26. WILDLIFE RESOURCES COMMITTEE (WRC)

Today's Item **Information** ☐ **Action** ☒

Receive summary from the May 18, 2016 WRC meeting and adopt WRC recommendations. Receive update on WRC work plan and draft timeline. Discuss and approve new topics for WRC review.

Summary of Previous/Future Actions

- Most recent WRC meeting — May18, 2016; WRC, West Sacramento
- **Today approve WRC recommendations** — **Jun 22-23, 2016; Bakersfield**
- Next WRC meeting — Sep 21, 2016; WRC, Woodland

Background

Meeting Summary: The FGC directs the work of the WRC. The WRC met on May 18; a written summary of the meeting is provided in Exhibit 1.

At the May 18 meeting, WRC covered the following topics:

- 2017 sport fish regulations
- 2017-2018 mammal hunting regulations
- 2017-2018 waterfowl hunting regulations
- 2017-2018 Klamath River sport fishing regulations
- Proposed regulations for enhanced penalties for the illegal take of game
- Wild pig management
- Predator Policy Workgroup (PPWG)

With regard to the PPWG, the PPWG met on Apr 26 to develop a draft work plan for consideration by the WRC (Exhibit 2). The WRC reviewed the draft work plan and recommends approval by FGC (see *WRC Recommendations*). The PPWG also continued their discussion on structure, including coordination with the reviewers. Currently there are 31 reviewers. Given the challenges associated with coordinating with such a large group, the PPWG expressed their preference to work with a consistent group and recommended not allowing any more reviewers to be added. A summary and the audio-recording of the meeting are available at http://www.fgc.ca.gov/meetings/2016/index.aspx.

WRC Recommendations: Based on the meeting discussion, WRC has the following recommendations for FGC consideration:

1) Authorize staff to work with DFW to prepare a rulemaking package for the 2017 sportfish regulations consistent with what was presented and discussed at the meeting.
2) Authorize staff to work with DFW to prepare a rulemaking package for a regulation on enhanced penalties for the illegal take of game consistent with what was presented and discussed at the meeting.
3) Accept the proposed PPWG work plan as presented at the meeting.
4) Add Central Valley salmon to the WRC work plan schedule for Sep 2016.

New Agenda Topics: Current topics already referred to WRC are shown in Exhibit 3. In May, WRC identified Central Valley salmon as a potential new agenda topic (see *WRC Recommendations*).

Significant Public Comments (N/A)

Recommendations

FGC staff: Staff shares PPWG's concerns about coordination with such a large group of reviewers and maintaining consistency during this process and recommends the FGC not allow the addition of any more reviewers. Staff also recommends FGC approve WRC recommendations 1 – 4.

WRC: Approve WRC recommendations.

Exhibits

1. May 18, 2016 WRC meeting summary
2. PPWG draft work plan, dated May 27, 2016
3. WRC 2016-17 work plan

Motion/Direction

Moved by _____ and seconded by _____ that the Commission approves the recommendations from the May 2016 WRC meeting and directs staff to not add any more reviewers to the Predator Policy Workgroup.

Commissioners
Eric Sklar, President
Saint Helena
Jacque Hostler-Carmesin, Vice President
McKinleyville
Anthony C. Williams, Member
Huntington Beach
Russell E. Burns, Member
Napa
Peter S. Silva, Member
Chula Vista

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission

Wildlife Heritage and Conservation
Since 1870

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WILDLIFE RESOURCES COMMITTEE

Committee Chair: Commissioner Williams

Meeting Summary
May 18, 2016, 10:00 a.m.

Ziggurat Building - Auditorium
707 Third Street, West Sacramento

Following is a summary of the meeting as prepared by staff.

Call to order

The meeting was called to order at 10:01 a.m. by Commissioner Williams. Commission Williams introduced special guest, Commissioner Sklar, Fish and Game Commission (FGC) staff, and California Department of Fish and Wildlife (DFW) staff.

Committee Chair

Anthony Williams	Present

Commission Staff

Valerie Termini	Executive Director
Michael Yaun	Legal Counsel
Erin Chappell	Wildlife Advisor
Caren Woodson	Analyst

DFW Staff

David Bess	Deputy Director and Chief, Law Enforcement Division
Stafford Lehr	Acting Deputy Director, Wildlife and Fisheries Division
Karen Miner	Acting Chief, Wildlife Branch

Erin Chappell outlined meeting procedures and guidelines for participating in Committee discussions, noting that the Committee is a non-decision making body that provides recommendations to FGC. She reminded participants that the meeting was being audio-recorded for posting to the website with a meeting summary prepared by staff.

