplicity itself.: While diving for urchins, North State divers also load up on abalone. The abalone are later transferred at sea to boats headed for South State docks." Karpov was telling sport divers there were no longer commercially viable population of abalone in southern California and all landing were from north coast poached abalone. This false information and more from Karpov's "Kelp Forrest Newsletter" alarmed sport divers who then rallied against the commercial divers. CAA produced a 13 minute video in 1997 of the mainland south of Pt. Conception and San Miguel Island as evidence countering Karpov's misinformation. This video titled, "Super Real" is currently on You Tube, along with several others on red abalone at San Miguel Island. .

When the fishery went into Moratorium in 1997, two DFG Deputy Directors, Julie Altman and Kasandra Fletcher convinced CAA leadership that the moratorium, if they would go along with it, would be for two years, a "new" Fishery Management Plan could be developed, then fishing would resume. Abalone divers, sport and commercial, south of San Francisco, have now endured 27 years of moratorium.

Where we are lacking in field survey since 2009, video from 1997, 1999-2002, 2020, and 2024 demonstrate there were healthy population continuing at San Miguel Island. . Much of the required data to restore fishing is already available. If the abalone resource is as critical as DFW claims, why no surveys in the past 15 plus years?

Respectfully submitted,

Steven L. Rebuck

PO Box [REDACTED]

San Luis Obispo, Ca [REDACTED]
[REDACTED]

On Friday, July 26, 2024, 1:44:35 PM PDT, Wildlife Abalone <abalone@wildlife.ca.gov> wrote:

Hello Community Working Group Applicants,

I am writing with an update about the Red Abalone Recovery Plan process.

Within the past few weeks, we became aware of funding that may be available to pay for professional facilitation for the Recovery Plan process. We believe engaging professional facilitators would help us proceed with plan development more efficiently and allow us to create the best final product. We're currently in the process of selecting and contracting with a facilitator.

Unfortunately, this has led to delays in the Community Working Group selection process. We are working hard to get all the pieces of the puzzle into place—and our leadership wants to have the facilitator selected before we seat the Working Group.

At this point I don't have a timeline for you all on that. My best guess would be another month or so before we can get back to you all about your application status and that we will begin meeting in the middle of fall. I will absolutely keep you updated.

Please contact me via this email address or at my phone number below if you have any questions.

Thanks again for your patience and interest; I hope you all are having a good summer and I am looking forward to working with you!

Ian

Ian Kelmartin

Abalone Team

California Department of Fish and Wildlife

Abalone@Wildlife.ca.gov

Cell: 707.337.7061



Samantha Murray - Fishing "privilege" Comment

damon walker <[REDACTED]>

Wed 07/31/2024 05:46 PM

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

Ms. Murray,

I was made aware of a comment you made recently of Californian's constitutional, albeit conditional, right to fish being viewed by you as a "privilege". I find this naivety of our states constitution in your position of authority and decision making alarming, quite frankly. Can you please elaborate on why you view this right as a privilege in direct opposition to the State of California's constitution?

Thank you,

Damon Walker

CCA 1 Section 25 Concerns

Jeff Brown <[REDACTED]>

Thu 08/01/2024 04:05 PM

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

Good afternoon,

Upon watching the recent open hearing regarding 30 x 30, I could not believe what the commissioner Samantha Murray said. Commissioner Murray stated "I can't help but say, fishing is a privilege, it is, it's fishing is a privilege, it's not a right." I cannot fathom how someone holding this position would be so uneducated in the California Constitution.

CCA 1 Section 25 states, " The people shall have the right to fish upon and from public lands of the State and in the waters thereof, excepting upon lands set aside for fish hatcheries , and no land owned by the State shall ever be sold or transferred without reserving in the people the absolute right to fish thereupon; and no law shall ever be passed making it a crime for the people to enter upon public lands within the State for the purpose of fishing in any water containing fish that have been planted therein by the state; provided, that the legislature may be statute, provide for the season when and the conditions under which the different species of fish may be taken."

I am tired of bureaucrats who have never picked up a fishing pole in their life, preaching about conservation that they have no true knowledge of or experience in. I am extremely concerned that our kids are going to have their absolute right to fish taken from them by power hungry so-called "conservationists". Can you tell me if Commisioner Murray has redacted her statement on this issue and if not, what corrective actions are being taken to hold her accountable for what she has said to the public? I and countless other citizens I have spoken with suggest immediate termination for this complete power overreach. Please let me know what is being done to satisfy the public. (The people that Commisioner Murray works for). I suggest acting fast before this issue turns into more of a headache (Lawsuit) for CA Fish and Game.

Sincerely,

Jeff Brown

[REDACTED]

CDFW - STOP DEFORESTATION BY THE SOLAR INDUSTRY - THAT IS YOUR JOB!

Crystal Basica <[REDACTED]>

Fri 07/26/2024 01:41 PM

To:Wildlife Western Joshua Tree <wjtt@wildlife.ca.gov>

To whom it may concern:

Restore our Joshua Tree Protections under the California Endangered Species Act (CESA)! We did not give Solar permission to cut down our Protected Western Joshua Trees.

The World is Watching: - <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.change.org%2FJoshuatrees&data=05%7C02%7Cfgc%40fgc.ca.gov%7C0f00e24cedee4689f0b408dcadb34805%7C4b633c25efbf40069f1507442t>

FACTS:

- 1) WJTCA is circumventing CESA Protections that we fought for. We want our CESA Protections back!
- 2) WJTCA has actually incentivized Solar farms to target Joshua Tree forests for development, because individual land owners cannot pay the fees to clear Protected Species - so they sell their land cheap to solar.
- 3) "Transplanting" / "Replanting" / "Adoption" are not viable options. These non-proven approaches are just greenwashing to make the Solar Industry look good.
- 4) Solar is destroying native artifacts and sacred lands, along with Joshua Trees.
- 5) When Top Soil is disturbed, it releases microbes which cause Valley Fever in down-wind communities.
- 6) The WJTCA template is only in place because the Solar Industry has created these False Dichotomies.

