



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



THURSDAY, JULY 25, 2019

Meeting Time: 4:00 p.m.

Location: DER Conference Room, 3800 Cornucopia Way, Ste. C, Modesto (Stanislaus Building - 2nd floor)

AGENDA

Call Meeting to Order & Introductions:

The Stanislaus County *Fish & Wildlife Committee (F&WC)* encourages public participation and welcomes the public's interest.

Members of the public may be heard on any item of the Fish and Wildlife Committee's Agenda. A person addressing the Committee will be limited to five (5) minutes, unless the Chairperson of the Committee grants a longer period of time. The Committee will allow comments by members of the public on an agenda item only during consideration of the item.

Requests for Funds & Project Updates:

1. Fund Request received from East Stanislaus Resource Conservation District.

Correspondence:

1. Notice of Receipt of Petition to list San Bernardino kangaroo rat as endangered under the California Endangered Species Act. Introduction of Attendees
2. Notice of Proposed Changes in Regulations relative to the use of traps to take hagfish
3. Consideration of Adoption of Notice of Proposed Regulatory Actions relative to "Mammal Hunting Regulations" in Section 362, 364, 364.1 and 708.6, identified as Title 14, California Code of Regulations.
4. Correspondence from Wildlife Conservation Board Re: Enhancing Wildlife Habitat and Carbon Sequestration on Working Lands.
5. Memorandum from California Wildlife Foundation Re: Conserving Oaks.
6. Notice of Proposed Emergency Action Re: Special Order Regarding Take of Chinook Salmon in Anadromous Waters of the Klamath River Basin Downstream of Iron Gate and Lewiston Dams.

Agenda Items:

1. Public Comment(s)
2. Introduction of Attendees
3. Fund Request
4. Department of Parks and Recreation Changes – Jami Aggers
5. Steven Shepard, River Partners – Guest Speaker
6. Update on Fishing Survey Cards
7. Approval of April 25, 2019 Meeting Minutes
8. Wildlife Management Report
9. Fishery Report
10. Wildlife Enforcement Report
11. Wood Duck Report
12. Old Business
13. Committee Comments

Adjourn: Next meeting – Thursday, October 25, 2019, at 4:00 p.m.

Please notify the Department of Parks and Recreation at 525-6770 in advance if you will be attending this meeting and require special accommodation for the meeting.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Committee Secretary at (209) 525-6770. Notification 72 hours prior to the meeting will enable the Department to make reasonable arrangements to ensure accessibility to this meeting. Agendas can also be found online at <http://www.stancounty.com/parks/fish-wildlife-committee.shtm> subject to staff's ability to post prior to the meeting. Materials related to an item on this Agenda submitted to the Committee after distribution of the agenda packet are available for public inspection during normal business hours at the main office of the Department of Parks and Recreation, 3800 Cornucopia Way, Suite C, Modesto, CA 95358.



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE



3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358

PARKS AND RECREATION
Jami Aggers, Director
Ed Ayers, Chair

MINUTES

APRIL 25, 2019, AT 4:00 P.M.

**3800 CORNUCOPIA WAY, 2ND FLOOR, CONFERENCE ROOM
MODESTO, CA 95358-9494**

(Agendas can be found online at <http://www.stancounty.com/parks/fish-wildlife-committee.shtml>)

COUNTY FISH & WILDLIFE MEMBERS PRESENT:

Ed Ayers, D2
Phil McKay, D2
Jim Atherstone, D3
Bob Bashaw, D5
Kern Hunewill, D5

STATE FISH & WILDLIFE REPRESENTATIVES:

None

PARKS & RECREATION STAFF PRESENT:

William Shirley
Dianne Parkinson

EXCUSED/ABSENT:

Jason Guignard, D1
Vernon Gladney, D1
Tom Sexton, D1
Ken Meidl, D4

GUESTS PRESENT:

None

A. CALL TO ORDER & INTRODUCTIONS

Ed Ayers called the meeting to order. No introductions were made.

Ed Ayers

B. REQUESTS FOR FUNDS/PROJECT UPDATES

No request for funds received. See the update on the Kid's Fishing Day below.

ACTIONS & REPORTER

Ed Ayers

C. CORRESPONDENCE

Jim Atherstone wanted clarification regarding the correspondence on filleting of California Sheephead on vessels.

ACTIONS & REPORTER

Ed Ayers
Jim Atherstone

D. PUBLIC COMMENTS

None.

ACTIONS & REPORTER

Ed Ayers

E. UPDATE ON KID'S FISHING DAY

The Kid's Fishing Day has been cancelled for 2019. Phil McKay spoke to Norm Winchester and the water flows are at 4,000 on the Stanislaus River and they won't put on the Kid's Fishing Day unless the water flows are less than 1,700.

William Shirley indicated that Norm Winchester emailed the Stanislaus County Department of Parks and Recreation, and informed us that the event had been cancelled for 2019, and that he would get back in touch with us for the 2020 event.

ACTIONS & REPORTER

Phil McKay
William Shirley

<p>F. VOTE ON BYLAW CHANGES CONCERNING ALT. MEMBERS</p> <p>Ed Ayers suggested that the Bylaws be changed to state "3" alternate members instead of "5" alternate members. The last time that the Bylaws were revised was in April of 2017. Further requested modifications:</p> <ul style="list-style-type: none"> • Jim Atherstone stated that he would prefer that the language "at large" be put after every mention of alternate members, i.e., alternate members at large. • Bob Bashaw stated he would prefer that the 2017 Bylaws stand as they are currently written. • Kern Hunewill stated that he would prefer that the language "up to" should be inserted before "3/5 alternate members" in the 2017 Bylaws, i.e., up to 3-5 alternate members. <p>After some discussion, it was decided that the current 2017 Bylaws will remain as-is, until further notice. William Shirley or Dianne Parkinson will provide a copy of the most recent Bylaws to each of the Committee Members at the next meeting.</p>	<p>ACTIONS & REPORTER</p> <p><i>Ed Ayers</i> <i>Jim Atherstone</i> <i>Bob Bashaw</i> <i>Phil McKay</i> <i>Kern Hunewill</i></p>
<p>G. UPDATE ON FISHING SURVEY CARDS/FISHING TOURNAMENT AT WOODWARD RESERVOIR</p> <p>The Committee Members requested that the Survey be re-done and be specific to Modesto Reservoir and Woodward Reservoir, only. Dianne Parkinson will re-do the Survey and have it ready for the next Committee Meeting on July 25, 2019.</p>	<p>ACTIONS & REPORTER</p> <p><i>Ed Ayers</i> <i>Phil McKay</i> <i>Kern Hunewill</i> <i>Jim Atherstone</i> <i>Bob Bashaw</i></p>
<p>H. APPROVAL OF MINUTES</p> <p>Jim Atherstone motioned to accept the January 24, 2019 Minutes, and Kern Hunewill seconded the motion. The motion was unanimously carried.</p>	<p>ACTIONS & REPORTER</p> <p><i>Jim Atherstone</i> <i>Kern Hunewill</i></p>
<p>I. WILDLIFE MANAGEMENT REPORT</p> <p>None.</p>	<p>ACTIONS & REPORTER</p> <p><i>Ed Ayers</i></p>
<p>J. FISHERY REPORT</p> <p>No new information to report.</p>	<p>ACTIONS & REPORTER</p> <p><i>Ed Ayers</i></p>
<p>K. WILDLIFE ENFORCEMENT REPORT</p> <p>Fish & Wildlife received two (2) checks today, one for \$3,000 and one for \$900.00, both with regard to an environmental settlement of the case entitled "People v. Kohl's Department Stores, San Joaquin County Superior Court Case No. STK-CV-UBT-2019-3968."</p>	<p>ACTIONS & REPORTER</p> <p><i>Ed Ayers</i> <i>William Shirley</i></p>
<p>L. WOOD DUCK REPORT</p> <p>Bob Bashaw reported that there were sightings of a Drake and a Hen; however, he hasn't seen the Hen in a while. Bob still has three (3) boxes left from last year. No evidence of ducklings yet and no activity in the boxes.</p>	<p>ACTIONS & REPORTER</p> <p><i>Ed Ayers</i> <i>Bob Bashaw</i></p>

M. OLD BUSINESS AND COMMITTEE COMMENTS	ACTIONS & REPORTER
<ol style="list-style-type: none"> 1. With regard to the quail guzzlers project, James Pursley, Manager of Frank Raines, said that the better days at Frank Raines are Tuesdays, Wednesdays and Thursdays, with the best day is Thursday, i.e., May 8th or 9th, 2019. Phil McKay said that an email should be sent out to the Committee Members to find out if anyone is interested in going out on May 8, 2019. 2. When sending an email to the Committee Members regarding notification of our meetings, make a notation that encourages the Committee Members to attend the meeting and, if a Committee Member cannot attend, to inform the Department of Parks and Recreation if you are unable to attend physically, you may attend via phone conference; however, if you cannot attend in any way due to a family emergency, family vacation, work, etc., please inform the Committee of your absence and your reason. William Shirley will contact Jason Guignard regarding his lack of presence at the Committee Meetings. 	<p>Ed Ayers Phil McKay William Shirley</p>
N. ADJOURNMENT & NEXT MEETING	ACTIONS & REPORTER
<p>There being no further business, Jim Atherstone motioned to adjourn the meeting and Kern Hunewill seconded the motion. The meeting was adjourned at 5:25 p.m. The next regular meeting of the Fish and Wildlife Committee will be held on:</p> <p style="text-align: center;">Thursday, July 25, 2019 at 4:00 p.m. Conference Room, 2nd Floor - Stanislaus Bldg. 3800 Cornucopia Way, Modesto, CA 95358</p>	<p>Ed Ayers Jim Atherstone Kern Hunewill</p>

Prepared By: William Shirley & Dianne Parkinson, Fish & Wildlife Secretaries

209-525-6770

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Fund Request Application

Stanislaus County Fish and Wildlife



STANISLAUS COUNTY
FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358

Applicant Name Alexandria Miranda
Agency East Stanislaus Resource Conservation District
Mailing Address 3800 Cornucopia Way, Suite E
City, State, Zip Modesto, CA 95385
Phone 209-287-3672 E-mail alexandria@eaststanrcd.org

Requesting Fund Amount \$ \$243.27 Funds needed by October 1, 2019

Project Performance Period November 9, 2019

Event Name (if applicable) Stanislaus River Salmon Festival

Purpose The purpose of this festival is to provide our community with an opportunity to get outdoors and learn more about the diverse resources of Stanislaus County as well as the importance of protecting them. Attendees experience hands on learning and get to create their own free Salmon Festival t-shirts with fish stamps and paint!

Fish and Wildlife Code(s) Met (CFG Code Section 13100-13104) 13103 (a) and 13103 (m)

Public Benefit The free event provides students and families a day of hands-on activities to learn about the life cycle of Salmon and about the Stanislaus River. The event is an educational experience for public to better understand the need to protect, conserve, propagate, and preserve our fish and wildlife.

Detail Items to be Purchased (include cost per item, and/or attach quote(s). Additional sheets may be attached.)

123 plain white youth and adult t-shirts - \$243.27 Total (ESRCD to pay taxes and S&H) See attached estimate.

Vendor to be purchased from CheapesTees.com

Will you accept partial funding? ☒ YES ☐ NO

This application may be fax to (209) 525-6773 or mailed to:

Stanislaus County Fish & Wildlife Committee
c/o Stanislaus County Parks and Recreation
Attn: Parks Administration
3800 Cornucopia Way, Suite C
Modesto, CA 95358

I have read and understand the Fund Request Procedures and agree to utilize the funds I am approved for to purchase items listed in this packet for said purposes and in accordance to California Fish and Wildlife Codes and Regulations. I understand I will follow-up with the Committee on the outcome of this fund request by attendance at a Fish and Wildlife Committee meeting within one year.

Signature: Alexandria Miranda Date: 6/27/19

OFFICE USE ONLY:

APPROVED FOR \$ _____ MEETING DATE: _____



Board of Directors

Mike Passalacqua, Chairman

Sherman A. Boone, Chairman

Susan Harper, Director

Darrell Cordova, Director

Tanya Gemperle, Director

www.eaststanrcd.org

June 19, 2019

Dear Stanislaus County Fish and Wildlife Committee,

The East Stanislaus Resource Conservation District is thrilled to announce our 11th annual Stanislaus River Salmon Festival, happening November 9, 2019! As each year passes, the purpose of our festival remains strong to provide our community with an opportunity to get outdoors and learn more about the diverse resources of Stanislaus County as well as the importance of protecting them. This year, the festival will host even more activities for adults and children including: fun and interactive booths, live music, food, live animals, fish print t-shirt designing, fly fishing demos, and historic tours. The event will also feature educational exhibits on seasonal salmon runs, local agriculture, and the organizations working to promote clean water here in Stanislaus County.