1. Approve agenda and order of items

Commissioner Williams approved the agenda and moved item 6 directly after item 3 (Note: for this summary, agenda items are presented in original order).

2. Public forum for items not on agenda

No public comments received.

3. Discuss and approve recommendations for 2017 sport fish regulations (Sections 1.45, et al.)

Karen Mitchell, Senior Environmental Scientist with DFW Fisheries Branch, presented the proposed changes for 2017 sport fish regulations. These changes include removing the fishing closure at Eastman Lake; removing San Clemente Reservoir from special fishing regulations; prohibiting take of rainbow trout in Los Padres reservoir; prohibiting fishing on Las Garzas Creek and its tributaries; and increasing take of kokanee salmon at Trinity Lake, Lake Pardee, New Bullards, Bar Reservoir, Bucks Lake, and Scotts Flat Reservoir. The proposal includes a general clean-up related to revision of sport fishing report card requirements, simplification of steelhead report card, updates to reptile and amphibian nomenclature, and clarification on landlocked salmon versus trout bag and possession limits in Section 7.00.

Public discussion: No public comments received.

Committee Recommenation: WRC recommends that FGC authorize staff to work with DFW to prepare a rulemaking package for the 2017 sportfish regulations consistent with what was presented and discussed today.

4. Identify and discuss initial recommendations for 2017-2018 regulations:

(A) Mammal hunting (Sections 360, et al.)

DFW is still wrapping up the 2016-2017 regulations and does not yet have any recommendations for the 2017-2018 package.

Public Discussion: A question was raised about the petition for a traditional archery hunt (Exhibit 4A.1., petition 2015-16) and a desire to further discuss and vet this proposal with DFW and FGC staff. A commenter requested that DFW consider increasing the number of deer tags for B zone by 5,000 tags to address the substantial reduction in tags a few years ago, and tags regularly selling out. In response, a stakeholder raised concern about increasing tags given the presence of wolves in California and the need to maintain a food source for predators. Stafford Lehr noted that DFW may sell close to 140,000 deer tags statewide each year but reported take is only about 10% of those sold; therefore an increase in tags may or may not result in increased take of deer. Finally, there was a comment to consider permitting year-round take of fallow, sambar, sika, and axis deer.

(B) Waterfowl hunting (Section 502)

DFW just completed the 2016-2017 regulations and does not yet have any recommendations for the 2017-2018 package.

Public Discussion: There was discussion regarding the observed increase in pintail in the Sacramento Valley and the possibility of increasing the limit. It was noted that any changes in the limit would have to be done through the federal framework.

(C) Klamath River sport fishing (Sections 7.50, et al.)

DFW does not have any specific proposals at this time.

Public Discussion: No public comments received.

5. **Discuss and approve recommendations for enhanced penalties for the illegal take of game regulations**

Captain Patrick Foy, DFW Law Enforcement Division, presented an overview of proposed regulations for enhanced penalities for the illegal take of game pursuant to Fish and Game Code subsection 12013.3(b). This section includes establishing a designation for deer, elk, antelope, big horn sheep, and wild turkey based on the size of the animal or related characteristics. The following options are proposed:

a. Mule deer – 3x3 or 4x4 with a 20 to 24 inch spread
b. Blacktail deer – 3x3 or 4x4 with 14 to 18 inch spread
c. Elk –5 or 6 points on one side
d. Antelope – 13 or 14 inches
e. Big Horn sheep – half or three-quarter curl
f. Wild turkey – 7 to 9 inch beard and/or 1-1.25 inch spurs

Public Discussion: Several stakeholders expressed general support for the legislation and appreciated DFW outreach on proposed regulations. There was some discussion on the need for stricter sentencing in the courts. Stafford Lehr noted that there is a concerted effort to rectify that issue and that the legislation and proposed regulations help address it. He also noted that DFW and FGC are working on the Wildlife Prosecutor of the Year award, which reinforces importance of follow-through in the courts.

Committee Recommendation: WRC recommends that FGC authorize staff to work with DFW to prepare a rulemaking package for this regulation consistent with what was presented and discussed today.

