



GAINES & ASSOCIATES

“GAINES REPORT”

CALIFORNIA FISH AND GAME COMMISSION & WILDLIFE RESOURCES COMMITTEE UPDATE

JANUARY 9, 2021

This *Gaines & Associates* “*California Fish and Game Commission & Wildlife Resources Committee Update*” is intended to provide our clients with what to expect at next week’s meetings of the California Fish and Game Commission and the Wildlife Resources Committee, and a brief recap of what took place at the Commission’s December 2020 meeting on the topic of 2021 mammal hunting regulations.

This “*Gaines Report*” is client privileged and provided as a service to clients of *Gaines & Associates*.

For more information on any of the issues below, or more detail on our efforts to protect and promote our client’s interests, please contact us at info@gainesandassociates.net

CALIFORNIA FISH & GAME COMMISSION – January 2021 Meeting Agenda

The January 2021 meeting of the California Fish and Game Commission is scheduled for Tuesday, January 12th, and will cover only two agenda items – 2021 mammal hunting regulations and whether listing four bumble bee species as endangered under the California Endangered Species Act may be warranted. This report will focus on mammal hunting regulations.

The January 2021 meeting of the Commission will be held via webinar and teleconference. For instructions on how watch or listen to the meeting, or how to provide public comment during the meeting, visit [FGC Meeting - Watch/Participate](#)

All agenda items of interest and concern to clients of *Gaines & Associates* are highlighted below:

To view the full agenda, click [FGC – January 2021 Mtg Agenda](#)

Tuesday, January 12, 2021 – 9:00 AM

Agenda Item 3 – Mammal Hunting Regulations

This item will serve as the second, or “discussion” hearing on DFW’s proposed changes to mammal hunting regulations for the 2021 season.

In addition to standard season adjustments to account for the annual calendar shift and other minor changes, DFW is proposing the following regulatory changes for the 2021 mammal hunting seasons:

- *Amend the number of deer tags in zone X-3b to 500 tags.*
 - *2020 tag quota was 794.*
 - *2020 tag quotas will be maintained for all other deer hunting zones.*
- *Modify the deer season dates for Fort Hunter Liggett hunts (G-8 and J-10)*
 - *Modify the season to account for the annual calendar shift by changing the seasons to open on the first Saturday in October and continue for two consecutive days and reopen on the second Saturday in October and continue for three consecutive days.*
- *Adjust the number of Pronghorn antelope tags available for Zone 3 Likely Tables to 25 tags each for Period 1 and 2 buck hunts.*
 - *2020 tag quotas were 45 each for Period 1 and 2 buck hunts.*
- *Authorize DFW to refund tag fees, reinstate preference points, and award one preference point for the license year for specified elk, pronghorn antelope, and bighorn sheep hunts for hunters who endured a significant loss of opportunity due to forest closures or fire in specified hunt zones. This section would remain in effect only until June 30, 2021. The impacted hunts are as follows:*

Elk hunts recommended for tag and point refunds are:

- *Marble Mountains Either-Sex Apprentice (Roosevelt), Sept. 9-20*
- *Northeastern California Archery Either Sex (Rocky Mountain), Sept. 2-13*
- *Marble Mountains Antlerless (Roosevelt), Sept. 9-20*
- *Marble Mountain Bull (Roosevelt), Sept. 9-20*
- *Northwestern California Antlerless (Roosevelt), Sept. 2-24*
- *Northwestern California Bull (Roosevelt), Sept. 2-24*
- *Siskiyou Antlerless (Roosevelt), Sept. 9-20*
- *Siskiyou Bull (Roosevelt), Sept. 9-20*
- *East Park Reservoir Antlerless (Tule), Sept. 5-Oct. 1*
- *East Park Reservoir Bull (Tule), Sept. 5-Oct. 1*
- *Lake Pillsbury Period 1 Antlerless (Tule), Sept.9-1*
- *Northeastern California Either-Sex Apprentice (Rocky Mountain), Sept. 16-27*

- *Northeastern California Bull (Rocky Mountain), Sept. 16-27*
- *Northwestern California Either-Sex (Roosevelt), Sept. 2-24*

Pronghorn hunts recommended for tag and point refunds are:

- *Zone 4 Lassen Period 2 General Buck, Sept. 5-13*
- *Zone 3 Likely Tables Period 2 General Buck, Sept. 5-13*

Bighorn hunts recommended for tag and point refunds are:

- *Zone 7 – White Mountains*

Further discussion and final adoption of the 2021 mammal hunting regulations will take place at the Commission’s meeting on February 10, 2021.