Last year we had approximately 5,500 people attend the festival, more than we've ever had before, and are expecting a similar turn out again this year. The ESRCD would like to request your continued support of this community festival through a donation of \$243.27 to purchase the memorable t-shirts that attendees get to stamp and take home. It has become a favorite tradition of many!

Thank you for supporting another great year of the Salmon Festival!

Alexandria Miranda

Educational Outreach Coordinator
East Stanislaus Resource Conservation District

Shopping Cart

Item	Options	Unit Price	Qty.	Cost
 Gildan Lightweight 100% Cotton T-Shirt [remove]	Color : White Size : M	\$1.94	<input type="text" value="15"/>	\$29.10
 Gildan Lightweight 100% Cotton T-Shirt [remove]	Color : White Size : L	\$1.94	<input type="text" value="15"/>	\$29.10
 Gildan Youth Lightweight 100% Cotton T-Shirt [remove]	Color : White Size : XS	\$1.99	<input type="text" value="12"/>	\$23.88
 Gildan Youth Lightweight 100% Cotton T-Shirt [remove]	Color : White Size : M	\$1.99	<input type="text" value="31"/>	\$61.69
 Gildan Youth Lightweight 100% Cotton T-Shirt [remove]	Color : White Size : L	\$1.99	<input type="text" value="50"/>	\$99.50
Update				
Subtotal:				\$243.27
Total:				\$243.27

Commissioners
Eric Sklar, President
Saint Helena

Jacque Hostler-Carmesin, Vice President
McKinleyville

Russell E. Burns, Member
Napa

Peter S. Silva, Member
Jamul

Samantha Murray, Member
Del Mar

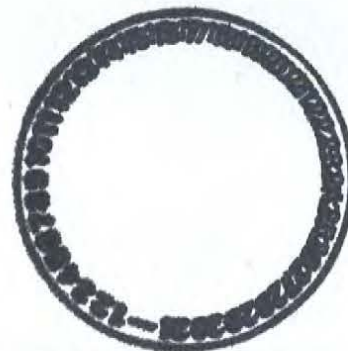
STATE OF CALIFORNIA
Gavin Newsom, Governor

Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

Melissa Miller-Henson
Acting Executive Director
P.O. Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
fgc@fgc.ca.gov
www.fgc.ca.gov



April 10, 2019

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Receipt of Petition to list San Bernardino kangaroo rat (*Dipodomys merriami parvus*) as endangered under the California Endangered Species Act. The notice will be published in the California Regulatory Notice Register on April 12, 2019.

Sincerely,

Sheri Tiemann

Sheri Tiemann
Associate Governmental Program Analyst

Attachment



Commissioners
Eric Sklar, President
Saint Helena

Jacque Hostler-Carmesin, Vice President
McKinleyville

Russell E. Burns, Member
Napa

Peter S. Silva, Member
Jamul

Samantha Murray, Member
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CALIFORNIA FISH AND GAME COMMISSION NOTICE OF RECEIPT OF PETITION

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission (Commission), on March 15, 2019, received a petition from the Endangered Habitats League to list San Bernardino kangaroo rat (*Dipodomys merriami parvus*) as endangered under the California Endangered Species Act.

Necessary habitat characteristics for San Bernardino kangaroo rat include: sandy or gravelly soils and substrates, generally supporting open-structured alluvial fan scrub vegetation, in floodplains with active fluvial processes and nearby upland and/or less frequently inundated terraces.

Pursuant to Section 2073 of Fish and Game Code, on March 22, 2019, the Commission transmitted the petition to the California Department of Fish and Wildlife (Department) for review pursuant to Section 2073.5 of said code. The Commission will receive the petition at its April 17, 2019, meeting in the City of Santa Monica Civic Auditorium East Wing, 1855 Main Street, Santa Monica, California. It is anticipated that the Department's evaluation and recommendation relating to the petition will be received by the Commission at its August 7-8, 2019, meeting in Sacramento.

Interested parties may contact Scott Osborn, California Department of Fish and Wildlife, 1812 Ninth Street, Sacramento, CA 95811 or email Scott.Osborn@wildlife.ca.gov, or telephone (916) 324-3564 for information on the petition or to submit information to the Department relating to the petitioned species.

April 2, 2019

Fish and Game Commission

Melissa Miller-Henson
Acting Executive Director

Commissioners
Eric Sklar, President
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Jacque Hostler-Carmesin, Vice President
McKinleyville

Russell E. Burns, Member
Napa

Peter S. Silva, Member
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Gavin Newsom, Governor

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April 19, 2019

TO ALL INTERESTED AND AFFECTED PARTIES

This is to confirm that consideration of adoption of proposed regulatory actions relative to "Mammal Hunting Regulations" in section 362, 364, 364.1 and 708.6, identified in Title 14, California Code of Regulations, which appeared in the California Regulatory Notice Register on January 11, 2019, has been continued to the Commission's teleconference meeting on May 16, 2019.

In addition, this is to provide notice of the following modifications to proposed language contained in the original notice:

1. Originally-specified tag quota ranges in sections 362, 364 and 364.1 were modified to specify final tag quota recommendations within the ranges; and
2. Section 362 boundary descriptions for the proposed Zone 10 – Newberry, Rodman and Ord Mountains Hunt Zone were modified for simplification and clarity; and
3. Two elk tag quota ranges in Section 364.1 were corrected:
 - a. The antlerless tag quota range for the Northwestern Elk Hunting Zone was revised from 0-32 tags to 0-34 tags, consistent with the project as described in the Environmental Document; and
 - b. A tag range of 0-2 was specified for either-sex tags for the Northeast California Elk Hunting Zone subsection 364.1(j)(1)) as originally intended, consistent with the project as described in the Environmental Document.

NOTICE IS NOW GIVEN that any person interested may present statements, orally or in writing, relevant to the proposed regulatory actions at the Commission's teleconference hearing on Thursday, May 16, 2019, at 8:00 a.m., or as soon thereafter as the matter may be heard, in the Commission's conference room, 1416 Ninth Street, Room 1320, Sacramento, California or at one of three California Department of Fish and Wildlife (CDFW) offices: Arcata Field Office, 5341 Ericson Way, Arcata, CA 95521, CDFW Fairfield Regional Office, 2825 Cordelia Road, Suite 100, Fairfield, CA 94534, and CDFW San Diego Regional Office, 3883 Ruffin Road, San Diego, CA 92123.



Written comments to be considered during preparation of the adoption hearing meeting materials should be submitted no later than May 3, 2019, at the address given below, or by email to FGC@fgc.ca.gov. Any written comments mailed or emailed to the Commission office must be received before 12:00 noon on May 10, 2019 after which any comments (orally or written) must be received at the May 16, 2019 teleconference hearing, at one of the locations listed above. If you would like copies of any modifications to this proposal, please include your name and mailing address in your correspondence. Mailed comments should be addressed to California Fish and Game Commission, PO Box 944209, Sacramento, CA 94244-2090.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon D. Snellstrom", is written over a large, light blue circular stamp or watermark.

Jon D. Snellstrom
Associate Government Program Analyst

Regulatory Language

Section 362, Title 14, CCR, is amended to read:

§362. Nelson Bighorn Sheep

(a) Areas:

. . . [No changes to subsections (a)(1) through (9)]

(10) Zone 10 – Newberry, Rodman and Ord Mountains: That portion of San Bernardino County beginning at the junction with Interstate Highway 40 and Fort Cady Road; West on Interstate Highway 40 to the junction with Barstow Road; South on Barstow Road to the junction with Northside Road; East on Northside Road to the intersection of Camp Rock Road; North on Camp Rock Road to the intersection with Powerline Road; East on Powerline Road and continue on Transmission Line Road to the intersection with Bessemer Mine Road/Canyon Route; North on Bessemer Mine Road/Canyon Route to the intersection with Troy Road; West on Troy Road to the intersection with Fort Cady Road; North on Fort Cady Road to the Junction with Interstate 40 to the point of the beginning. **Interstate 40 and Barstow Road; South on Barstow Road to the junction with Northside Road; East on Northside Road to the intersection with Camp Rock Road; Northeast on Camp Rock Road to the intersection with Powerline Road; East on Powerline Road and continue on Transmission Line Road to the intersection with Interstate 40, West along Interstate 40, to the point of the beginning.**

(b) Seasons:

. . . [No changes to subsections (b)(1) through (2)]

(3) ~~Kelso Peak and Old Dad Mountains~~ Cady Mountains Fund-raising Tag: The holder of the fund-raising license tag issued pursuant to subsection 4902(d) of the Fish and Game Code may hunt:

(A) ~~Zone 2:~~ Zone 9: Beginning the first Saturday in November and extending through the first Sunday in February.

(4) Except as provided in subsection 362(b)(1), the Nelson bighorn sheep season in the areas described in subsection 362(a) shall be defined as follows:

(A) ~~Zones 1 through 4, 6, 8 and 9:~~ Zones 1, 2, 3, 4, 6, 8, 9, and 10: The first Saturday in December and extend through the first Sunday in February.

(B) Zone 5: The third Saturday in December and extend through the third Sunday in February.

(C) Zone 7: Beginning the third Saturday in August and extending through the last Sunday in September.

(5) Except as specifically provided in section 362, the take of bighorn sheep is prohibited.

. . . [No changes to subsection (c)]

d) Number of License Tags:

	Tag Allocation
<i>Nelson Bighorn Sheep Hunt Zones</i>	
Zone 1 - Marble/Clipper Mountains	-4 <u>5</u>
Zone 2 - Kelso Peak/Old Dad Mountains	0
Zone 3 - Clark/Kingston Mountain Ranges	-2 <u>4</u>
Zone 4 - Orocopia Mountains	1
Zone 5 - San Gorgonio Wilderness	-2 <u>0</u>
Zone 6 - Sheep Hole Mountains	0
Zone 7 - White Mountains	-3 <u>6</u>
Zone 8 - South Bristol Mountains	-1 <u>2</u>
Zone 9 - Cady Mountains	-4 <u>2</u>
<u>Zone 10 - Newberry, Rodman, Ord Mountains</u>	<u>6</u>
Open Zone Fund-Raising Tag	1
Marble/Clipper/South Bristol Mountains Fund-Raising Tag	1
Kelso Peak/Old Dad Mountains <u>Cady Mountains</u> Fund-Raising Tag	-0 <u>1</u>
Total:	-19 <u>29</u>

(e) Conditions:

... [No changes to subsections (e)(1) through (3)]

(4) Successful general tagholders shall present the head and edible portion of the carcass of a bighorn ram to the department's checking station within 48 hours after killing the animal. All successful tagholders shall notify the department's Bishop office by telephone at (760) 872-1171 or ~~(760) 413-9596~~ (760) 872-1346 within 24 hours of killing the animal and arrange for the head and carcass to be examined.

... [No changes to subsections (e)(5) through (6)]

Note: Authority cited: Sections 200, 203, 265, 1050 and 4902, Fish and Game Code.
Reference: Sections 1050, 3950 and 4902, Fish and Game Code.

Section 364 is amended to read as follows:

§364. Elk Hunts, Seasons, and Number of Tags.

... [No changes subsections (a) through (d)(10)]

(11) Grizzly Island General Methods Tule Elk Hunt:

(A) Area: Those lands owned and managed by the Department of Fish and Game Wildlife as the Grizzly Island Wildlife Area.

(B) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting after receipt of their elk license tags.

... [No changes subsection (d)(12)]

(13) East Park Reservoir General Methods Tule Elk Hunt:

(A) Area: In those portions of Glenn and Colusa counties within a line beginning in Glenn County at the junction of Interstate Highway 5 and Highway 162 at Willows; west along Highway 162 (Highway 162 becomes Alder Springs Road) to the Glenn Mendocino County line; south along the Glenn-Mendocino County line to the Glenn Lake County line; east and then south along the Glenn-Lake County line to the Colusa Lake County line; west, and then southeast along the Colusa-Lake County line to Goat

Mountain Road; north and east along Goat Mountain Road to the Lodoga-Stonyford Road; east along the Lodoga-Stonyford Road to the Sites-Lodoga Road at Lodoga; east along the Sites-Lodoga Road to the Maxwell-Sites Road at Sites; east along the Maxwell-Sites Road to Interstate Highway 5 at Maxwell; north along Interstate Highway 5 to the point of beginning.