-Joshua Trees vs Solar Farms

-Joshua Trees vs Jobs

Solar farms are built all over the world, but the only place where they cut down Joshua Tree Forests (for any reason) is in California to build Solar farms. And CDFW Approves them.

Blaming / Punishing Joshua Trees needs to stop.

Do you realize how bad this looks for CDFW/California/Bohnam/Kern County/Newsom as the Solar Industry bulldozes yet another Ancient "Protected" Joshua Tree forest and says it is "APPROVED"?

Take Responsibility!

I am a registered voter in San Bernardino County. I will be voting anyone who supports this complete disregard for a clearly protected species out of office.

Crystal Basica

Upland,CA

CDFW Western Joshua Tree Conservation Act - Feedback

David Fick <[REDACTED]>

Thu 07/11/2024 08:50 AM

To: Wildlife Western Joshua Tree <wjtt@wildlife.ca.gov>

To whom it may concern:

Restore our Joshua Tree Protections under the California Endangered Species Act (CESA)! We did not give Solar permission to cut down our Protected Western Joshua Trees.

The World is Watching: - <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.change.org%2FJoshuatrees&data=05%7C02%7Cfgc%40fgc.ca.gov%7Cecccce412e45d4a0ed10d08dca1c128c4%7C4b633c25efbf40069f1507442t>

FACTS:

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-Joshua Trees vs Solar Farms

-Joshua Trees vs Jobs

Solar farms are built all over the world, but the only place where they cut down Joshua Tree Forests (for any reason) is in California to build Solar farms. And CDFW Approves them.

Blaming / Punishing Joshua Trees needs to stop.

Do you realize how bad this looks for CDFW/California/Bohnam/Kern County/Newsom as the Solar Industry bulldozes yet another Ancient "Protected" Joshua Tree forest and says it is "APPROVED"?

Take Responsibility!

CDFW Western Joshua Tree Conservation Act - Feedback

Chris Massa <[REDACTED]>

Tue 07/09/2024 06:12 PM

To: Wildlife Western Joshua Tree <wjtt@wildlife.ca.gov>

There must be enough land for solar to NOT cut down and ruin this area

Chris Massa

To whom it may concern:

Restore our Joshua Tree Protections under the California Endangered Species Act (CESA)! We did not give Solar permission to cut down our Protected Western Joshua Trees.

The World is Watching: - <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.change.org%2FJoshuatrees&data=05%7C02%7Cfgc%40fgc.ca.gov%7Caf631ee79964438c772008dca07d6d43%7C4b633c25efbf40069f1507442>

FACTS:

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- 3) "Transplanting" / "Replanting" / "Adoption" are not viable options. These non-proven approaches are just greenwashing to make the Solar Industry look good.
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- 5) When Top Soil is disturbed, it releases microbes which cause Valley Fever in down-wind communities.
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-Joshua Trees vs Solar Farms

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Solar farms are built all over the world, but the only place where they cut down Joshua Tree Forests (for any reason) is in California to build Solar farms. And CDFW Approves them.

Blaming / Punishing Joshua Trees needs to stop.

Do you realize how bad this looks for CDFW/California/Bohnam/Kern County/Newsom as the Solar Industry bulldozes yet another Ancient "Protected" Joshua Tree forest and says it is "APPROVED"?

Take Responsibility!

STOP THE DEFORESTATION OF THE MOJAVE - STOP THE ARATINA SOLAR PROJECT

chelsey boatwright <[REDACTED]>

Mon 07/29/2024 03:45 AM

To:district2@kerncounty.com <district2@kerncounty.com>

The World is Watching the Deforestation of Joshua Tree Forests across the Mojave by the Solar Industry!

THIS IS YOUR LEGACY.

The Petition:

<https://www.change.org/Joshuatrees>

The Coverage:

<https://www.instagram.com/reel/C8FS-IXJvJL/>

<https://www.instagram.com/reel/C8Ky5o3ymzc/>

<https://www.latimes.com/opinion/story/2024-06-08/kill-joshua-trees-for-a-desert-solar-project-readers-are-in-revolt>

<https://www.yahoo.com/news/joshua-trees-threatened-solar-project-134208915.html?>

<https://www.nationalreview.com/2024/06/you-paid-hundreds-of-millions-for-solar-power-to-wreck-the-environment/>

<https://www.foxnews.com/us/california-clean-energy-project-threatens-thousands-protected-joshua-trees-reports>

<https://www.yahoo.com/news/joshua-trees-threatened-solar-project-134208915.html>

<https://www.ecowatch.com/solar-project-mojave-desert-joshua-trees-tortoises.html>

Valley Fever:

<https://valleyfeverinstitute.com/>

<https://www.dir.ca.gov/dosh/valley-fever-home.html>

Kern County has the worst Valley Fever infection rate in California!

<https://www.cdc.gov/valley-fever/php/statistics/index.html>

THE WORLD IS WATCHING - STOP THE ARATINA SOLAR PROJECT

Samuel Grant <[REDACTED]>

Fri 06/28/2024 12:20 PM

To:district2@kerncounty.com <district2@kerncounty.com>

To whom it may concern,

I write to you as one voice out of many to stop the needless destruction of Joshua Tree forests. Even for the sake of clean energy, no amount of money should buy the approval to destroy what has been on this Earth long before us, and hopefully long after us.

The World is Watching the NEEDLESS Destruction of a Joshua Tree Forest by the Solar Industry!

THIS IS YOUR LEGACY.