6. Discuss wild pig management

Erin Chappell provided a brief overview of previous discussions about wild pigs at the WRC, including the Oct 2015 WRC recommendation that the Commission support legislative efforts to make dealing with depredating pigs more efficient. Additionally, in

Jan 2016, Commissioner Sklar, FGC staff, and DFW staff attended a meeting with Assembly Member Bigelow to discuss the issues raised by Assembly Bill (AB) 290. In Feb 2016, FGC directed WRC to discuss possible changes in pig regulations and suggestions for possible legislation. Commissioner Williams invited Commissioner Sklar to share his perspective. Commissioner Sklar highlighted his experience dealing with wild pigs on his own property and need to address the depredation issues. However, he noted that AB290 as proposed did not solve the problem in a way that generated consensus and expressed his desire to use the WRC as a forum to facilitate dialogue and identify areas of consensus.

Craig Stowers, Environmental Program Manager with DFW Wildlife Branch, provided an overview of pigs in California including introduction, basic biology, current management, current issues, and possible management alternatives. The alternatives proposed include expanding DFW's Shared Habitat Alliance for Recreational Enhancement (SHARE) program, reducing fees for pig tags, and changing the classification from game mammal to non-game mammal.

Public Discussion: There was a robust discussion about a number of management options and concerns. The comments received are consolidated and summarized below.

- Species designation –some support for keeping pigs as a game mammal, while others questioned whether pigs, as a non-native species, should be afforded the same protections as native game mammals.
- Hunting – pigs were noted as a highly valued game species that provide good hunting opportunities
    - SHARE program –some support for expanding the program
    - Revenue –discussion centered around allocation of funds. Some support keeping revenues from hunting tags going to the Big Game account. Others noted that if the designation is changed, fund allocation should change and funding for research and efforts to reduce the population should also be considered. Some did not support revenues being used to repair damage by pigs on private property. There was some support for replacing tags with a validation. Commissioner Williams asked about potential impacts to revenues associated with a switch from tags to validation. The general response was that total potential revenue impacts are uncertain, but are not expected to be significant. Stafford Lehr suggested that an analysis via the Automated License Data System (ALDS) comparing hunters that bought one tag versus multiple tags could provide insight on potential impacts. Another suggested a review of changes in revenue and number of purchases when the price of the book of tags was changed previously. It was noted that the ecological benefits of increased take of feral pigs may far outweigh the money that would be used to fund big game projects. There was a question raised about how much money is spent by DFW to management the species versus the revenue gained. Stafford Lehr responded that they have begun to document this and could provide number of incidents and hours spent as an estimate of expenditures.
    - Licensing – there was some support for requiring a license for night hunting for both safety and enforcement reasons and a comment that all take

should require a license for safety reasons.
    - Access – access was raised as an issue. Some opportunities do exist on private property, such as through the SHARE program or through private hunts, but those only exist to the extent that private landowners are willing to participate. It was noted that insurance is an area that should be explored further.
- Depredation – some concerns about potential impacts from use of lead ammunition and ensuring proper disposal of carcasses to avoid attracting predators were raised.
- Take – concerns were also raised about methods of take (traps, snares, hounds, poison, aircraft) and fair chase. Others supported expanding sportmen's ability to take (methods and time of take).There was a suggestion to also consider non-lethal options as a means to manage species.
- Impact of pigs – it noted that hunting can contribute to perpetuating the pig population through importation and relocation. Craig Stowers noted that the Department of Food and Agriculture manages livestock so any proposals related to that would require coordination. Also discussed were impacts pig have on habitats for all kinds of species and the importance of reducing those impacts. There was a suggestion that management should consider regional and local options rather than broader statewide regulations as the one-size-fits-all approach won't work. A concern was raised that feral pigs, left unchecked, can become a major health hazard along and that the interface between wild pigs and the urban/suburban environments should be evaluated.
- Management – comment that this might be the topic that stakeholders can reach consensus on, especially if the goal is a focus on better management. There was some discussion on efforts in other states to manage pigs and how those approaches could inform this effort. A need for the group to get on same page with regards to the current status of pigs in California was noted, as there are some indications of drought impacts on the population. Finally, there were a couple suggestions on presentations to help inform the WRC: A presentation from Tejon Ranch on their management; or a presentation from Marc Kenyon, Senior Environmental Scientist with DFW Wildlife Branch, on emerging science and approaches being taken in other states.