(B) Special Conditions:

1. All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting after receipt of their elk license tags.

2. Access to private land may be restricted or require payment of an access fee.

3. A Colusa County ordinance prohibits firearms on land administered by the USDI Bureau of Reclamation in the vicinity of East Park Reservoir. ~~A variance has been requested to allow~~ A county variance currently allows for the use of muzzleloaders (as defined in Section 353) on Bureau of Reclamation land within the hunt zone, hunters are responsible for checking with county authorities for any change in the variance.

... [No changes subsections (d)(14) through (q)]

§	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags
		5. Season			
(r) Department Administered General Methods Roosevelt Elk Hunts					
(1)(A)	Siskiyou	20	20		
		Shall open on the Wednesday preceding the second Saturday in September and continue for 12 consecutive days.			
(2)(A)	Northwestern	15	0	3	
		Shall open on the first Wednesday in September and continue for 23 consecutive days.			
(3)(A)	Marble Mountains	35	10		
		Shall open on the Wednesday preceding the second Saturday in September and continue for 12 consecutive days.			
(s) Department Administered General Methods Rocky Mountain Elk Hunts					
(1)(A)	Northeastern California Bull	15			
		The bull season shall open on the Wednesday preceding the third Saturday in September and continue for 12 consecutive days			
(B)	Northeastern California		10		
		The antlerless season shall open on the second			

	Antlerless	Wednesday in November and continue for 12 consecutive days.			
(t) Department Administered General Methods Roosevelt/Tule Elk Hunts					
(1)(A)	Mendocino	2	0		
		The season shall open on the Wednesday preceding the fourth Saturday in September and continue for 12 consecutive days.			
(u) Department Administered General Methods Tule Elk Hunts					
(1)(A)	Cache Creek Bull	2			
		The Bull season shall open on the second Saturday in October and continue for 16 consecutive days.			
(B)	Antlerless		2		
		The Antlerless season shall open on the third Saturday in October and continue for 16 consecutive days.			
(2)(A)	La Panza Period 1	6	5		
		Shall open on the second Saturday in October and extend for 23 consecutive days			
(B)	Period 2	6	6		
		Shall open on the second Saturday in November and extend for 23 consecutive days.			
(3)(A)	Bishop Period 3	0	0		
		Shall open on the third Saturday in October and extend for 9 consecutive days.			
(B)	Period 4	0	0		
		Shall open on the first Saturday in November and extend for 9 consecutive days.			
(C)	Period 5	0	0		
		Shall open on the first Saturday in December and continue for 9 consecutive days.			
(4)(A)	Independence Period 2	1	1		
		Shall open on the first Saturday in October and extend for 9 consecutive days.			
(B)	Period 3	1	1		
		Shall open on the third Saturday in October and extend for 9 consecutive days.			
(C)	Period 4	0	1		
		Shall open on the first Saturday in November and extend for 9 consecutive days.			
(D)	Period 5	0	0		
		Shall open on the first Saturday in December and continue for 9 consecutive days.			

(5)(A)	Lone Pine Period 2	1	1		
		Shall open on the first Saturday in October and extend for 9 consecutive days.			
(B)	Period 3	1	1		
		Shall open on the third Saturday in October and extend for 9 consecutive days.			
(C)	Period 4	0	1		
		Shall open on the first Saturday in November and extend for 9 consecutive days.			
(D)	Period 5	0	0		
		Shall open on the first Saturday in December and continue for 9 consecutive days.			
(6)(A)	Tinemaha Period 2	0	0		
		Shall open on the first Saturday in October and extend for 9 consecutive days.			
(B)	Period 3	0	0		
		Shall open on the third Saturday in October and extend for 9 consecutive days.			
(C)	Period 4	0	0		
		Shall open on the first Saturday in November and extend for 9 consecutive days.			
(D)	Period 5	0	0		
		Shall open on the first Saturday in December and continue for 9 consecutive days.			
(7)(A)	West Tinemaha Period 1	0	0		
		Shall open on the second Saturday in September and extend for 16 consecutive days.			
(B)	Period 2	0	0		
		Shall open on the first Saturday in October and extend for 9 consecutive days.			
(C)	Period 3	0	0		
		Shall open on the third Saturday in October and extend for 9 consecutive days.			
(D)	Period 4	0	0		
		Shall open on the first Saturday in November and extend for 9 consecutive days.			
(E)	Period 5	0	0		
		Shall open on the first Saturday in December and continue for 9 consecutive days.			
(8)(A)	Tinemaha Mountain	0			

	Period 1	Shall open on the second Saturday in September and extend for 16 consecutive days.			
(B)	Period 2	0			
		Shall open on the first Saturday in October and extend for 9 consecutive days.			
(C)	Period 3	0			
		Shall open on the third Saturday in October and extend for 9 consecutive days			
(D)	Period 4	0			
		Shall open on the first Saturday in November and extend for 9 consecutive days.			
(E)	Period 5	0			
		Shall open on the first Saturday in December and continue for 9 consecutive days.			
(9)(A)	Whitney Period 2	0	0		
		Shall open on the first Saturday in October and extend for 9 consecutive days.			
(B)	Period 3	0	0		
		Shall open on the third Saturday in October and extend for 9 consecutive days			
(C)	Period 4	0	0		
		Shall open on the first Saturday in November and extend for 9 consecutive days.			
(D)	Period 5	0	0		
		Shall open on the first Saturday in December and continue for 9 consecutive days.			
(10)(A)	Goodale Period 1	0	0		
		Shall open on the second Saturday in September and extend for 16 consecutive days.			
(B)	Period 2	0	0		
		Shall open on the first Saturday in October and extend for 9 consecutive days.			
(C)	Period 3	0	1		
		Shall open on the third Saturday in October and extend for 9 consecutive days			
(D)	Period 4	0	0		
		Shall open on the first Saturday in November and extend for 9 consecutive days.			

(E)	Period 5	0	0		
		Shall open on the first Saturday in December and continue for 9 consecutive days.			
(11)(A)	Grizzly Island Period 1	0	6		0
		Shall open on the second Tuesday after the first Saturday in August and continue for 4 consecutive days.			
(B)	Period 2	0	2		4
		Shall open on the first Thursday following the opening of period one and continue for 4 consecutive days.			
(C)	Period 3	0	6		0
		Shall open on the first Tuesday following the opening of period two and continue for 4 consecutive days			
(D)	Period 4	0	4		2
		Shall open on the first Thursday following the opening of period three and continue for 4 consecutive days.			
(E)	Period 5	0	8		0
		Shall open on the first Tuesday following the opening of period four and continue for 4 consecutive days			
(F)	Period 6	0	0		0
		Shall open on the first Thursday following the opening of period five and continue for 4 consecutive days.			
(G)	Period 7	0	8		0
		Shall open on the first Tuesday following the opening of period six and continue for 4 consecutive days			
(H)	Period 8	0	0		6
		Shall open on the first Thursday following the opening of period seven and continue for 4 consecutive days.			
(I)	Period 9	0	8		0
		Shall open on the first Tuesday following the opening of period eight and continue for 4 consecutive days.			
(J)	Period 10	0	0		0
		Shall open on the first Thursday following the opening of period nine and continue for 4 consecutive days.			
(K)	Period 11	0	8		0
		Shall open on the first Tuesday following the opening of period ten and continue for 4 consecutive days.			

(L)	Period 12	3	0		0
		Shall open on the first Thursday following the opening of period eleven and continue for 4 consecutive days.			
(M)	Period 13	0	8		0
		Shall open on the first Tuesday following the opening of period twelve and continue for 4 consecutive days.			
(12)(A)	Fort Hunter Liggett General Public Period 1	0	0		
		Shall open on the first Thursday in November and continue for 9 consecutive days.			
(B)	Period 2	0	0		
		Shall open November 22 and continue for 9 consecutive days.			
(C)	Period 3	0	0		
		Shall open on the third Saturday in December and continue for 16 12 consecutive days.			
(13)(A)	East Park Reservoir	2	2		
		Shall open the first Saturday in September and continue for 27 consecutive days.			
(14)(A)	San Luis Reservoir	0	0	5	
		Shall open on the first Saturday in October and continue for 23 consecutive days.			
(15)(A)	Bear Valley	2	1		
		Shall open on the second Saturday in October and continue for 9 consecutive days.			
(16)(A)	Lake Pillsbury Period 1		4		
		Shall open on the Wednesday preceding the second Saturday in September and continue for 10 consecutive days.			
(B)	Period 2	2			
		Shall open Monday following the fourth Saturday in September and continue for 10 consecutive days.			
(17)(A)	Santa Clara	0	0		
		Shall open on the second Saturday in October and continue for 16 consecutive days.			
(18)(A)	Alameda	0	0		
		Shall open on the second Saturday in October and continue for 16 consecutive days.			

(v) Department Administered Apprentice Hunts					
(1)(A)	Marble Mountain General Methods Roosevelt Elk Apprentice			24	
		Shall open on the Wednesday preceding the second Saturday in September and continue for 12 consecutive days.			
(2)(A)	Northeast California General Methods Rocky Mountain Elk Apprentice			2	
		Shall open on the Wednesday preceding the third Saturday in September and continue for 12 consecutive days			
(3)(A)	Cache Creek General Methods Tule Elk Apprentice	1	0		
		Shall open on the second Saturday in October and continue for 16 consecutive days.			
(4)(A)	La Panza General Methods Tule Elk Apprentice	0	1		
		Shall open on the second Saturday in October and extend for 23 consecutive days.			
(5)(A)	Bishop General Methods Tule Elk Apprentice Period 2	0	0		
		Shall open on the first Saturday in October and extend for 9 consecutive days.			
(6)(A)	Grizzly Island General Methods Tule Elk Apprentice Period 1		3		0
		Shall open on the second Tuesday after the first Saturday in August and continue for 4 consecutive days			
(B)	Period 2		0		2
		Shall open on the first Thursday following the opening of period one and continue for 4 consecutive days.			
(C)	Period 3		3		0
		Shall open on the first Tuesday following the opening of period two and continue for 4 consecutive days.			
(D)	Period 4		0		2
		Shall open on the first Thursday following the opening of period three and continue for 4 consecutive days.			
(7)(A)	Fort Hunter Liggett General Public General Methods Apprentice	0	0		
		Shall open on the third Saturday in December and continue for 46 12 consecutive days.			

(w) Department Administered Archery Only Hunts					
(1)(A)	Northeast California Archery Only	0	0	10	
		Shall open on the Wednesday preceding the first Saturday in September and continue for 12 consecutive days.			
(2)(A)	Owens Valley Multiple Zone Archery Only	3	0		
		Shall open on the second Saturday in August and extend for 9 consecutive days.			
(3)(A)	Lone Pine Archery Only Period 1	0	1		
		Shall open on the second Saturday in September and extend for 16 consecutive days.			
(4)(A)	Tinemaha Archery Only Period 1	0	0		
		Shall open on the second Saturday in September and extend for 16 consecutive days.			
(5)(A)	Whitney Archery Only Period 1	0	0		
		Shall open on the second Saturday in September and extend for 16 consecutive days.			
(6)(A)	Fort Hunter Liggett General Public Archery Only Either Sex			3	
		Shall open on the last Wednesday <u>Saturday</u> in July and continue for 9 consecutive days.			
(B)	Fort Hunter Liggett General Public Archery Only Antlerless		4		
		Shall open on the Tuesday preceding the fourth Thursday <u>Second Saturday</u> in November and continue for 9 consecutive days.			
(x) Department Administered Muzzleloader Only Tule Elk Hunts					
(1)(A)	Bishop Muzzleloader Only Period 1	0	0		
		Shall open on the second Saturday in September and extend for 16 consecutive days.			
(2)(A)	Independence Muzzleloader Only Period 1	1	0		
		Shall open on the second Saturday in September and extend for 16 consecutive days.			
(3)(A)	Goodale Muzzleloader Only Period 1	0	1		
		Shall open on the second Saturday in September and extend for 16 consecutive days.			