Sincerely,

S. Grant

The Petition:

<https://www.change.org/Joshuatrees>

The Coverage:

<https://www.instagram.com/reel/C8FS-IXJvjL/>

<https://www.instagram.com/reel/C8Ky5o3ymzc/>

<https://www.latimes.com/opinion/story/2024-06-08/kill-joshua-trees-for-a-desert-solar-project-readers-are-in-revolt>

<https://www.yahoo.com/news/joshua-trees-threatened-solar-project-134208915.html?>

<https://www.nationalreview.com/2024/06/you-paid-hundreds-of-millions-for-solar-power-to-wreck-the-environment/>

<https://www.foxnews.com/us/california-clean-energy-project-threatens-thousands-protected-joshua-trees-reports>

<https://www.yahoo.com/news/joshua-trees-threatened-solar-project-134208915.html>

<https://www.ecowatch.com/solar-project-mojave-desert-joshua-trees-tortoises.html>

Valley Fever:

<https://valleyfeverinstitute.com/>

<https://www.dir.ca.gov/dosh/valley-fever-home.html>

Kern County has the worst Valley Fever infection rate in California!

<https://www.cdc.gov/valley-fever/php/statistics/index.html>

THE WORLD IS WATCHING - STOP THE ARATINA SOLAR PROJECT

Casey Kiernan <[REDACTED]>

Fri 06/14/2024 06:44 PM

To: gavin.newsom@gov.ca.gov <gavin.newsom@gov.ca.gov>

The World is Watching the NEEDLESS Destruction of a Joshua Tree Forest by the Solar Industry!

While you claim that the project was APPROVED, that only makes your position worse. The Solar Industry got a FREE PASS for 15 Projects in a Back-Room Deal. Everyone in that meeting is to blame for allowing The Aratina Solar Project to be built right in the middle of a Joshua Tree Forest.

THIS IS YOUR LEGACY.

The Petition:

<https://www.change.org/Joshuatrees>

The Coverage:

<https://www.instagram.com/reel/C8FS-IXJvjL/>

<https://www.latimes.com/opinion/story/2024-06-08/kill-joshua-trees-for-a-desert-solar-project-readers-are-in-revolt>

<https://www.yahoo.com/news/joshua-trees-threatened-solar-project-134208915.html?>

<https://www.nationalreview.com/2024/06/you-paid-hundreds-of-millions-for-solar-power-to-wreck-the-environment/>

<https://www.foxnews.com/us/california-clean-energy-project-threatens-thousands-protected-joshua-trees-reports>

<https://www.yahoo.com/news/joshua-trees-threatened-solar-project-134208915.html>

<https://www.ecowatch.com/solar-project-mojave-desert-joshua-trees-tortoises.html>

Sent from Gmail Mobile

Wild Pig Suggestion for Your Thoughts and Consideration

Colin Gallagher <[REDACTED]>

Sat 06/22/2024 10:37 AM

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

Cc:Skalos, Dan <[REDACTED]>;Cornman, Ari <[REDACTED]>;Miller-Henson, Melissa <[REDACTED]>
<[REDACTED]>

Hello,

In light of the California ammunition tax about to take effect in July (another 11 percent) and the effect that will have on likely ammunition procurement and further reduction in active hunters proceeding to obtain a new tag or validation (because of the exorbitant cost of ammunition, unless they already have non-lead stocked up, as I did years ago for all my hunting rifle calibers and backup pistol calibers), and in light of the ongoing and growing wild pig problem, I suggest that the Fish and Game Commission of its own initiative revive my regulatory petition (which you have on file) regarding an application for a new method of take for wild pig (big bore airgun of a specific minimum size / power as specified in the petition).

As you know, six years after I applied for the regulatory petition, it was denied, I appealed, then the appeal was denied. I won't be bothering to go through this useless exercise again given that it's apparent that California is way behind various other states that have already approved airguns for wild pig hunting. But maybe someone in Fish and Game Commission will carry this forward as a staff project. I just don't have the time to burn on it, but I did want to suggest you consider doing it yourselves.

Petition details below for your staff if you decide to look up the petition I did and do this on your own. I suggest if you do, use my original petition as a baseline since the work has already been done for you.

Cheers

Colin

On May 23, 2017 I began a process of requesting to the Fish and Game Commission a different and added method for take of wild pig, communicating with the Fish and Game Commission, Wildlife Resources Committee, and various staff. Approximately six years after that point, per the action of the CA Fish and Game Commission (on 2/08/2023), my regulatory petition (**2021-007**, a petition for a new method of take (big bore BB devices) for wild pig) was denied. I appealed the decision within a day after the denial (the Fish and Game Commission labeled my appeal **2021-007R**) and that was denied also.

California state law provides that decisions of a state agency denying in whole or in part or granting in whole or in part a petition requesting the adoption, amendment, or repeal of a regulation pursuant to Article 5 (commencing with Section 11346), **shall be in writing and shall be transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register** at the earliest practicable date. After some effort and followup with OAL in which it was determined that the decisions had not been transmitted to the OAL for publication, communication to the FGC was made on this point and the decisions were eventually transmitted to the OAL for publication.

On Fri, Jul 7, 2023, 11:25 PM Colin Gallagher <[REDACTED]> wrote:

Hello Dan,

I wanted to reach back out to you, and I understand that you had previously stated that the normal comment period isn't until ISOR comes out (around September), but also, you had noted that my comments here and at other points during the process would be considered.

With that in mind, I wanted to connect with you to establish a dialogue and open up a discussion (please feel free to connect me to anyone in Law Enforcement Division who may be better suited to the following request):

- Open dialogue and learning call on the matter of BB device (airgun) pellet materials and lead issues
- Similarly, open dialogue on any obstacles the Department is encountering in its process of incorporating (or potentially broadening) new methods of take (such as BB devices) and how I can help them overcome said obstacles.