Comissioner Williams noted some common ground and encouraged stakeholders to discuss and bring ideas forward for continued discussion. All options are on the table and we do not want to cherry pick at this time. Stafford Lehr acknowledged common ground but also highlighted that there are some areas where there is not. He suggesting using that common ground as starting point and agreed that we should consider what is happening in other states, approaches by APHIS, and try to get same understanding of the data so we can begin to look at alternatives and identify preferred solutions, while acknowledging that there will always be trade-offs.

Committee Direction: Commission Williams encouraged stakeholders to have conversations, provide feedback on suggestions that are emerging, and reconvene on this topic at the September WRC meeting. At that meeting he'd like to hear from DFW on the data, hear from regional stakeholders about local options, and evaluate statewide

and regional options. He also liked the suggestion to have a presentation by Tejon Ranch. He noted that there is more work to do before recommending a specific proposal.

7. Predator Policy Workgroup

(A) Workgroup update

Erin Chappell provided an overview of the first two Workgroup meetings and announced that the next meeting is scheduled for July 12, 2016.

(B) Discuss and approve recommendation for proposed work plan

Erin Chappell presented the proposed work plan draft from the April 2016 Workgroup meeting, highlighting the project scope, objectives, and timeline.

Public Discussion: There was a comment that the lack of local government representation on the Workgroup is a problem because that is where many of the issues arise. Also raised was concern that the timeline feels rushed and does not allow for science-based review of recommendations or policies that might come from the group, which is important since the Workgroup is not comprised of scientists.

Committee Recommendation: WRC recommends that FGC accept the proposed work plan as presented.

8. Future agenda items

(A) Review work plan agenda topics and timeline

Erin Chappell reviewed the WRC work plan agenda topics and timeline.

(B) Potential new agenda topics for FGC consideration

Stafford Lehr recommended adding the Central Valley salmon regulations to the September agenda, noting that there was not a placeholder for it last year which created some complications.

Public Discussion: A stakeholder asked if the coyote status review previously discussed at the WRC would be addressed at WRC or Predator Policy Workgroup. Response from Commission Williams that Predator Policy Workgroup was the appropriate venue for that discussion.

Committee Recommendation: WRC recommends that FGC add Central Valley salmon to the WRC work plan schedule for September.

Adjournment

The Wildlife Resources Committee meeting adjourned at 1:15 p.m.

Wildlife Resources Committee
Predator Policy Workgroup
Proposed Work Plan
Revised May 27, 2016

The Predator Policy Workgroup (Workgroup) is a body of the Wildlife Resources Committee (WRC) which was formed to allow greater time to investigate predator management policy issues in more detail than would otherwise be possible before the WRC. The Workgroup is comprised of ten member appointed by the Fish and Game Commission (Commission). The Workgroup is charged with providing input, developing ideas, and preparing recommendations concerning predator management policy and regulations in California.

To assist with the preparation of the report the Workgroup is proposing the following work plan which outlines the project scope, objectives and tasks, and timeline for this project. As the report is being drafted the Workgroup will solicit input, guidance, support, and review from project reviewers, interested stakeholders, and Department staff. This proposed work plan is being presented to the WRC for consideration and possible recommendation to the Commission.

WORK PLAN

Project scope

- **Purpose:** To evaluate whether existing predator policies and regulations reflect current understanding of science, wildlife management practices, ecological and environmental effects, economic concerns, social values, and public health and safety concerns.
- **Breadth:**
    - **Species -** Priority focus species include coyote, bobcat, badger, gray fox, mink, raccoon, short-tailed weasel, and long-tailed weasel. Black bear, mountain lion, gray wolf, stripped skunk, spotted skunk, and opossum are included as secondary focus species.
    - **Level of Governance -** Project will focus on predator management as it relates to state-level governance including Commission policy, California Code of Regulations (CCR) Title 14, and relevant State statutes.
- **Deliverable:** A report with the Workgroup's recommendations for predator management policy and regulatory proposals for consideration by the WRC.