(4)(A)	Fort Hunter Liggett General Public Muzzleloader Only	4	0		
		Shall open on the third <u>forth</u> Saturday in December <u>November</u> and continue for 17 <u>9</u> consecutive days.			
(y) Department Administered Muzzleloader/Archery Only Hunts					
(1)(A)	Marble Mountain Muzzleloader/Archery Roosevelt Elk			5 <u>10</u>	
		Shall open on the last Saturday in October and extend or 9 consecutive days.			
(z) Fund Raising Elk Tags					
(1)(A)	Multi-zone Fund Raising Tags	1			
		Siskiyou and Marble Mountains Roosevelt Elk Season shall open on the Wednesday preceding the first Saturday in September and continue for 19 consecutive days. Northwestern Roosevelt Elk Season shall open on the last Wednesday in August and continue for 30 consecutive days. Northeastern Rocky Mountain Elk Season shall open on the Wednesday preceding the last Saturday in August and continue for 33 consecutive days. La Panza Tule Elk Season shall open on the first Saturday in October and extend for 65 consecutive days.			
(2)(A)	Grizzly Island Fund Raising Tags	1			
		Shall open on the first Saturday in August and continue for 30 consecutive days.			
(3)(A)	Owens Valley Fund Raising Tags	1			
		Shall open on the last Saturday in July and extend for 30 consecutive days.			
(aa) Military Only Tule Elk Hunts					
(1)(A)	Fort Hunter Liggett Military Only General Methods Early Season	0	0		
		The early season shall open on the second Monday in August and continue for 5 consecutive days and reopen on the fourth Monday in August and continue for 5 consecutive days			
(B)	Period 1		0		
		Shall open on the first Thursday in November and continue for 9 consecutive days.			
(C)	Period 2		0		

		Shall open November 22 and continue for 9 consecutive days.			
(D)	Period 3	0			
		Shall open on the third Saturday in December and continue for 16 <u>12</u> consecutive days.			
(2)(A)	Fort Hunter Liggett Military Only General Methods Apprentice	0	0		
		Shall open on the third Saturday in December and continue for 16 <u>12</u> consecutive days.			
(3)(A)	Fort Hunter Liggett Military Only Archery Only Either Sex			3	
		Shall open on the last Wednesday <u>Saturday</u> in July and continue for 9 consecutive days.			
(B)	Antlerless		4		
		Shall open on the last Wednesday in September and continue for 9 consecutive days. <u>Shall open on the Second Saturday in November and continue for 9 consecutive days.</u>			
(4)(A)	Fort Hunter Liggett Military Only Muzzleloader Only	4			
		Shall open on the third Saturday in December <u>November</u> and continue for 17 <u>9</u> consecutive days.			

Note: Authority cited: Sections 200, 203, 203.1, 265, 332 and 1050, Fish and Game Code. Reference: Sections 332, 1050, 1570, 1571, 1572, 1573 and 1574, Fish and Game Code.

Section 364.1 is amended to read:

§ 364.1. Department Administered Shared Habitat Alliance for Recreational Enhancement (SHARE) Elk Hunts

... [No changes subsections (a) through (h)]

§	(A) Hunts	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags
		(B) Area			
(i) Department Administered SHARE Roosevelt Elk Hunts					
(1)	Siskiyou	2	2		
		(B) Area: The tag shall be valid in the area described in subsection 364(a)(1)(A).			
(2)	Northwestern	7 <u>13</u>	13 <u>34</u>	0	

§	(A) Hunts	1.	2.	3.	4.
		Bull Tags	Antlerless Tags	Either-Sex Tags	Spike Tags
		(B) Area			
		(B) Area: The tag shall be valid in the area described in subsection 364(a)(2)(A).			
(3)	Marble Mountain	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(a)(3)(A).			
(j) Department Administered General Methods SHARE Rocky Mountain Elk Hunts					
(1)	Northeast California	0 <u>2</u>	0	0 <u>2</u>	
		(B) Area: The tag shall be valid in the area described in subsection 364(b)(1)(A).			
(k) Department Administered SHARE Roosevelt/Tule Elk Hunts					
(1)	Mendocino	2	4		
		(B) Area: The tag shall be valid in the area described in subsection 364(c)(1)(A).			
(l) Department Administered SHARE Tule Elk Hunts					
(1)	Cache Creek	1	1		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(1)(A).			
(2)	La Panza	5	10		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(2)(A).			
(3)	Bishop	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(3)(A).			
(4)	Independence	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(4)(A).			
(5)	Lone Pine Period 2	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(5)(A).			
(6)	Tinemaha	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(6)(A).			
(7)	West Tinemaha	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(7)(A).			
(8)	Tinemaha Mountain	0			

§	(A) Hunts	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags
		(B) Area			
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(8)(A).			
(9)	Whitney	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(9)(A).			
(10)	Goodale	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(10)(A).			
(11)	Grizzly Island	0	0		0
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(11)(A).			
(12)	Fort Hunter Liggett	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(12)(A).			
(13)	East Park Reservoir	1	1		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(13)(A).			
(14)	San Luis Reservoir	2	3		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(14)(A).			
(15)	Bear Valley	1	1		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(15)(A).			
(16)	Lake Pillsbury	0	0		
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(16)(A).			
(17)	Santa Clara	0			
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(17)(A).			
(18)	Alameda	0			
		(B) Area: The tag shall be valid in the area described in subsection 364(d)(18)(A).			

Note: Authority Cited: Sections 332 and 1050, Fish and Game Code. Reference: Sections 332, 1050 and 1574, Fish and Game Code.

Commissioners

Eric Sklar, President

Saint Helena

Jacque Hostler-Carmesin, Vice President

McKinleyville

Russell E. Burns, Member

Napa

Peter S. Silva, Member

Jamul

Samantha Murray, Member

Del Mar

STATE OF CALIFORNIA

Gavin Newsom, Governor

Fish and Game Commission



Wildlife Heritage and Conservation

Since 1870

Melissa Miller-Henson
Acting Executive Director
P.O. Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
fgc@fgc.ca.gov
www.fgc.ca.gov

April 26, 2019

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to Section 180.6, Title 14, California Code of Regulations, relating to the use of traps to take hagfish, published in the California Regulatory Notice Register on April 26, 2019.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments. Additional information and associated documents may be found on the Fish and Game Commission website at <http://www.fgc.ca.gov/regulations/2019/index.aspx>.

Travis Tanaka, Environmental Scientist, Department of Fish and Wildlife, has been designated to respond to questions on the substance of the proposed regulations. Mr. Tanaka can be reached by telephone at (831) 649-2881 or by email at Travis.Tanaka@wildlife.ca.gov.

Sincerely,

Craig Castleton

Craig Castleton

Associate Governmental Program Analyst

Attachment



TITLE 14. Fish and Game Commission Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 8403 and 9022 of the Fish and Game Code and to implement, interpret or make specific Sections 8403, 9001.6, 9001.7, 9006, and 9022 of said Code, proposes to amend Section 180.6, Title 14, California Code of Regulations, relating to the use of traps to take hagfish.

Informative Digest/Policy Statement Overview

In California, Pacific Hagfish (*Eptatretus stoutii*) (hagfish) is an open access commercial fishery administered by the Department of Fish and Wildlife (Department). Fishing is allowed year-round in all depths of State and federal waters, except in Marine Protected Areas. The hagfish fishery is primarily managed via restrictions on the amount and type of gear allowed. The method for take is by one of three baited trap types: bucket trap, Korean trap, and more recently, barrel traps. Section 9000.5 and subdivision 9001.6(b) of Fish and Game Code (FGC) define and authorize no more than a total of 500 Korean-style traps, or a total of 200, five-gallon bucket traps aboard a vessel, or in the water or combination thereof. The Commission approved the use of 25 barrel traps (40-gallon capacity) as an alternative trap type under subsection (b) of Section 180.6, Title 14, California Code of Regulations (CCR) effective January 1, 2016. The 25-barrel trap limit was intended to be per vessel, and serve as a volumetric equivalent to the 200 five-gallon bucket trap limit prescribed by subdivision (b) of FGC Section 9001.6.

There are no daily, seasonal, or annual catch limits for the hagfish fishery. Further, the fishery has no reporting requirement, other than a landing receipt, and there is no minimum size limit, landing quota, or seasonal closure. There is no recreational fishery for hagfish. Pursuant to FGC sections 9000.5 and 9001, all participants on a fishing vessel (i.e., vessel crewmembers) are required to have a current general trap permit, and thus serve as "permittees." FGC Section 9005 requires every trap or string of traps to be marked with a buoy, and FGC subdivision 9006(b) requires the buoy identifying traps used to take hagfish to be marked with the operator's (i.e., responsible fisherman's) commercial fishing license identification number only ("L number") with no prescribed lettering.

When Section 180.6, Title 14, CCR was last amended (effective January 1, 2017) to shift from a 40 gallon volume to a dimension-based measurement of barrel trap size, subsection 180.6(b) was amended in an attempt to simplify language regarding trap use by a vessel by stating that "...no permittee may possess more than 25 barrel traps aboard a vessel or in the water or combination thereof." Due to the fact that a permittee can be the vessel operator, and/or any crewmember, the current language allows the use of 25 barrel traps per permittee, which goes against the original intent of the regulation effective January 1, 2016 to allow a maximum of 25 barrel traps per vessel (the volumetric equivalent to the 200 five-gallon bucket trap limit prescribed by subdivision (b) of FGC Section 9001.6).

Proposed Regulation:

The proposed amendment to subsection (b) of Section 180.6, Title 14, CCR re-establishes the number of allowed barrel traps (25) per vessel, regardless of the number of permittees aboard the vessel. In addition to the commercial fishing license identification number, hagfish fishermen will also be required to mark buoys used to mark any hagfish traps with the vessel's California commercial boat registration number.

The following is a summary of the changes proposed for Section 180.6, Title 14, CCR:

- Remove the words "permittee may possess" from subsection (b), thus linking the 25 barrel trap limit to the vessel.
- Add subsection (c) requiring the use of the vessel's California commercial boat registration number to mark the buoy used to mark any hagfish trap (fishermen will continue to mark buoys with all fishermen L numbers operating the vessel, as required by FGC subdivision 9006(b)).

Benefits of the Proposed Regulation:

Linking the maximum number of barrel traps utilized and possessed to the vessel instead of the permittee will limit the fishing capacity of vessels that utilize this gear. Since there are no other management measures that limit hagfish fishing capacity, limiting the number of barrel traps by vessel will help ensure sustainability of the hagfish resource, reduce potential conflicts between fishermen using similar fishing grounds, and limit the number of vertical buoy lines to reduce potential impact to other marine life.

By requiring the use of the vessel's California commercial boat registration number to mark the buoy used to mark any hagfish trap, Law Enforcement Division staff will be able to determine, at sea, how many traps a vessel is utilizing and/or possessing. This requirement would apply to all trap types authorized for the take of hagfish.

Consistency and Compatibility with Existing Regulations:

Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate the commercial take of finfish using traps (FGC sections 8403 and 9022). No other State agency has the authority to promulgate commercial fishing regulations. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The Commission has searched the CCR for any regulations regarding the use of traps for the commercial take of hagfish and has found no such regulation; therefore the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing State regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Red Lion Hotel Redding, 1830 Hilltop Drive, Redding, California 96002, on June 13, 2019, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before May 30, 2019 at the address given below, or by email to FGC@fgc.ca.gov. All comments (both oral and written) must be received no later than June 13, 2019, either at the Commission office or at the address given below, by email to FGC@fgc.ca.gov, or at the June 13, 2019 hearing in Redding, California. If you would like copies of any modifications to this proposal, please include your name and mailing address.

Mailed comments should be addressed to Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090.

Availability of Documents

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout format can be accessed through the Commission website at www.fgc.ca.gov. The regulations as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Melissa Miller-Henson, Acting Executive Director, Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, California 95814, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Melissa Miller-Henson or Craig Castleton at the preceding address or phone number. **Travis Tanaka, Environmental Scientist, Department of Fish and Wildlife, (831) 649-2881 or Travis.Tanaka@wildlife.ca.gov, has been designated to respond to questions on the substance of the proposed regulations.**

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The California hagfish fishery is primarily a live export fishery. Currently, there is increased demand for California-caught hagfish due to the consistency of catch and lower dock price compared to hagfish fisheries in other states.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. There are no anticipated benefits to the health and welfare of California residents and worker safety. However, clarifying the original intent of the regulation effective January 1, 2016 by limiting the number of barrel traps to 25 per vessel would benefit the environment by promoting sustainability of the hagfish resource, limit the amount of barrel gear on the seafloor, and limit the number of vertical buoy lines in the fishery that could potentially impact other marine life.

- (c) Cost Impacts on a Representative Private Person or Business:

A vessel that may have deployed more than 25 barrel traps in the past could face a reduction in fishing income due to a reduction in the number of traps deployed per vessel. However, the regulation effective January 1, 2016 intended that only 25 barrels be used per vessel, and the majority of fishermen conform to this practice.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.

- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Dated: April 16, 2019

Melissa Miller-Henson
Acting Executive Director



BOARD OF SUPERVISORS

2010 MAY 10 A 10:43

GAVIN NEWSOM, Governor
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
Mailing Address: P.O. Box 944209
Sacramento, California 94244-2090
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(916) 445-8448
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Stanislaus County Board of Supervisors
1010 10th St #6500
Modesto, CA 95354

MAY 03 2019

Enhancing Wildlife Habitat and Carbon Sequestration on Working Lands
Stanislaus County
Project ID: 2019068

Dear Board Members:

The Wildlife Conservation Board (WCB), in addition to other responsibilities, carries out a program that includes the enhancement or restoration of fish and wildlife habitat.

At this time, and in response to a request from the California Association of Resource Conservation Districts, the WCB proposes to consider the allocation of funds for a grant providing technical assistance activities to help develop conservation practice designs that will provide wildlife-enhancing, climate-beneficial management options for producers on working landscapes in Stanislaus County. This proposal is presently scheduled for the May 22, 2019, Board meeting. A copy of the preliminary agenda is enclosed for your review. A more complete description of each proposal will be contained in the final meeting Agenda, which will be available at www.wcb.ca.gov beginning 10 days prior to meeting.

If you have any questions about this proposal or need additional information, please feel free to contact me at (916) 445-0137.

Sincerely,

John P. Donnelly
Executive Director

Enclosure

cc: The Honorable Catherine Galgani
The Honorable Tom Berryhill
The Honorable Anthony Cannella
The Honorable Adam Gray
The Honorable Heath Flora
Julie Vance, Regional Manager



Gavin Newsom, Governor
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
Mailing Address: P.O. Box 944209
Sacramento, California 94244-2090
www.wcb.ca.gov
(916) 445-8448
Fax (916) 323-0280

Notice of Meeting

WILDLIFE CONSERVATION BOARD

May 22, 2019, 10:00 a.m.

Natural Resources Building, First Floor Auditorium
1416 9th Street
Sacramento, CA 95814

Public Welcome

Preliminary Agenda Items

Item Number

1. Roll Call
2. Public Forum for Items not on the Agenda
3. Funding Status — Informational
4. Proposed Consent Calendar (Items 5 – 20)
- *5. Approval of Minutes — March 7, 2019
- *6. Recovery of Funds

*Proposed Consent Calendar

- *7. Programmatic Permitting for Aquatic Habitat Restoration** **\$200,000**
Statewide
To consider the allocation for a grant to Sustainable Conservation for a cooperative project with State Coastal Conservancy, Water Foundation, and S.D. Bechtel, Jr. Foundation to advance a statewide expedited permitting program for aquatic habitat restoration and water quality improvement projects. The purposes of this project are consistent with the authorized uses of the proposed funding source, which can be used for the development of scientific data, habitat mapping, and other research information necessary to determine the priorities for restoration and acquisition statewide. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(b)]
- *8. Resilient Estuaries: Aquatic Species Assessment Tool** **\$144,113**
Statewide
To consider the allocation for a grant to California Trout for a cooperative project with the Orange County Community Fund, the Field Foundation, and Resources Legacy Fund to research and design an aquatic species assessment tool, guidelines, and best management practices for several listed fish species to inform scientific decision making in estuaries statewide. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in natural and working lands, and provide additional social, economic, and environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]
- *9. Climate Resilience Planning for Key Sacramento River Watersheds** **\$400,000**
Trinity/Siskiyou/Sierra/Shasta/Plumas/Modoc/Lassen/Butte County
To consider the allocation for a grant to Pacific Forest Trust for a cooperative project with U.S. Environmental Protection Agency, Mitsubishi Foundation, New Belgium Brewing Company, Flora L. Thornton Foundation, and Mary A. Crocker Trust to plan for climate resilience in key Sacramento River watersheds spanning eight northern California counties. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in natural and working lands, and provide additional social, economic, and environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]
- *10. Climate Resilience at the Clover Valley Ranch** **\$120,000**
Plumas County
To consider the allocation for a grant to The Sierra Fund for a cooperative project with the Natural Resources Conservation Service and Red Clover, LLC, to monitor the impacts of grazing under an existing grazing management plan and make recommendations for the development of best management practices for the Clover Valley Ranch in Plumas County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in

natural and working lands, and provide additional social, economic, and environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]

- *11. Sierra Valley Conservation Area, Expansion 4** **\$415,000**
Plumas County
To consider the allocation for a grant to Feather River Land Trust for a cooperative project with the Natural Resources Conservation Service to acquire a conservation easement over 468± acres of land for the protection and preservation of deer range habitat, wildlife corridors, rangeland, grasslands, grazing land and agriculture, and protection of sensitive species located near Beckwourth in Plumas County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which provides matching funds for the acquisition, restoration or protection of habitat or habitat corridors that promote the recovery of threatened, endangered, or fully protected species. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Public Resources Code Section 5096.350(a)(5)]
- *12. Building Climate Resiliency in Central Valley Wetlands** **\$294,000**
Butte/Merced/Tulare/Kern County
To consider the allocation for a grant to Audubon Society for a cooperative project with Point Blue Conservation Science and Grassland Water District to develop regional water budget models that model future Central Valley wetland water needs under climate change scenarios, located in Butte, Merced, Tulare and Kern counties. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in natural and working lands, and provide additional social, economic, and environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]
- *13. Lacey Meadows Restoration Planning** **\$293,000**
Sierra County
To consider the allocation for a grant to the Truckee River Watershed Council for a cooperative project with the California Department of Fish and Wildlife to complete restoration and management planning and support pre-project monitoring and completion of final design plans to restore 495 acres of degraded high Sierra meadow habitat. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in natural and working lands, and provide additional social, economic, and environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]
- *14. East Contra Costa County HCP/NCCP (Olesen/Duke)** **\$100,000**
Contra Costa County
To consider the allocation for a grant to the East Contra Costa County Habitat Conservancy (ECCCHC) and the acceptance of a U.S. Fish and Wildlife Service Habitat Conservation Plan Land Acquisition grant, and the approval to sub-grant these federal funds to the ECCCHC, for a cooperative project with the East Bay Regional Park District to acquire 120± acres of land for the protection and preservation of existing regional wildlife linkages, including grassland, oak woodland, pond and creek habitat areas within the East

Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan, located at the base of the Diablo Mountain Range in Briones Valley, west of the city of Brentwood in Contra Costa County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition and protection of habitats that are critical to the sustainability of threatened or endangered species. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c)(SSJD-NCCP)]

***15. Adaptation and Resilience Plan for the Petaluma River Baylands Sonoma County \$260,000**

To consider the allocation for a grant to Sonoma Land Trust for a cooperative project with Sonoma Resource Conservation District, San Francisco Estuary Institute, and Point Blue Conservation Science to develop an Adaptation and Resilience Implementation Plan for the Petaluma River Baylands in Sonoma County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in natural and working lands, and provide additional social, economic, and environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]

***16. Camp Pollock Site Improvement Sacramento County \$176,000**

To consider the allocation for a grant to Sacramento Valley Conservancy for a cooperative project with Sacramento County Department of Water Resources and Recreational Equipment, Inc. to expand public access, improve a parking lot, install educational signs, and implement water-efficient landscaping on 11 acres of State Lands Commission's Camp Pollock property, on the American River approximately 0.5 miles north of the North Sacramento Freeway. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows expenditures to be made available to the Lower American River Conservancy Program. [California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68), Public Resources Code sections 80100(a)(3) and 5845 et seq.]

***17. Grasslands Water Improvement Efficiency Project Augmentation Merced \$172,500**

To consider the allocation for an augmentation to an existing grant to California Waterfowl Association for a cooperative project with the California Department of Fish and Wildlife (CDFW) to enhance 17,000± acres of habitat and install water control and monitoring infrastructure on three CDFW wildlife areas in Merced County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition, enhancement or restoration of wetlands in the Central Valley. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Inland Wetlands Conservation Program]

***18. Sierra National Forest, Meadows Restoration Planning Madera/Fresno County \$430,100**

To consider the allocation for a grant to Trout Unlimited for a cooperative project with U.S. Forest Service and University of California, Merced for planning and environmental compliance to restore nine montane meadows totaling approximately 75 acres of the Sierra National Forest situated in Madera and Fresno counties. The purposes of this

project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in natural and working lands, and provide additional social, economic, and environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]

***19. Morongo Basin, Expansion 5 \$28,100**
San Bernardino County

To consider the allocation for a grant to Mojave Desert Land Trust to acquire 15± acres of land for the protection of desert habitat corridors supporting threatened and endangered species near Joshua Tree National Park, located in West Yucca Valley, in San Bernardino County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c)]

***20. Otay Mesa Vernal Pool \$21,000**
San Diego County

To consider the allocation for a grant to the city of San Diego (City) and the acceptance of a Recovery Land Acquisition grant, and the approval to sub-grant these federal funds to the City to acquire 1± acre of land for the protection of vernal pool habitat located near the community of Otay Mesa in San Diego County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition of habitat to protect rare, and endangered, threatened or fully protected species. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c)]

21. Audubon Conservation Ranching Program \$512,000
Statewide

To consider the allocation for a grant to Audubon California for a cooperative project with Gamble Foundation and Point Blue Conservation Science to develop grazing management protocols designed to increase climate resilience by improving carbon sequestration, water infiltration, food production, and habitat diversity for a wide range of species on California's grasslands. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in natural and working lands, and provide additional social, economic, and environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]

22. Enhancing Wildlife Habitat and Carbon Sequestration on \$1,036,442
Working Lands
**Stanislaus/Sonoma/Santa Barbara/San Mateo/Napa/Mendocino/Marin/
Humboldt/Del Norte County**

To consider the allocation for a grant to the California Association of Resource Conservation Districts for a cooperative project with the California Department of Conservation, the California Department of Water Resources, the California Department of Food and Agriculture, the Natural Resources Conservation Service, Point Blue Conservation Science, the Smith River Alliance, and ten Resource Conservation Districts for technical assistance activities in nine California counties that will create conservation carbon farm plans and develop conservation practice designs that will provide wildlife-

Wildlife Conservation Board Meeting, May 22, 2019

enhancing, climate-beneficial management options for producers on working landscapes. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in natural and working lands, and provide additional social, economic, and environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]

- 23. Gray Lodge Wildlife Area Auto Tour Route and Habitat Enhancement Project** **\$1,410,000**
Butte County
To consider the allocation for a grant to Ducks Unlimited, Inc. for a cooperative project with the California Department of Fish and Wildlife (CDFW) to restore wetland fields along the auto tour route within CDFW's Gray Lodge Wildlife Area in Butte County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition, enhancement or restoration of wetlands in the Central Valley. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Inland Wetlands Conservation Program]
- 24. Ervin Ranch** **\$4,055,000**
El Dorado County
To consider the acquisition of 1,781± acres of land by the California Department of Fish and Wildlife for a cooperative project with the U. S. Fish and Wildlife Service, American River Conservancy, and California Natural Resources Agency for the protection and preservation of riparian and oak woodland habitat, deer and mountain lion habitat, and to provide for potential future wildlife-oriented public use opportunities. The purposes of this project are consistent with the proposed funding source, which provides funding for the acquisition and protection of riparian and oak woodland habitats, deer and mountain lion habitat, corridors linking separate habitat areas, prevention of habitat fragmentation, and for the development of public access facilities. [California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)] and [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]
- 25. Grizzly Island Wildlife Area Habitat Improvement** **\$721,000**
Solano County
To consider the allocation for a grant to California Waterfowl Association, for a cooperative project with the California Department of Fish and Wildlife (CDFW) to restore wetlands within CDFW's Grizzly Island Wildlife Area. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition, enhancement, or restoration of wetlands in the Central Valley. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d), Inland Wetlands Conservation Program]
- 26. Santa Cruz County Regional Conservation Investment Strategy** **\$470,000**
Santa Cruz County
To consider the allocation for a grant to Santa Cruz County Regional Transportation Commission to develop and complete a final draft of the Santa Cruz County Regional Conservation Investment Strategy, covering Santa Cruz County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for development of Regional Conservation Investment Strategies. [California

Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68), Public Resources Code Section 80111(a)]