To review the full Commission Meeting Binder – including the Commission staff summary on Agenda Item 3 regarding 2021 mammal hunting regulations, click [FGC Mtg Binder/2021 Mammal Regs](#)

CALIFORNIA FISH & GAME COMMISSION – December 2020 Meeting Recap

The December 2020 meeting of the California Fish and Game Commission was a two-day webinar/teleconference meeting held on Wednesday, December 9th, and Thursday, December 10th. The first day of the two-day meeting was dedicated to marine fishery related issues, with day two – Thursday, December 10th – dedicated to wildlife related topics including 2021 mammal hunting regulations. As such, this *Gaines Report* will focus only on the discussion of 2021 mammal hunting regulations at the December 2020 Commission meeting. A recap of all other topic areas discussed at the December 2020 Commission meeting will be covered under our next *Gaines & Associates “California Fish and Game Commission Update”*.

To view the full agenda of the December 2020 Commission meeting, click [FGC – December 2020 Mtg Agenda](#)

Thursday, December 10, 2020 – 9:00 AM

The December 10, 2020 meeting of the Commission was gaveled open by Commission Vice-President Samantha Murray, with Commissioners Peter S. Silva and Jacque Hostler-Carmesin present. Commission President Eric Sklar was absent, with one Commission seat vacant.

Agenda Item 26 – Mammal Hunting

This item will serve as the initial “notice” hearing on DFW’s proposed changes to mammal hunting regulations for the 2021 season.

This item was opened with a brief presentation provided by Scott Gardner, Chief of the Department of Fish and Wildlife (DFW) Wildlife Branch. Mr. Gardner began by noting that DFW was bringing forward a total of four proposal changes for 2021 mammal regulations.

Mr. Gardner stated that the first change DFW was recommending to 2021 mammal regulations was to modify deer season dates for Fort Hunter Liggett hunts G-8 (Antlerless) and J-10

(Apprentice/Either-Sex) to better allow for year-to-year annual calendar shift. For these two hunt zones, DFW is proposing to change the seasons to open on the first Saturday in October and continue for two consecutive days and reopen on the second Saturday in October and continue for three consecutive days. Mr. Gardner noted that the regulation would also include an option that would allow the Base Commander to reschedule hunts, if necessary, to accommodate the military base operations. Rescheduling of the hunts would require the concurrence of DFW and would have to take place between the season opener and December 31st.

Moving on to DFW's second change, Mr. Gardner stated that DFW was recommending that the number of deer tags in zone X-3b be reduced from 794 to 500. Mr. Gardner noted that the decision to reduce the quota of X3b was based upon population surveys and hunter success which suggested that deer numbers in that zone had decreased. He also stated that deer habitat in this area had been impacted heavily by drought, fire, invasive plant species and juniper expansion.

Mr. Gardner then commented that the third recommendation DFW was bringing forward for 2021 was to decrease the number of antelope tags available for Zone 3 Likely Tables Period 1 and 2 buck hunts from 45 to 25 tags. Mr. Gardner noted that this proposal was based upon reduced pronghorn population numbers resulting from habitat loss due to drought and fire, and corresponding reduced hunter success.

Mr. Gardner then stated that the final recommendation DFW was bringing forward for 2021 was for the Commission to approve temporary regulations which would provide authority for DFW to refund certain tag fees, reinstate preference points, and award one preference point for the license year for specified elk, pronghorn antelope, and bighorn sheep hunts for hunters who endured a significant loss of opportunity due to forest closures and/or fire in specified hunt zones. If adopted, this section would remain in effect only until June 30, 2021. Mr. Gardner noted that DFW had considered some other options – including re-issuing tags in 2021 to those hunters who were drawn in 2020 – but chose not to for a variety of reasons. (See above “Agenda Item 3 – Mammal Hunting Regulations” of the January 12, 2021 meeting of the Commission for greater detail on the impacted hunts).

Following Mr. Gardner's presentation, and a fair amount of discussion with those on the dais, Vice-President Murray called for public testimony. *Gaines & Associates* was pleased to provide testimony on behalf of the *Rocky Mountain Elk Foundation* and the *California Chapter of the Wild Sheep Foundation* in strong support of the recommendation to reinstate preference points and refund tag fees for these impacted zones. *Gaines & Associates* also took the opportunity to thank the Department staff for working with us and putting forth the effort necessary to expedite bringing this proposal forward to the Commission in time to allow for this adjustment to be made prior to the 2021 draw.

Following public testimony – and a fair amount of dialogue between DFW and the Commission regarding the why DFW was not in favor of re-issuing tags in 2021 to those who were drawn in 2020 – the Commission voted unanimously to authorize publication of the notice amend mammal regulations for the 2021 season.

To review the Commission staff summary on Agenda Item 26 regarding 2021 mammal hunting regulations – including the DFW staff presentation, click [FGC Staff Summary – 2021 Mammal](#)

WILDLIFE RESOURCES COMMITTEE – January 2021 Meeting Agenda

The Wildlife Resources Committee (WRC) serves as a subcommittee of the California Fish and Game Commission and is chaired by Commission President Eric Sklar.

Following the January 12, 2021 meeting of the full Commission, the WRC subcommittee will meet. The WRC meeting will begin approximately 15 minutes after the Commission meeting is adjourned, but no earlier than 10:30 AM.