Project Objectives and Tasks

- **Objective 1: Review existing predator policies and regulations**
  - Task 1: Compile summary of relevant, existing California predator management policies and regulations
  - Task 2: Research and compile predator management policies and regulations used in other states, at federal level, at local level, or countries/provinces and other management practices
  - Task 3: Identify what predator management issue(s) are not adequately addressed under existing policies and regulations
- **Objective 2: Develop proposed Commission Predator Management Policy**
  - Task 1: Based on findings from Objective 1, identify key elements to include in a draft predator management policy
  - Task 2: Develop draft policy for review and full discussion
  - Task 3: Prepare final draft policy for initial review and full discussion by Wildlife Resources Committee (WRC)
  - Task 4: Prepare final recommended policy for consideration and possible recommendation by the WRC to the Commission
- **Objective 3: Develop CCR Title 14 regulatory proposals**
  - Task 1: Based on findings from Objective 1, identify which existing regulations may be in need of revision
  - Task 2: Based on findings from Objective 1, identify issues that would need to be addressed through new regulations
  - Task 3: Fully vet the regulations identified under Task 1 to determine which to propose for revision
  - Task 4: Fully vet possible new regulations identified under Task 2 to determine which to propose for drafting
  - Task 5: Draft proposed revisions to language in existing regulations identified under Task 3 for review and full discussion
  - Task 6: Draft proposal for new regulations identified under Task 4 for review and full discussion
  - Task 7: Review and revise Tasks 5 and 6 for consistency with draft policy
  - Task 8: Based on outcomes from Task 7, develop draft regulatory proposal for initial review and full discussion by WRC
  - Task 9: Prepare final regulatory proposal for consideration and possible recommendation by the WRC to the Commission
- **Objective 4: Prepare summary of proposed statutory changes (Fish & Game Code)**
  - Task 1: Compile summary of existing, relevant statutes

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- Task 2: Evaluate statutes identified in Task 1 for consistency with draft policy and regulatory proposals (Objectives 2 and 3)
- Task 3: Identify if and where statutory changes are needed for alignment with draft policy and regulatory proposals
- Task 4: Draft summary of proposed statutory changes for review and discussion
- Task 5: Revise summary and present to WRC for initial review and discussion
- Task 6: Prepare final summary for consideration and possible recommendation by the WRC to the Commission

Project Timeline

- Objective 1: Review existing predator management policies and regulations
  - Task 1: Jun 2016
  - Task 2: Jun 2016
  - Task 3: Jul 2016
- Objective 2: Develop draft Commission predator management policy
  - Task 1: Jul 2016
  - Task 2: Jul-Aug 2016
  - Task 3: Aug-Sep 2016 (WRC)
  - Task 4: May-Jun 2017 (Commission)
- Objective 3: Develop draft CCR Title 14 regulatory proposals
  - Task 1: Aug 2016
  - Task 2: Aug 2016
  - Task 3: Sep 2016
  - Task 4: Sep 2016
  - Task 5: Oct-Nov 2016
  - Task 6: Oct-Nov 2016
  - Task 7: Nov 2016
  - Task 8: Dec 2016-Jan 2017(WRC)
  - Task 9: May-Jun 2017(Commission)
- Objective 4: Prepare summary of proposed statutory change recommendations
  - Task 1: Oct-Nov 2016
  - Task 2: Dec 2016-Jan 2017
  - Task 3: Jan-Feb 2017
  - Task 4: Feb-Apr 2017
  - Task 5: Apr-May 2017 (WRC)
  - Task 6: May-Jun 2017 (Commission)

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Wildlife Resources Committee (WRC) 2016-2017 Draft Work Plan: Schedule topics and timeline for items referred to WRC (Updated for Jun 2016 FGC meeting)

Topic	Type of Topic	2016			2017		
		JAN *Cancelled*	MAY (West Sac)	**SEP (Woodland)**	JAN (TBD)	MAY (TBD)	SEP (TBD)
Annual Game Regulations							
Upland Game Birds	Annual	X / R		**X**	X / R		
Sport Fish	Annual	X	X / R		X	X / R	
Mammals	Annual		X	**X / R**		X	X / R
Waterfowl	Annual		X	**X / R**		X	X / R
Central Valley Salmon	Annual					X	X / R
Klamath River Sport Fish	Annual		X	**X / R**		X	X / R
Regulations & Legislative Mandates							
Possession of game for processing into food (Sec. 3080(e), Fish and Game Code)	Referral for review	X			X	X / R	
Enhanced penalties for illegal take of game (Section 12013.3(b), Fish and Game Code)	Referral for review		X / R				
Emerging Management Issues							
Lead Ban Implementation	DFW project				X	X	X
Wild Pig Management	Referral for review		X	**X**	X / R		
Special Projects							
Predator Policy Workgroup	WRC workgroup		X	**X**	X	X / R	

KEY **X** Discussion scheduled **R** Recommendation developed and moved to FGC

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