27. **Colton Sand Dunes** **\$1,934,000**
San Bernardino County
To consider the allocation for a grant to Rivers & Lands Conservancy (RLC) and the acceptance of two U.S. Fish and Wildlife Service Habitat Conservation Plan Land Acquisition grants and the approval to sub-grant these federal funds to RLC to acquire 34± acres of land for the protection and preservation of the Delhi Sands flower-loving fly, located in the city of Colton, San Bernardino County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition and protection of habitats that are critical to the sustainability of threatened or endangered species. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c)]
28. **CDFW Land Management Plans, South Coast Region** **\$1,327,213**
San Diego/Los Angeles County
To consider the allocation for a grant to the California Wildlife Foundation for a cooperative project with the California Department of Fish and Wildlife (CDFW) to complete and deliver land management plans for CDFW's Ballona Wetlands Ecological Reserve located in Los Angeles County, and Boden Canyon Ecological Reserve, Batiquitos Lagoon Ecological Reserve, and Hollenbeck Canyon Wildlife Area located in San Diego County. The purposes of this project are consistent with the proposed funding source that allows for the preparation of land management plans for properties acquired in fee by the Wildlife Conservation Board. [California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 (Proposition 40), Public Resources Code Section 5096.650(a)(6)]
29. **John Henry Ranch** **\$3,200,000**
San Diego County
To consider the allocation for a grant to Escondido Creek Conservancy for a cooperative project with California Natural Resources Agency to acquire 282± acres of land for the protection habitat consisting of oak woodlands, grasslands, plants and chaparral that supports a variety of wildlife including deer and mountain lion and to increase protection of regional wildlife habitat corridors and provide potential future wildlife-oriented public use opportunities, located in an unincorporated area in north San Diego County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition of habitat, including native oak woodlands, and to protect deer and mountain lions. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]
30. **Stonebridge Mesa and Santa Carina Terrace Climate Adaptation and Resilience Project** **\$759,000**
San Diego County
To consider an allocation for a grant to San Elijo Lagoon Conservancy for a cooperative project with the San Diego County Department of Parks and Recreation that will restore 38 acres of diverse upland habitat in San Elijo Lagoon Ecological Reserve to provide climate change adaptation and resilience benefits to ecosystems deemed moderately or highly vulnerable to climate change. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for protection and restoration of natural ecosystems to provide climate change adaptation and resilience, assist natural and working lands managers in adapting to and becoming more resilient to climate change, facilitate the reduction of greenhouse gas emissions, increase carbon sequestration in natural and working lands, and provide additional social, economic, and

Wildlife Conservation Board Meeting, May 22, 2019

environmental benefits, or "co-benefits". [Greenhouse Gas Reduction Fund, Budget Act, Chapter 14 and 249, Statutes of 2017]

31. Strategic Plan Update

Informational item regarding the update of WCB's Strategic Plan, as required by Proposition 68.

32. Discuss and Act on Board Administrative Items

- New Business
- Next WCB Meeting – August 28, 2019

Adjourn

PERSONS WITH DISABILITIES

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


CALIFORNIA WILDLIFE FOUNDATION
428 13th Street, Suite 10A
Oakland, CA 94612



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tel 510 208 4436
fax 510 268 9948
BOARD OF SUPERVISORS
2019 MAY 20 A 19:51

Memorandum

To: Honorable President, Board of Supervisors
c/o Clerk of the Board

From: Janet Cobb, Executive Officer 
California Wildlife Foundation/California Oaks

Date: May 16, 2019

Re: Conserving Oaks – Important Natural Capital

Enclosed please find copies of the CWF/California Oaks newsletter for each of your Supervisors, plus one for your Planning and Public Works Directors.

Oak woodlands – and even one large oak tree – provide wildlife habitat to many species, which make up our state's natural wealth. Please see www.californiaoaks.org and www.californiawildlifefoundation.org for additional information. Your constituents may download many free publications to help them protect and increase value to large land holdings, community common areas, and individual lots.

We applaud your efforts to date to attain climate stability, clean air and water, and sustainable wildlife habitat throughout California. Join us in pressing on with the wise investment of saving important oak resources.

Please do not hesitate to contact us to share your oak conservation stories, or to ask for additional information.

Thank you for your consideration and wise conservation investments.



Protecting Hornitos Ranch, a working landscape

by Bridget Fithian, Executive Director and
Jessica Thompson, Program Assistant
Sierra Foothill Conservancy

Farms and ranches dot the landscape between Yosemite and Kings Canyon National Parks. These grasslands, woodlands, and forests are home to native plants and wildlife, and they are a source of clean water. Hornitos Ranch is an iconic place in this beautiful setting.

Operating as a cattle ranch for 147 years, the 7,100-acre property includes 9 miles of wildlife corridor, encompassing 5,400 acres of blue oak savanna and woodlands and 1,700 acres of vernal pools and grasslands. The property, adjacent to the Merced River and Lake McSwain Public Recreation Area, includes more than 3 miles of Merced riverbank, 31 miles of streams, and 42 acres of riparian habitat.

The Merced River corridor, which includes the Hornitos Ranch, faces development pressure from expanding populations and housing, particularly from the expansion of the University of California, Merced. Tree orchards are also replacing rangeland and natural lands in the San Joaquin Valley and Sierra Nevada Foothills, fragmenting the landscape.

Sierra Foothills Conservancy (SFC) is pursuing opportunities for conservation in



Melissa Odell, Sierra Foothill Conservancy

Winter on the Hornitos Ranch with Merced River in the distance

the area. Hornitos Ranch, an accumulation of 46 parcels acquired by the Gagliardo family during the 19th century, is now threatened by development company ownership, which has advanced plans for a 4,000-home community.

A local cattleman and his family—managers and stewards of Hornitos Ranch for over a decade—are partnering with SFC to acquire a conservation easement on the property. This will allow the family to purchase the ranch to keep it intact as a working landscape in perpetuity.

SFC, a member of California Oaks Coalition, works to permanently protect habitat, scenic values, clean water resources, and the area's historic land-based economy, from grasslands to the Sierra crest. The Hornitos conservation easement is SFC's largest acquisition to date and the centerpiece of the organization's Merced River Conservation Corridor Focus Area. SFC partners with willing landowners to strategically acquire conservation easements to connect 20,626

acres of public and private land within the focus area to protect diverse wildlife and plant species, including blue oak, valley oak, and interior live oak.

Hornitos is the largest contiguous ranch remaining in the focus area and one of the largest ranches in Mariposa County. The property is surrounded by other large ranches, which together support a rich and diverse suite of conservation values, with over 45 special-status species documented within the site's vicinity. This property has an 822-foot elevational gradient that benefits plant and animal species, offering climate resiliency and critical transition-zone habitat that is integral to regional, state, and federal conservation plans.

Hornitos Ranch is within the U.S. Fish and Wildlife Service (USFWS) Southern Sierra Foothill Vernal Pool Region, with 146.6 acres of USFWS-designated critical habitat for vernal pool species. Further, the ranch's

— continued on back page

Inside

Pages 2–5 and 8

California Oaks Coalition Reports and Resources

Santa Clara County, Amador County, Amah Mutsun Land Trust, Blue Oaks, Stewardship Council, Elder Creek Oak Sanctuary

Pages 6–7

California Wildlife Foundation Partner Reports

Bruce Forman, Invasive Species, South Bay Salt Pond Restoration

California Oaks Coalition

California Oaks Coalition brings together state, regional, and local organizations to conserve and perpetuate the state's primary old growth resource. Members of California Oaks Coalition are united by the vital role of oaks in sequestering carbon, maintaining healthy watersheds, providing habitat, and sustaining cultural values:

Amah Mutsun Land Trust
American River Watershed Institute
Butte Environmental Council
California Invasive Plant Council (Cal-IPC)
California Native Plant Society (CNPS)
CNPS San Diego Restoration Committee
CNPS Sanhedrin Chapter
California Water Impact Network (C-WIN)
California Wilderness Coalition (CalWild)
Californians for Western Wilderness (Cal/Wild)
Carpe Diem West
Center for Biological Diversity
Chimeneas Ranch Foundation
Clover Valley Foundation
Dumbarton Oaks Park Conservancy
Elder Creek Oak Sanctuary
Endangered Habitats Conservancy
Endangered Habitats League
Environmental Defense Center
Environmental Protection Information Center (EPIC)
Environmental Water Caucus
Foothill Conservancy
Forests Forever
Friends of the Richmond Hills
Friends of Spenceville
Hills for Everyone
Los Padres ForestWatch
Lower Kings River Association
Napa County Water, Forest and Oak Woodland Protection Committee
Northern California Regional Land Trust
Planning and Conservation League
Redlands Conservancy
Resource Conservation District of Santa Monica Mountains
Rural Communities United
Sacramento Tree Foundation
Santa Clarita Organization for Planning and the Environment (SCOPE)
Shasta Environmental Alliance
Sierra Club Placer County
Sierra Foothill Conservancy
Tejon Ranch Conservancy
Tuleyome
University of California Los Angeles Botanical Garden

The four areas of support being developed for the coalition are:

- 1) Research and advocacy updates (available at californiaoaks.org).
- 2) Information to educate and engage the public.
- 3) Tools for participating in planning processes and educating opinion leaders.
- 4) Materials to inform local, regional, and state governmental agencies of the opportunities for and benefits of protecting oak woodlands.

Please contact Oaks Network Manager Angela Moskow, amoskow@californiaoaks.org, (510)763-0282 for more information.

Innovative policy protects oak habitats in Santa Clara Valley

Staff of Santa Clara Valley Open Space Authority

The Santa Clara Valley Open Space Authority (Authority) has protected 25,000 acres of native California oaks and associated habitats across Santa Clara County over the last quarter century via a combination of acquisition, conservation easements, urban grantmaking, and volunteer engagement. The Authority is known in the South Bay as a leader in forming creative and innovative partnerships to conserve land and water.

The Authority is working to advance the concept of nature as green infrastructure in land use planning, helping planners and decision makers understand that preserving open space is one of the smartest investments we can make to ensure a sustainable and resilient region. Nature provides important ecological, economic, and community benefits called "ecosystem services" including flood protection, greenhouse gas reduction, food production, resilience to climate change, and the enhanced health and safety of human and natural communities. Native oak habitats are important examples of natural infrastructure.

Coyote Valley in southern San Jose is a threatened landscape that offers multiple conservation benefits. It is the last large-scale undeveloped assemblage of Santa Clara Valley habitat, including oak woodlands. The Authority partnered with the Peninsula Open Space Trust and a multidisciplinary team to develop the Coyote Valley Landscape Linkage (CVLL) Report. The CVLL team researched the historic ecology of the region and conducted analyses to determine how to protect and restore a critical wildlife corridor for current and future populations of wide-ranging mam-

mals, such as mountain lions. CVLL calls for large-scale restoration of critical habitat to serve as the key linkage for wildlife. Included in this vision are a complex ecologic mosaic of oak savanna and oak woodland communities, as well as riparian corridors, wildlife-friendly agriculture, wet meadows, and freshwater wetlands.

These efforts were recently rewarded when San Jose voters passed Measure T, the Disaster Preparedness, Public Safety, and Infrastructure Bond Measure, which authorized \$650 million in general obligation bonds, including up to \$50 million for land acquisition for natural flood and water quality protection, primarily in Coyote Valley. The inclusion of funding designated for nature-based solutions to flooding in a larger urban infrastructure bond measure was precedent setting in California.

The Authority is also among the first of county agencies to sponsor the use of a new conservation tool called a Regional Conservation Investment Strategy. This planning and implementation mechanism supports voluntary conservation and enhancement actions within the Authority's jurisdiction, including Coyote Valley. It will help protect focal species and their sensitive habitats, such as oak savanna, using Mitigation Credit Agreements. For example, the Authority can facilitate agreements between transportation agencies and the California Department of Fish and Wildlife to direct mitigation for impacts to high priority lands, and will play a key role in implementing the land protection or restoration activities resulting from such agreements.

For more info, go to openspaceauthority.org/coyotevalley.



Oaks in Coyote Valley Open Space Preserve

Derek Neumann

RESOURCES

NATURE AND HUMAN HEALTH:

The Healing Power of Trees (Bulletin), from the Arbor Day Foundation, summarizes studies exploring linkages between trees and associated green spaces in hospital recovery and workplace and learning environments. 8 pp; \$3. shop.arborday.org/product.aspx?zpid=2402

Healthy Parks Healthy People US, from the National Park Service, promotes parks as a health protection strategy. The website includes materials for educators and health care providers, studies about the connection between health and natural settings, and information on federal programs that encourage spending time in nature. www.nps.gov/planyourvisit/healthy-events.htm

UPCOMING EVENTS:

Southwestern Tribal Climate Change Summit. Hosted by Pala Band of Mission Indians, La Jolla Band of Luiseno Indians, Institute for Tribal Environmental Professionals, and Climate Science Alliance, August 13-16, Idyllwild Arts Academy, Idyllwild, CA. The event includes a Youth Tribal Summit for students (ages 16-25) to connect with scientists, managers, and artists. climatesciencealliance.org/tribal-summit

Prescribed Fire on Private Lands Workshop. Hosted by University of California Forest Research and Outreach, May 17-18, Blodgett Forest Research Station, Georgetown, CA. ucanr.edu/sites/forestry/Wildfire/Prescribed_fire/Rx_workshop/

Chronicling California's heritage trees

Photographer and author William Guion is about to embark on a project to chronicle California's ancient oaks. The project is inspired by Guion's most recent book, *Quercus Louisiana*, a visual and narrative introduction to Louisiana's ancient oaks. Guion's southern project builds on the 1934 article, "I Saw in Louisiana a Live Oak Growing," which raised awareness of that state's ancient oaks.