My thought was that initially I could have a preliminary zoom call with you, but if you feel it would be better to have someone else be part of the dialogue call for the Department, or if you would like to be part of the dialogue call along with someone from the Law Enforcement (LED) part of the Department along with myself, that would be great, so long as I would be able to participate in a dialogue on these subjects with the Department.

Presently I do not have work scheduled on Wednesday mornings nor on Fridays, and often on Sundays I am hunting wild pig, so either Wednesday morning or Friday would work for a zoom or other virtual meeting.

I look forward to your email.

Respectfully,

Colin Gallagher
[REDACTED]

On Mon, May 15, 2023 at 2:12 PM Colin Gallagher <[REDACTED]> wrote:

Thanks for your reply, Dan, I look forward to hearing from you further and please feel free to incorporate info I have sent you into the agency rulemaking proposals and deliberations should you all choose to (although of course my petition is a separate matter).

Respectfully,

Colin Gallagher

On Mon, May 15, 2023, 10:12 AM Skalos, Dan <[REDACTED]> wrote:

Morning Colin,

This rule making is brand new and the sort of normal comment period isn't until the ISOR comes out later this year, roughly September. However, your comments here and at any other point during the process, will be considered. I am not part of the air gun petition evaluation and that matter will have to be settled separately. Hopefully someone involved with that will get back to you soon if they haven't already.

Thanks

Dan Skalos

From: Colin Gallagher <[REDACTED]>

Sent: Friday, May 12, 2023 11:52 PM

To: Skalos, Dan <[REDACTED]>

Subject: Dan, hello, quick comment on your Wildlife Resources Committee item (Wild Pig) item No. 3, May 17

Hi Dan, this is Colin Gallagher. Unfortunately the packet for the Wildlife Resources Committee came out long after public comment had closed on this item. But I noticed your email address in your presentation for the item so I have a quick comment.

Part of the presentation states:

"•Section 327: Methods

authorized for taking

exotic game mammals

- No proposal at this time

- Default, accept similar conditions

as big game, potentially more

liberal methods, e.g. crossbows"

As a comment on this section, I encourage you to, if you have not already, to read my reconsideration petition which the Commission has accepted as complete, having to do with methods of take for wild pig.

In the March 9 letter from Rachel Ballanti she stated my petition of reconsideration would be taken up at the April 19-20 meeting (staff later clarified this would occur under 15(A) on April 19, which did occur) and that it would be scheduled for the Commission's June 14-15, 2023 meeting.

My reconsideration petition, 2021-007R, was in fact received under Agenda Item 15(A) - Regulation Change Petitions (Wildlife and Inland Fisheries) - New Petitions for Regulation Change - Receipt, and can be found in the [April 19-20, 2023 California Fish and Game Commission meeting documents](#). It is scheduled for an **initial action decision** at the Commission's June 14-15, 2023 meeting. My petition seeks to have a new method of take for wild pig approved (approved / implemented) beginning and effective the middle of 2024 concurrent with when the state law (SB 856) provisions allow for the requested method of take (BB devices to be used for wild pig hunting).

By separate email I will forward you background information on BB devices that I recently shared with the FGC.

Respectfully,

Colin Gallagher

FGC Meeting August 14, 2024 Item 9 Public Comment from Grassroots Coalition

patriciamcpherson [REDACTED]

Mon 07/29/2024 12:57 PM

To: Miller-Henson, Melissa [REDACTED]; FGC <FGC@fgc.ca.gov>

Cc: Cornman, Ari [REDACTED]; California Fish and Game Commission [REDACTED]; jeanette vosburg [REDACTED]



FGC Meeting, August 14, 2024 Item 9 Public Comment:

Fish & Game Commissioners and Staff,

Request for Placement as an Agenda Item for FGC ADDRESS to: FGC 2005, OAL2005 approvals of Section 630 Ballona Wetlands Ecological Reserve, and CDFW's current plans for address of Sustainable Groundwater Management Act and CDFW protective measures re: Ballona Wetlands Ecological Reserve as a Department of Water Resource's acknowledged Groundwater Dependent Ecosystem. Request for Presentation Time.

The following Memorandum FROM CDFW to the Fish & Game Commission is rife with inaccurate and misleading statements made pertaining to Ballona Wetlands Ecological Reserve. Aside from **CDFW's** extraordinary, explicit and **acknowledged departure from California's highest protective measures** that exist for Ecological Reserve protection (Section 630) in their 'dismissal' of Ballona habitat protection from 'ball fields' and unneeded 'parking lots'; CDFW further utilizes this response to a Ballona Landtrust- Petition, to promote its continued allegiance to their decertified FEIR and their continued misrepresentations of the regulatory history of Ballona. Most importantly, CDFW misrepresents the very reasons for which Ballona was inducted into the Ecological Reserve system in 2005, as a Title 14, Section 630 Ecological Reserve with Ballona specific Purpose and Goals approved by the regulatory body, the Fish & Game Commission (FGC). Here, CDFW deviates to promote false representations of Ballona's specific induction Purpose and Goals, in order to continue to promote CDFW's ill conceived and unapproved saltwater inundation plans, and CDFW's fatal lack of adherence to protecting Ballona's freshwater natural resources as articulated by FGC's Ballona Ecological Reserve- Purpose and Goals, and as required under the Sustainable Groundwater Management Act as a Groundwater Dependent Ecosystem.

NO WHERE, CONTRARY TO CDFW's unsubstantiated allegations, does the approved language for Ballona's Purpose and Goals for acquisition and induction into the Ecological Reserve system cite to full tidal inundation and/or 'restoration of the ebb and flow of the ocean'.

September 30, 2003 Wildlife Conservation Board Meeting and Minutes, the approval of \$140 million dollars for the acquisition of Ballona Wetlands:

Pg. 7 Updated Information Digest/ Policy Statement Overview

"The Ballona Wetlands, consisting of 553 acres in Los Angeles County, is proposed for designation as an Ecological Reserve for the protection and enhancement of coastal salt marsh, freshwater marsh, transitional uplands, and associated species, including the state listed Belding's Savannah Sparrow. The area is also an important wildlife movement corridor to other public lands in the vicinity of the wetlands."