The January 2021 meeting of the WRC will also be held via webinar and teleconference. For instructions on how watch or listen to the meeting, or how to provide public comment during the meeting, visit [WRC Meeting - Watch/Participate](#)

All agenda items of interest and concern to clients of *Gaines & Associates* are highlighted below:

To view the full agenda, click [WRC – January 2021 Mtg Agenda](#)

Tuesday, January 12, 2021 – Approximately 10:30 AM

Agenda Item 4 – Inland Sport Fishing

This item will allow for updates from DFW and stakeholders on ongoing discussions regarding inland boat limits and discussion of potential options.

At their February 2019 meeting, the Commission denied a petition to institute inland fishing boat limits, but also requested that after statewide inland sport fishing simplification regulations were complete, DFW and Commission staff explore with stakeholders the feasibility of instituting boat limits for inland fishing – similar to how they are currently permitted in marine waters.

Following approval of the sport fishing simplification regulations at the October 2020 meeting of the Commission, DFW and Commission staff met with the petitioners to discuss the feasibility of instituting boat limits on inland waters. At today's meeting, WRC will receive presentations from DFW and the group that originally requested the Commission to consider instituting inland fishing boat limits. The presentations will provide background on the proposal and focus on the issues, concerns, and implications that have been raised, including:

- *Potential increases in trip numbers and catch rates*
- *Equity with other types of fishing*
- *Assessment and monitoring of fish stocks*
- *Potential quotas to control harvest and protect fisheries*
- *Enforcement concerns*
- *Regulatory consistency and overall scope*

This meeting will provide an opportunity for DFW to engage the broader public to discuss options and roadblocks and to identify potential pathways forward.

Agenda Item 5 – Striped Bass

This item is to serve as an opportunity to discuss striped bass management – including potential:

- *Slot limits*
- *New avenues for DFW monitoring*
- *Research and data gathering opportunities*
- *Striped bass management plan*

To provide some background, in April 2020 the *Northern California Guides and Sportsmen's Association* submitted Petition #2020-005 AM 1 to the Commission requesting that a slot limit on striped bass from 20-30 inches be considered for rulemaking. If eventually adopted into regulation, the proposal would increase the minimum size of a striped bass that may be harvested from 18 inches to 20 inches and restrict the harvest of any striped bass over 30 inches.

At their June 2020 meeting, the Commission referred Petition #2020-005 AM 1 to DFW for review and recommendation. At the December 2020 Commission meeting, DFW stated that they had reviewed the petition and recommend that it be accepted for further consideration to evaluate the feasibility of the proposed changes. At the December 2020 meeting, following receipt of the DFW recommendation, the Commission granted Petition #2020-005 further review and evaluation. Aware that any changes to the striped bass fishery will be highly controversial and scrutinized by California's angling and environmental interests, the Commission and DFW agreed that any potential future regulatory proposal must be based on thorough discussion and consideration by Commission and DFW staff in concert with the petitioners.

To that end, over the next year, DFW has committed to convening a Striped Bass Working Group consisting of DFW staff to evaluate potential changes to the current striped bass fishing regulations. The Working Group will evaluate current information and data and collect new information as needed to determine the status of the striped bass population and trends in angler effort and harvest. In addition, the current Interagency Ecological Program annual workplan involves an internal analysis of the DFW's Striped Bass Monitoring Program to help evaluate existing effort and identify the best monitoring strategies to effectively measure and manage the striped bass population.

Agenda Item 7 – Human-wildlife conflicts

This agenda item will provide for an open discussion regarding issues surrounding human-wildlife conflicts, including upcoming workshops and DFW policies.

To review the full WRC Meeting Binder – including greater detail on all the above WRC meeting agenda items, click [WRC Mtg Binder – January 2012](#)

PLAN AHEAD!!!

BELOW ARE THE DATES OF UPCOMING COMMISSION MEETINGS!

For more information on any of the below Commission related meetings, click <https://fgc.ca.gov/Meetings>

CALIFORNIA FISH & GAME COMMISSION – February 2021 Meeting

***The February 2021 meeting of the California Fish and Game Commission is scheduled for February 10th and 11th and will be held via webinar and teleconference.
How individuals can “attend” this meeting is yet to be determined.***

CALIFORNIA FISH & GAME COMMISSION – April 2021 Meeting

***The April 2021 meeting of the California Fish and Game Commission is scheduled for April 14th and 15th and will be held via webinar and teleconference.
How individuals can “attend” this meeting is yet to be determined.***

WILDLIFE RESOURCES COMMITTEE – May 11, 2021 Meeting

***The May 11, 2021 meeting of the WRC will be held via webinar and teleconference.
How individuals can “attend” this meeting is yet to be determined.***

CALIFORNIA FISH & GAME COMMISSION – June 2021 Meeting

***The June 2021 meeting of the California Fish and Game Commission is scheduled for June 16th and 17th and will be held via webinar and teleconference.
How individuals can “attend” this meeting is yet to be determined.***

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