To learn more, or to alert Mr. Guion about ancient California oaks, please visit: www.QuercusLouisiana.com.

Settlement improves Amador County land-use planning

by Katherine Evatt

Foothill Conservancy Board President

In October 2016, Amador County adopted a new general plan over the vocal objections of the Foothill Conservancy, wildlife advocates, and concerned citizens. The next month, the Conservancy, a Jackson, California-based nonprofit advocacy organization and California Oaks Coalition member, filed a California Environmental Quality Act (CEQA) lawsuit challenging the plan.

Under state law, the parties to a CEQA lawsuit must have a settlement meeting. Often those meetings are fairly perfunctory, but in this case, Amador County and the Conservancy agreed to ongoing discussions. The parties negotiated through most of 2017 and settled the case in spring 2018.

The settlement addresses the Conservancy's key concerns about the general plan. Its provisions will better protect the county's agricultural lands, scenic beauty, community character, and wildlife. It also established an accountability system to track key planning benchmarks.

In August 2018, the Amador County Board of Supervisors adopted county code amendments required by the settlement. The amendments:

- Better protect new homes from wildland fire when land is developed in high and very high-risk wildland fire areas.
- Reduce the likelihood of agricultural lands converting to nonagricultural uses.
- Preserve wildlife, aquatic resources, and water quality.
- Require applicants for commercial projects of 5,000 square feet or more to analyze the economic impacts of their projects on the viability of existing businesses.

In addition, the code changes require the county to make information available to project applicants and real estate agents on the risks of wildland fire, available levels of fire and emergency response, and wildland fire prevention methods; and to provide that same information when property changes hands in high and very high fire-risk areas. That information is now posted on the county's website.

The code changes also include a comprehensive set of general plan performance measures and require regular



Black oaks in the Mokelumne River canyon, near Pine Grove.

"The settlement will help the citizens of Amador County hold their elected officials accountable for protecting our local environment and quality of life," Foothill Conservancy President Katherine Evatt

monitoring and periodic reports to the county board of supervisors. If identified trends are inconsistent with the general plan's stated goals, county staff will provide an analysis and recommendations to the board, which will then review them at a public hearing.

In addition, the settlement requires Amador County to develop ordinances by April 2020 to:

- Protect rural scenic quality along Amador County's roads by establishing standards for commercial, industrial, and institutional development, and guidelines for residential development.
- Establish commercial design standards for towns and existing communities to protect community character.
- Limit light pollution that harms views of dark night skies.

El Cerrito-based attorney Michael W. Graf and San Francisco-based planner Terrell "Terry" Watt played a critical role in helping the Foothill Conservancy reach this positive outcome.

For more information, go to www.foothillconservancy.org.

Katherine K. Evatt, 2017

Restoring the legacy of Awaswas forest management

by Sara French, Director of Programs and
Development, Amah Mutsun Land Trust

In October 2016, members of the Amah Mutsun Tribal Band gathered in a circle beneath ancient oak trees at San Vicente Redwoods, a mixed-use open space property in the Santa Cruz Mountains. Tribal members sang songs in their indigenous language, offered prayers as their ancestors would have, and then ignited a tiny bed of lichen and dried grass, which carried flames into the forest.



Amah Mutsun Native Stewards, who are also certified wildland fire fighters, use a hand drill to start a prescribed fire in the traditional way.

Fire crews, tribal members, and land managers carefully tended this low-intensity fire to manage the forest and reduce fuel loads. This mixed hardwood and conifer forest contains old, gigantic oaks and redwoods, but young Douglas-fir trees are growing tall and shading out the oaks. Prescribed burning is expected to reduce the young Douglas-firs without causing mortality to the large oaks, thus promoting a forest structure of giant trees and open understory, similar to what the forest most likely looked like during centuries of indigenous management with fire.

This project is on ancestral Awaswas land, and the Amah Mutsun are the descendants of the Mutsun and Awaswas

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California's primeval blue oak forest

*In a state famous for remarkable forests, the blue oak woodlands must be included among the most exceptional. Blue oak woodlands are a mosaic of forest and savanna on the foothills of the Coast Ranges and Sierra Nevada, encircling the Central Valley of California. These beautiful woodlands are one of the largest ecosystems in California, but they are imperiled by agricultural development, suburbanization, and by the apparent decline in natural regeneration. Many of the remaining blue oak woodlands were never systematically logged and still contain canopy-dominant individuals that are 150 to over 600 years old. Our extensive field research and tree-ring dating indicates that literally thousands of acres of old-growth blue oak (*Quercus douglasii*) survive on private and public land. In fact, the remaining blue oak woodlands may be one of the most extensive old-growth forest types left in California. These ancient woodlands contribute to watershed protection and preserve an important component of the eroding biodiversity of California. The annual growth rings of these exceptional old-age blue oak trees also provide a sensitive chronology of drought and wetness over California that has helped place the modern anthropogenic era of heavy water demand and climate change into the context of natural climate variability over the past 600 years.*

— Professor David William Stahle, University of Arkansas, Ancient Blue Oak Woodlands of California website (blueoak.uark.edu).

The window that blue oaks provide into California's hydrological history offers a roadmap for stewardship as the climate changes. The annual growth rings of blue oaks record the history of California's rainfall, because the trees are an integral part of the watershed. Oak litter, duff, downed logs, understory, and root systems stabilize and enrich soil, regulate run-off, prevent erosion, cool riparian corridors, and access groundwater and soil moisture. It is estimated that California's oak woodlands protect the quality of greater than two-thirds of California's drinking water supply.¹ Keeping our old-growth oak forests standing is essential to achieving a secure water future.

The history of California's oaks begins before the Quaternary ice ages (the most recent 2.588 million years of the Earth's history).² In proceedings of the 7th California oak symposium, Scott Mensing described the establishment of low-elevation oak woodlands:

The late Pleistocene was dominated by juniper and/or incense cedar, sagebrush, and pine with very little oak, suggesting an open landscape with a cooler, drier climate than today. Beginning about 10,000 years ago oak began to increase, reaching a maximum between 8,000 to 6,000 years ago, then slowly declining while pine and fir increased. Oaks

remained a minor component in the montane forests of the Sierra Nevada until the late Holocene, when evidence suggests that burning by native Californians once again favored an increase in oak woodlands at the expense of conifers.³

The persistence of California's old-growth oak ecosystems through climate shifts offers a degree of certainty during uncertain times. In addition to their importance to watersheds, oak ecosystem services include the maintenance of biodiversity and carbon sequestration. Davis et al. describe oaks as a "foundation species," using Ellison et al.'s definition of such a species as "...one that 'controls population and community dynamics and modulates ecosystem processes,' whose loss 'acutely and chronically impacts fluxes of energy and nutrients, hydrology, food webs, and biodiversity.'"⁴

Blue oak ecosystems sequester an estimated 18,783,312 metric tons of above and below ground carbon in live and dead trees—and this does not include litter, duff, downed logs, or soil-born carbon. In total, California oak ecosystems are estimated to sequester 675 million metric tons of carbon stored.⁵ Soil organic carbon is positively correlated with woody plant cover, and can be quickly degraded and lost upon the removal of oaks.⁶

Lastly, old-growth oak forests offer insights into the use of fire again as a

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Blue oak — from previous page

management tool. Don Hankins, PhD, of Department of Geography and Planning, California State University, Chico, observes: "As society grapples with the devastating impacts of wildfires and the loss of biological diversity, many Indigenous people see traditional fire use as a key to mitigation of devastating losses while retaining traditional livelihoods associated with burning."⁷

¹ O'Geen AT, Dahlgren RA, Swarowsky A, et al. Research connects soil hydrology and stream water chemistry in California oak woodlands. *Cal Ag* 62(2): April-June 2010.

² Communication via email with Prof. David William Stahle, University of Arkansas, March 18, 2019.

³ Mensing S. 2015. The paleohistory of California oaks. In: Standiford RB, Purcell KL (tech. coords). *Proc. 7th California oak symposium: Managing oak woodlands in a dynamic world*. Gen Tech Rep PSWGTR- 251. Berkeley, CA: USDA Forest Service, Pacific Southwest Research Station:35-47.

⁴ Davis, FW, DD Baldocchi, and CM Taylor. 2016. "Oak Woodlands," chap. 25 in *Ecosystems of California*. Editors: H Mooney and E Zavaleta. University of California Press.

⁵ Aman T. 2008. *Oaks 2040: Carbon Resources ... California Oak Woodlands*. Oakland, CA: California Oaks Foundation.

⁶ Roche LM, Chang JF, Six J, O'Geen AT, Tate KW. 2015. Soil organic carbon stability across a Mediterranean oak agroecosystem. *Ibid*: Standiford RB, Purcell KL (tech. coords). p 227.

⁷ Hankins DL. 2015. Restoring indigenous prescribed fires to California oak woodlands. *Ibid*: Standiford RB, Purcell KL (tech. coords). p 123-9.

Awawas — from previous page

speaking peoples. They are working to restore their traditional ecological knowledge and reclaim stewardship of their ancestral territory. In addition to offering ceremony and starting the fire in the traditional way, the Amah Mutsun, through the Amah Mutsun Land Trust (a member of California Oaks Coalition), conducted pre and post-burn monitoring, tracking the effects of the fire on tree mortality, fuel loads, and herbaceous vegetation. This study is ongoing and impacts of the prescribed burning will be evaluated after the remaining plots are burned.

For more info, go to:
www.amahmutsunlandtrust.org.

Oak woodlands on PG&E watershed lands protected in perpetuity

by John McCamman, Board of Directors,
Stewardship Council

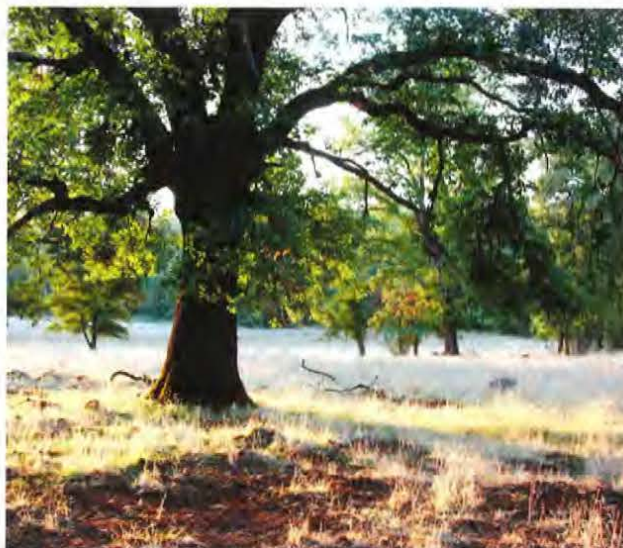
Conservation of over 140,000 acres of Pacific Gas and Electric (PG&E) watershed lands in Northern and Central California will be ensured in perpetuity through the 2003 settlement agreement following PG&E's 2001 bankruptcy filing. These lands include some of California's most beautiful and resource-rich landscapes, including about 52,000 forested acres of blue oak woodland, blue oak and foothill pine, montane hardwood and conifer, Sierran mixed conifer, lodgepole pine, and Douglas-fir. The watershed lands support hydropower generation and are largely concentrated along significant Sierra Nevada rivers and reservoirs that stretch from the Kern river near Bakersfield to the Pit and McCloud rivers north of Redding, and additionally include the Eel river in the Coast Range.

The agreement created the Pacific Forest and Watershed Lands Stewardship Council (Stewardship Council) to develop and implement a Land Conservation Plan to protect the beneficial public values of these properties for outdoor recreation, sustainable forestry, agriculture, habitat protection, open space preservation, and protection of historic and cultural resources.

Through this historic initiative, conservation easements will be placed on all of the properties, and local land trusts will hold the easements to ensure that the conservation values are protected. The Stewardship Council provides endowments to each conservation easement holder to fund monitoring, stewardship, and legal defense, as well as the enforcement of the conservation easements in perpetuity. Additionally, PG&E will donate fee title to approximately 40,000 acres of the watershed lands to public agencies and Native American entities.