From this acquisition then came the need for designation as an Ecological Reserve in order to provide the best available protection for the species and habitats the property was acquired to protect. The Fish and Game Commission then approved an amendment to Section 630 to add/ induct Ballona Wetlands into the California Ecological Reserve system and provide Ballona's specific reasons of Purpose and Goals that were then approved by the Office of Administrative Law. Both approvals occurred in 2005.

California Regulatory Notice Register 2005, Volume No. 20-Z, Starting on page 663 Ballona Wetlands Ecological Reserve.

https://www.dhcs.ca.gov/services/medi-cal/Documents/AB1629/ZREG/ZREG%2020-Z_5.20.05_notice.pdf

The CDFW Goals in their decertified FEIR are not similar to the Purpose and Goals of acquisition and induction of Ballona into the California Ecological Reserve system.

The often repeated but false goal of 'restoring tidal circulation to the extent feasible' comes from a County of LA Overview & Summary, LA County p. 36 of 39.

CDFW appears to be desperate to find any language it can to counter reality--the Office of Administrative Law's approval of FGC's 2005 Purpose and Goals is specifically assigned to Ballona. Instead of abiding by Fish & Game Code regulations, CDFW chooses to continue to support destructive plans to convert a freshwater driven ecosystem into a fully tidal saltwater bay- a non approved Goal by the FGC regulatory body and not approved by the Office of Administrative Law (OAL). While the Fish & Game Commission-- as it continually cites, is not the 'enforcer' of its own regulatory approvals, what we see is CDFW, the regulatory enforcer of FGC regulations, not abiding by its own mission statements, and failing to adhere to FGC approved regulations. Instead, CDFW repeatedly provides a false narrative of Ballona's restoration Goal as requiring tidal inundation. Fish & Game Code 1745 essentially cites that any and all agreements of CDFW must abide by the Purpose and Goals for which the Ecological Reserve was inducted. CDFW, the department charged with enforcement of Fish & Game Commission approved Codes, has not adhered to the Fish & Game Commission's approved code requirements.

Furthermore, the 'Science Advisory Committee' (SAC) that CDFW touts as reviewing reasonable alternatives for Ballona's restoration, was actually contracted for only one outcome--that of removal and replacement of the levees to convert Ballona into a fully tidal saltwater bay. As can be read in the SAC documents--no other outcome was allowed for consideration.*** And, indeed the Department of Water Resources' (DWR) corrections to the Santa Monica Groundwater Basin Plan, whose evaluation planners had access to the FEIR, for inclusion of data to deliver its groundwater sustainability plan, proves out that the SAC team and CDFW provided no evaluation of Ballona's natural freshwater resources for consideration in either the Santa Monica Groundwater Basin Sustainability Planning and/or the FEIR. (***see slides 7,8,10 in the link below) DWR Corrections, Section 5 require Ballona's surface/groundwater interface data and evaluation.

**Ballona Wetlands Freshwater Power-Point
Presentation prepared by Patrica...**

Fish and Game Commission Meeting April 18, 2024 - CDFW Memo for Ballona Agenda Item 24(Memo is in italics with Grassroots Coalition's response-- without italics.):

M e m o r a n d u m

Date: April 2, 2024

To: File

From: Region 5

Subject: Ballona Wetlands Ecological Reserve – Parking Lots and Baseball Fields

This memorandum documents the California Department of Fish and Wildlife's ("Department") determination under Title 14, California Code of Regulations, § 630(h)(3) related to parking lots in Area A of the Ballona Wetlands Ecological Reserve ("Reserve") and little league baseball fields in Area C of the Reserve.

Specifically, the Department determined that restoration or other uses of the little league baseball fields or parking lots is not more appropriate at this time. (Emphasis added.)

It has been over 20 years since Ballona was acquired and almost 20 years since Ballona's induction into the

California Ecological Reserve system--with reasoning that Ballona needed the highest protective regulations

that California had to offer. It is a relatively small Reserve, under 600 acres and every inch is critical to its well

being as a unique coastal wetland/upland complex ecosystem. The largest areas of successful, self-sustaining

restoration have been reestablished areas of native plants and animals that have been generated by Ballona

herself, after harmful CDFW freshwater drainage practices were curtailed via litigation and the California

Coastal Commission compelled cessation of draining a wetland.

Twenty years later, "Not appropriate at this time" as a response by CDFW for not protecting Ballona's natural

resources, rings hollow, especially when Ballona was given the state's highest priority for protection twenty

years earlier.

The presence of a parking lot within an ecological reserve is typical, and sharing use of the lot with another public agency is common and often benefits the Department. For example, the Los Angeles County Sheriff's Department uses one of the Area A parking lots and helps supplement the Department's law enforcement division when its resources are unavailable.

(Emphasis added. Photo imagery of the Fisherman's Village parking lot demonstrates the numerous vacancies within the Sheriff's area of Fisherman's Village parking that is already available, as well as across the rest of the Village's open, availability of parking spaces in Village lots. Need for additional parking space within the Ecological Reserve has not been demonstrated by CDFW or any other entity.)

However, the Department notes that little league baseball, or similar active recreational uses, are typically not allowed within an ecological reserve. In light of the nature of little league baseball occurring at the Reserve, CDFW is documenting its determination to provide context for this unique situation. Importantly, CDFW emphasizes that the circumstances and context in which these uses are allowed to continue is **specific to the Reserve and in no way should be considered applicable to any other Department land or ecological reserve.**

(Emphasis added.)

Ballona is an anomaly in its lack of protection by CDFW in comparison with other Ecological Reserves. Numerous school ball fields are already available and underused. CDFW has provided no evaluation of a need for entertaining ball fields on Ballona Wetlands especially as opposed to the benefits of educational values of children and their families learning about and engaging in protective management of Ballona as an environmentally sensitive, wildlife area. Numerous organizations donate their services for such activities at Ballona yet have been stymied from utilizing the Area C ball field portion of Ballona. For CDFW to assert that ball fields provide a more appropriate use than engaging children and their families in Ballona's well being as part of their own well being appears to be contrary to CDFW's mission.

The Reserve encompasses approximately 577-acres along coastal Los Angeles County approximately five miles north of the Los Angeles International Airport, and is bordered by the communities of Westchester, Marina del Rey, and Playa Vista. The historic wetlands ecosystem in the vicinity of the Reserve once spanned more than 4,000 acres, but today the Reserve has approximately 152 acres of degraded wetlands. The Reserve is divided into three areas: A, B, and C, with areas B and C further subdivided. (See attachment 1). The little league baseball fields are in south Area C adjacent to Culver Boulevard and have operated there since 1956. The two parking lots are located at the west end of Area A adjacent to Fiji Way and were constructed between 1984 and 1985.

In 2003, the Wildlife Conservation Board ("WCB") approved the Department's acquisition of the Reserve. Then in 2005, the California Fish and Game Commission adopted regulations designating the Reserve as an ecological reserve. (Attachment 2 Final Statement of Reasons) Minutes to WCB's 2003 meeting indicate that the Reserve

Page 2
was acquired with the intent to restore it. (Attachment 3 WCB Meeting Minutes)

The following statement of Ballona having a goal to 'restore tidal circulation as much as feasible' is inaccurate and misleading as the SUMMARY cited IS NOT from the regulatory agency that inducted Ballona into the Ecological Reserve systems --namely the Fish & Game Commission. The comment comes from a County, financially oriented document created after the Wildlife Conservation Board's approval of \$140 million dollars for acquisition of Ballona on September 30, 2003 for:

"The Ballona Wetlands, consisting of 553 acres in Los Angeles County, is proposed for designation as an Ecological Reserve for the protection and enhancement of coastal salt marsh, freshwater marsh, transitional uplands, and associated species, including the state listed Belding's Savannah Sparrow. The area is also an important wildlife movement corridor to other public lands in the vicinity of the wetlands." p. 7 Updated Information Digest/ Policy Statement Overview

The Regulatory Body-- the Fish & Game Commission's Purpose and Goals for induction of Ballona into the Reserve system were approved by the Fish & Game Commission and the Office of Administrative Law in 2005.

A summary of the long-term restoration planning states that, “the natural resource goals for the long-term restoration planning for the Ballona Wetlands are: restore tidal circulation to the extent feasible; provide the range of freshwater, brackish and saltwater wetland habitat that is typically associated with a coastal estuary; and provide significant new habitat area for a variety of native species of plants and animals, including migratory birds. Additional long-term restoration planning goals include: providing for cost-effective flood management; protecting cultural resources; and providing appropriate public access, public recreation, educational and interpretive opportunities.” (Emphasis added.)

The following comments are both false and/or highly misleading as noted in the documents from SAC and Southern California Wetlands Recovery Project. Contracts were created and had adherence to evaluation for the sole outcome of removal and replacement of the Ballona Channel levees.

[Ballona Wetlands Freshwater Power-Point Presentation prepared by Patrica McPherson, President of Grassroots Coalition | Grassroots Coalition](#) (See slides 7, 8, 10 and 11)

The failure of CDFW to act in an honest fashion regarding the Ballona Channel levee studies gave rise to the scathing comments made by the Court in its Ruling in the CEQA litigation against CDFW. The Court also ruled to decertify the FEIR and that should CDFW choose to proceed then a new EIR needed to be performed and certified.

Following acquisition of the Reserve, the Department and its project partners, which included the California State Coastal Conservancy and the Bay Foundation, commenced a very deliberate restoration planning process that was informed by scientific analysis from experts in the fields of wetland and estuarine ecology and copious amount of public input. The planning process included:

- Preparing a feasibility assessment, baseline data collection, and creating and refining restoration options*
 - Convening a Science Advisory Committee (“SAC”) composed of experts in the fields of wetland and estuarine ecology that analyzed the science being used during the planning process, assessed the appropriateness of factors being considered, and provided overall technical guidance. The SAC met seven times with all meetings open to the public. The SAC created a 2008 recommendation report for the project team in response to a feasibility study that identified potential restoration options and the rationale for their inclusion in the study. (The feasibility study is Attachment 4 and the SAC recommendation is Attachment 5) As the project team refined the proposed project, the SAC provided input and made additional recommendations.*
 - Twenty public stakeholder meetings held by the restoration project team*
 - Four public on-site open house meetings*
 - More than 60 presentations to groups and the public by the Bay Foundation*
- The Department, as lead agency under the California Environmental Quality Act (“CEQA”), built upon the prior planning and public input and prepared a draft environmental impact report (“EIR”) that analyzed the environmental effects associated with implementing different alternatives for restoring the Reserve. (State Clearinghouse Number: 2012071090) The EIR’s restoration alternatives were refinements of two restoration options that the project team developed during the initial planning process and were supported by the SAC for additional analysis. Likewise, the EIR’s CEQA project objectives presented similar goals to those that justified the acquisition*

of the Reserve and included: restore, create, and enhance estuarine environments; establish natural processes and functions; strategically preserve, restore, enhance, and develop multiple habitats (including a variety of wetland habitats and upland habitats); and improve tidal circulation.

The Department released its draft EIR for public comment in 2017 and received over 7,500 pieces of correspondence consisting of nearly 3,000 discrete comments. The Department revised the draft EIR in response to comments, provided responses to the public comments, and released a final EIR in December 2019. The following year, the Department certified the EIR and approved moving forward with restoring the Reserve as analyzed in the EIR.

Four lawsuits were filed against the Department challenging the EIR and the Los Angeles County Superior Court ruled in favor of the four petitioner groups. The Court determined that CDFW is required to disclose and analyze new flood control design parameters and commit to additional environmental review if performance criteria changes, which the court believed could be easily rectified. (Attachment 6 Court Decision) In all other respects CDFW prevailed and other arguments of the lawsuits were denied. CDFW decertified the EIR on September 28, 2023, and as of the date of this document is in process of revising the EIR per the court's order.

Having acquired the property with specific goals, spent approximately two decades developing restoration plans, received scientific input from wetlands scientists, and considered significant public input on the plans, CDFW is not inclined to ignore those efforts and input to now abandon its restoration plan or goals. The current restoration plan that was developed through the above-mentioned restoration planning process continues to be the restoration project in the revised EIR. Importantly, the current plan for restoration is not affected nor in any way hindered by the presence of the baseball fields or Area A parking lots. Nor do the baseball fields or Area A parking lots negatively affect the Department's day-to-day management of the Reserve.

Therefore, to ignore or modify the current plans in order to address the baseball fields or Area A parking lots would require the Department to unnecessarily shift its focus and priorities away from the purposes for which it originally acquired the Reserve,

specifically a tidal restoration project that benefits native species. (Emphasis added.)

As previously cited above, CDFW appears desperate in its false narrative of tidal restoration being a purpose of acquisition. The minutes of the September 30, 2003 Wildlife Conservation Board, bear out that NO SUCH PURPOSE WAS DISCUSSED OR APPROVED.

Individuals of the public may prefer the baseball fields and parking lots be removed immediately and the underlying land restored with native habitat. Increasing habitat for native species at the Reserve, and anywhere else in California, is important to the Department. However, as the State's trustee for fish and wildlife resources, the Department focuses its restoration efforts on areas that result in the most benefit relative to those efforts. It will direct its efforts to what the Department determines to be the most effective for species and their habitats.

The most restorative action on the Reserve has been Ballona's self restoration when CDFW's harmful activities have been stopped from further harming Ballona. Example: The illegal/ unpermitted drains in Area B were prevented from causing further freshwater drainage harm via Grassroots Coalition's prevailing litigation against both CDFW and its partner Playa Capital LLC (Playa Vista development project). The California Coastal Commission ruled that CDFW was in violation of the Coastal Act and further enforced the court's ruling by compelling CDFW and Playa Vista to cap the unpermitted drainage. The area has since been seasonally ponding with rainwaters, an action that still today CDFW claims would not occur if the drains were capped. CDFW was wrong. The areas have become rife with pickleweed growth, the targeted salt marsh habitat of the acquisition of Ballona and its targeted habitat of the Purpose and Goal of the Fish and Game Commission's induction of Ballona as a T 14, Section 630 Ecological Reserve. Pickleweed is the preferred habitat of the targeted protection

for Belding's Savannah Sparrows. Every square inch of Ballona is important to protect. CDFW merely needs to quit participating in and allowing for its destruction via all the unpermitted and permitted drainage of naturally occurring freshwater away from Ballona. As California Coastal Commission lead enforcement officer, Lisa Haage cited per the unpermitted drains, "

"We think that draining a wetland is about the most amazing violation that you could have."

"I mean, putting a drain in a wetland is exactly the opposite of anything that you'd do in a wetland."

(December 14, 2017 Dana Point CCC Meeting Item 10 C)

Below, CDFW again misquotes the acquisition purpose and goals and misleads by speaking contrary to the Fish and Game Commission's approved Purpose and Goals for Ballona as additionally established via the approval by the California Office of Administrative Law (OAL) in 2005. There was no mention of estuarine environment / tidal circulation improvement in the original FGC regulatory and OAL approvals.

The language below citing there would be no benefit to multiple habitats including a variety of wetland habitats and upland habitats is absurd. Not only is there no substantiation for such a broad brush stroke statement, but there is obviously no history applied to such a silly comment. The parking lots -- pre covering for the 80's Olympics, were rife with pickleweed growth as can be viewed in photographs pre-parking lot. The only areas not covered with vegetation were SoCalGas access roadway areas.

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*In contrast to the current restoration plans, restoring the former baseball fields or the Area A parking lots **will not result in enhanced estuarine environments, improved tidal circulation, or benefit to multiple habitats including a variety of wetland habitats and upland habitats.** (Emphasis added.)*

Below, CDFW again misleads with regard to restoration goals, continually referencing tidal action as restorative when Ballona was not a tidally based wetland habitat but instead was a freshwater dominant ecosystem.

CDFW alludes to fill material on Area A. Area A is acknowledged as having SoCalGas raised roadways and the levees themselves create the interior roadway along Area A's southern fenceline and the bicycle and foot pathway along the Ballona Channel. However, the so-called fill in Area A is a myth to which CDFW has been nonresponsive to USEPA 1986 Report-T. Huffman ; USGS mapping; Historical documents including Poland Report and House Document 389 and the Playa Vista EIR archaeological documents --all of which cite to the lack of disturbance of soils in the interior portion of Area A. (slide 16- USEPA-Huffman)

https://saveballona.org/system/files/Ballona_Wetlands-Freshwater.Playa_Vista.CDFW_Drainage.pdf

*The Area A parking lots and baseball fields are on upland areas adjacent to roads. **To achieve the restoration goals** one must excavate and remove some of the deepest fill material on the Reserve while at the same time avoid impacts to existing infrastructure and maintaining flood protection. **As a result, improving tidal circulation in these areas is infeasible.** Instead, these areas should be restored with upland vegetation, and the current restoration plans already include restoration of upland habitat in these areas. (Emphasis added.)*

It is important to keep in mind that the Reserve is not located in a rural area where the edge of an ecological reserve may be just as undisturbed as the interior of the land. Here, the Reserve is located within one of the most populous communities in the United States. Not only are the Area A parking lots adjacent to a street, but across the street is Fisherman's Village; a harbor front development with restaurants, shopping, and other commercial uses. Similarly, the baseball fields in south Area C are bordered

and adjacent to Culver Boulevard to the north, Lincoln Boulevard to the west, State Route 90 a bit further to the east, and the Ballona Creek Bike Path to the south. Human disturbance is high for the west portion of Area A and Area C south compared to other areas of the Reserve. Additionally, Area C south is cut off from the rest of the Reserve by the aforementioned infrastructure which makes wildlife movement to and from Area C south more challenging.

*When deciding if a piece of land should be restored, the ability to restore the habitat is important but not the sole factor the Department considers. The long-term maintenance of the restored habitat and ability to sustain the restored habitat values are also important factors. **As a result, the Area A parking lots and baseball fields present a lower value opportunity for restoration as compared to other locations of the Reserve.** (Emphasis added.)*

There is NO --IF -- regarding protective measures inherent in Section 630 Ecological Reserve-- Ballona. Decisions and regulations already exist for CDFW to provide the highest protective standard to Ballona Wetlands Ecological Reserve. Simply ending the harmful practices of CDFW's drainage of freshwater from Ballona Wetlands Ecological Reserve can be easily achieved. There has been no effort by CDFW to do so.

Removal of the parking lots and/or even some or most of the parking lots can serve as a model for self recovery of the underlying native plants. CDFW's comments are tortuously specious. CDFW has offered no support to

ending the wasteful throw away of the natural ponding in seasonal rains for Area A, B or C. CDFW has offered no comments regarding ending the unpermitted and permitted drainage of Ballona's freshwater resources.

And CDFW continues to ignore SGMA and Ballona as an acknowledged Groundwater Dependent Ecosystem and continues to ignore SGMA protective requirements for the freshwater aquifers of Ballona Wetlands.

*Perhaps more importantly, the current restoration plan was developed with purpose over several years with extensive analysis, input from experts, and copious amount of public input. As such, the Department believes the **current restoration project** presents a higher value restoration opportunity as compared to focusing on the Area A parking and baseball fields. (Emphasis added.)*

What is the current restoration project? The FEIR was decertified and the court has ordered a new EIR to be performed IF CDFW chooses to move ahead with a restoration of Ballona.

Does such language 'current restoration project' mean that CDFW intends to not adhere to the California Environmental Quality Act and the Sustainable Groundwater Management Act and not to protect Ballona under the Department of Water Resources' acknowledgement of Ballona as a Groundwater Dependent Ecosystem?

And, to not engage in its CDFW protocol for Groundwater Dependent Ecosystem evaluation which would be contrary to its regulations citing that CDFW ENSURES COMPLIANCE WITH SGMA ON CDFW LANDS?

Focus on Area A parking and baseball fields was not requested other than to make a determination as to these uses on Ballona Wetlands Ecological Reserve. CDFW appears to attempt to raise an 'either /or' debate which is not warranted. **During this timeframe of having to perform a new EIR , is a timeframe for new discussion and collaboration for a positive and science based future for Ballona's true restoration.**

It is worth keeping in mind that this determination does not involve constructing new infrastructure or starting new uses in an otherwise pristine ecological reserve. Rather, the existence of the baseball fields and Area A parking lots predate CDFW's acquisition of the Reserve by decades. With little league baseball ongoing in south

Area C since 1956, and the Area A parking lots in use since at least 1984, coupled with the human interference in those areas as described above, it is unsurprising that those specific areas lack beneficial habitat for native species. In particular, the baseball fields are surrounded by invasive vegetation. Still, with implementation of the restoration project that remains the focus of the EIR currently being revised, habitat around the Area A parking lots and baseball fields would be restored to upland and transitional habitat.

In light of restoration being the purpose for acquisition, and the Department's focus on restoration for the Reserve, the Department is not aware of nor has it allocated resources to identifying or developing non-restoration uses in place of the baseball fields or Area A parking lots. And because the continued presence of the Area A parking lots and baseball fields do not hinder or impede the planned restoration or the Department's day-to-day management of the Reserve, the Department is not, at this time, aware of other uses that would be more appropriate in place of the Area A parking lots or baseball fields. Accordingly, the Department is not inclined to shift its focus and limited resources towards an interim, or different, use of the areas which could be a distraction and impediment to furthering the planned for restoration. Although the following factor did not inform the Department's determination, the Department believes it is worth mentioning in anticipation of furthering the restoration and implementing its mission within a highly urbanized environment in the 21st century. According to the Little League, it serves low-income residents, including those at the Mar Vista Housing Projects nearby the Reserve. (Attachment 7) Approximately 60%-75% of the participants in this particular little league receive some sort of assistance. Although baseball fields are not normally allowed within an ecological reserve, the little league that has operated here for decades introduces children and their guardians to an ecological reserve and to a lesser extent the Department. The Department recognizes that participants are there for baseball and softball, but once restoration is complete and the Department can expand its focus from restoration, this could be an opportunity for the Department to more actively interact with the little league's participants. It is a Department priority to increase investment in programs and resources to benefit underrepresented communities, especially to improve biodiversity and access to the outdoors. The Department needs each Californian and their diverse perspectives to be part of the conversation on how best to protect and conserve California's biodiversity as we tackle the challenges over the coming decades. Creative problem solving is needed and embracing this demographic could potentially best serve the purposes of this particular ecological reserve and the Department's mission. Until then, the Department will continue focusing on restoring the Reserve.

Thank you for time spent in reviewing this comment letter and please allow for a presentation by Grassroots Coalition et al. on Ballona, in order to initiate a dialogue with FGC and the Department regarding Ballona's future and a positive path forward,

Patricia McPherson, Grassroots Coalition