The Stewardship Council has selected qualified parties to receive donations of fee title to large swaths of PG&E's forested lands, including the U.S. Forest Service, California Department of Forestry and Fire Protection (CAL FIRE), and University of California Center for Forestry.

For example, CAL FIRE will receive 2,246 acres at the Cow Creek Planning Unit within the Cow-Battle Creek Watershed in Shasta County. The site's forest resources include black oak and ponderosa pine woodland, blue oak and foothill pine woodland, riparian woodland scrub, and chaparral communities.



Oak woodlands will be donated to CAL FIRE at Cow Creek Planning Unit in Shasta County.

The planning unit will provide a low-elevation, northern Sierran forest and woodland vegetation research and demonstration site. CAL FIRE's proposed land management activities will focus on sustainable forestry, research, and range management practices.

The Stewardship Council plans to complete its work by the end of 2021, and is working to ensure that PG&E continues to fulfill the 2003 settlement agreement throughout the current bankruptcy proceedings.

Go to: www.stewardshipcouncil.org for more information about the Stewardship Council's conservation efforts in 22 counties.

Bruce Forman's nature education career

Struhs-Forman Family



Bruce pauses at Silver Lake to reflect on retirement as he hikes in northern Sierra.

Bruce Forman was one of the original hires in 1989 for the California Department of Fish and Wildlife's (CDFW, formerly Department of Fish and Game) newly established Wildlands Program. His recent retirement after 30 years was the last departure of a dedicated group of interpreters who were recruited to deliver educational and recreational programming to a broad constituent base.

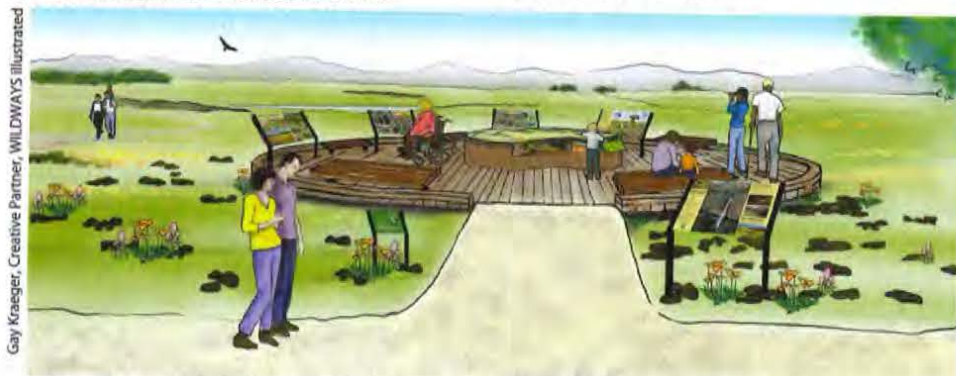
"Bruce Forman has been one of the major figures to shape the landscape of environmental literacy in the greater Sacramento region," said Laura Drath, a fish and wildlife interpreter at the Nimbus Fish Hatchery. "His impact on colleagues, educators, and students will resonate for decades to come."

Bruce developed a toolbox of programs to serve different audiences with information about the state's natural world. These include guided public wildlife viewing tours and wildlife festivals, popular with every age group. Nature Bowl, which Bruce led for 33-years, is a program that now serves third through sixth grade students from over 100 schools in the Sacramento Valley and foothills. He also developed trails, interpretive brochures, educational videos, and visitor center exhibits.

Bruce focused on developing partnerships, sponsorships, and grants in support of these programs. California Wildlife Foundation's (CWF) support and partnership enabled Bruce to catalyze outstanding events such as the American River Salmon Festival and the Lodi Crane Festival. Bruce produced a crane-viewing shelter at Woodbridge Ecological Preserve and coordinated eight well-attended "Coot Scoot" runs/walks at Gray Lodge Wildlife Area. He produced three educational videos—on salmon conservation, the effects of pollution on wildlife, and water conservation—which were distributed statewide. He also developed outdoor kinesthetic and thematic exhibits for young children, such as the Fishy Playscape at Nimbus Hatchery in Rancho Cordova.

Bruce's legacy also includes planning, carried out in partnership with CWF, for North Table Mountain Ecological Reserve in Butte County. He developed interpretive opportunities for visitors to experience the Northern Basalt Flow vernal pools and other features of this unique landscape. As a testament to his continuing impact, Wildlife Conservation Board and CDFW recently committed approximately \$500,000 for public access improvements, including the beginning stages of a 1.2-mile trail at the reserve.

Bruce's public outreach and science-based interpretive work set a high standard for educators. He was recognized during his tenure at CDFW with the Gold Award for Superior Accomplishment. His knowledge, passion, initiative, ability to work with others, and determination to make nature exciting for all inspired a diverse audience to support conservation efforts throughout the state.



Gay Kraeger, Creative Partner, WILDWAYS illustrated

Conceptual rendition of first phase of interpretive trail at North Table Mountain Ecological Reserve

Addressing invasive species threats in California

Invasive species threaten California ecosystems

The University of California, Riverside, Center for Invasive Species Research (cistr.ucr.edu) summarizes some of the environmental impacts of ecosystems altered by invasive species:

Environmental problems caused by invasive species can be the extinction of native animals (e.g., the brown tree snake in Guam has caused the extinction of native bird species). Invasive weeds are often responsible for the drastic modification of native ecosystems. For example, invasive weeds can choke out native plants thereby removing food and shelter for native animals. Invasive plants can cause wildfires to occur more often and burn more intensely. Water tables can be lowered by invasive trees that have deep rooting systems, and some plants can alter soil chemistry making it unsuitable for native trees, shrubs, and herbs.

California's rich and varied wilderness areas are threatened by a large number of invasive weeds which include thistles, giant cane, salt cedar trees, seaweeds, algae, floating and submerged freshwater weeds, and non-native mustards.

Invasive Spartina Control and Revegetation Project

The San Francisco Estuary Invasive Spartina Project is one of many ongoing multiparty efforts to address the threat of invasive species on natural ecosystems in California. California Wildlife Foundation (CWF) has worked for more than a decade with California State Coastal Conservancy and numerous local agencies and private contractors to eliminate highly invasive spartina and replant native vegetation in the baylands and lower creek channels of San Francisco Bay. Control efforts conducted between 2005 and 2018 reduced estuarywide infestations by 96.5 percent, from 805 to 36 net acres. The project also

— continued on next page

Invasive Species — cont. from prior page

created high-tide refuge islands to benefit habitat for Ridgway's Rail (*Rallus obsoletus*) and increase its resilience to rising sea levels.

The project is funded by the Coastal Conservancy, including regranted state, federal and local agency monies.

Increasing protection from invasive plants

California Oaks Coalition member California Invasive Plant Council (Cal-IPC, calipc.org) is a leader in the effort to address the threats posed by invasive plants. Cal-IPC was a proponent of AB 2470 (Grayson) in 2018, which codifies the state's interagency Invasive Species Council. The Council secured \$2 million in one-time funding for local weed management projects. CWF also supported this legislation. The state's draft budget for the 2019-20 fiscal year includes \$3 million for the Weed Management Area (WMA) program's prevention, detection, and management activities. Cal-IPC and CWF are again supporting the budget item, which is part of implementing the state's Biodiversity Initiative.

More info: cal-ipc.org/WMAfunding.

International Oak Society Conference

Oak experts and enthusiasts from around the world gather every three years to share ideas and information at the International Oak Society (IOS) conference. The University of California, Davis Arboretum and Public Garden hosted the most recent conference in late 2018. The sessions, posters, and workshops covered a broad spectrum of topics organized around the theme "Adapting to Climate Change—Oak Landscapes of the Future." Tours and special events highlighted the diversity of oaks from California and around the world, while encouraging collaboration, networking, and greater oak appreciation. California Wildlife Foundation/California Oaks participated in the conference, presenting on how members of California Oaks Coalition are using California's climate change legislation to keep oaks standing. The next conference will likely be held in Taiwan. Visit www.internationaloaksociety.org to learn more about IOS.

South Bay Salt Pond Restoration Project updates

The South Bay Salt Pond Restoration Project is a multiagency effort to restore 15,100 acres of former salt evaporation ponds in south San Francisco Bay over a 50-year period. U.S. Fish and Wildlife Service (USFWS) manages the Alviso and Ravenswood ponds, and California Department of Fish and Wildlife manages the Eden Landing Ponds. The project's extensive science and adaptive management program supports the management actions of these agencies.

Update 1: Phase 2 Science Program

California Wildlife Foundation (CWF) is administering funds and contracts for the Phase 2 Science Program of the restoration project. Specific activities include:

- South Bay waterbird surveys and assessments, conducted by U.S. Geological Survey (USGS) and San Francisco Bay Bird Observatory;
- Bathymetric surveys of Guadalupe and Alviso sloughs by USGS;
- Habitat evolution mapping using high-resolution satellite imagery by Brian Fulfroft & Associates;
- A climate change assessment report, prepared by Point Blue Conservation Science; and

- Two regional science integration workshops convened by Point Blue.

"The management team looks forward to implementation of these monitoring and applied research studies because they will provide important information to help us assess progress toward the project's restoration goals," said Laura Cholodenko, project manager with California State Coastal Conservancy.

Update 2: Soil deliveries critical to restoration effort

Pacific States Environmental Contractors, Inc., CWF's contractor for the Alviso and Ravenswood ponds, has already delivered about 70,000 cubic yards of clean, tested soil to Ravenswood Ponds at the Don Edwards San Francisco Bay National Wildlife Refuge; with 300,000 cubic yards to be ultimately delivered at no cost to USFWS. The soil will be used to maintain levees for flood protection, restore habitat for fish and wildlife, and improve recreational access for visitors to the Ravenswood complex, located south of Bedwell Bayfront Park in Menlo Park. The initial 300,000 cubic yards of soil deliveries are expected to be completed by fall 2020.



Looking north into the Ravenswood complex, where imported soil is being delivered for levee maintenance, habitat enhancements, and improved public access.

Pacific States Environmental Contractors, Inc.

Protecting Hornitos Ranch — from front page

multiple ponds and rolling hills provide ideal breeding and upland habitat for California tiger salamander (*Ambystoma californiense*), a federally threatened and state-threatened species.

The ranch is within two California Department of Fish and Wildlife (CDFW) Conceptual Area Protection Plans, and it has received the California Rangeland Conservation Coalition's Critical to Conserve designation. It protects vital water resources of the Lake McSwain Public Recreation Area and the Merced River watershed, thereby advancing the State Wildlife Action Plan and California Water Action Plan. Its protection also advances recovery actions for anadromous

fish habitat, as identified in state and federal recovery plans for Central Valley Chinook salmon (*Oncorhynchus tshawytscha*) and steelhead (*Oncorhynchus mykiss*).

SFC funding partners for the Hornitos easement include CDFW, California Wildlife Foundation's Vesta and California Oaks funds, the Department of Conservation, and the Wildlife Conservation Board.

SFC honors the natural and cultural heritage of this region by protecting these resources and ensuring that present and future generations will continue to experience and enjoy the land in this region, now and forever. For more information, please visit sierrafoothill.org.

Adopting a land reparations ethic at Elder Creek Oak Sanctuary

by Brien Brennan

My wife, Marie, and I recently purchased 160 acres of foothill land in Tehama County, about 5 miles west, as the crow flies, from our home at Elder Creek Oak Sanctuary. This foothill land, while still retaining a powerfully wild and mythic nature, has been horribly scarred by illegal pot-growing and bulldozing. Had we not stepped in, the next owners very likely would have done more of the same, or perhaps used the land for off-roading or hunting. Our ownership prevents further water extraction, biocide applications, land clearing, road building, noisy polluting machines, and hunting on the land.

In total, 89,000 acres of Tehama County's blue oak woodlands were destroyed in just two decades—the 1950s and 1960s—and there is still inadequate governmental defense of oak woodlands.

Marie and I have adopted a land reparations ethic. Restoring the land to prior fecundity is impossible, but it is never too late to try to make amends. We cage seedlings wherever we find them, and build deer and sheep deterrents with fallen branches and sticks for saplings. We have also sprouted acorns and planted those in favorable locations with some success.

Elder Creek Oak Sanctuary, a member of California Oaks Coalition, is located in southwestern Tehama County, near the confluence of the three main forks of Elder Creek in the lower foothills of the Inner North Coast Range.

Ninety percent of the sanctuary's 233

acres are characterized by steep slopes of blue oak woodland. Generally speaking, the oak communities are densely spaced on the northern and eastern slopes, moderate on the western slopes and sparse to nonexistent on the southern slopes.

The vast majority of the trees are of an age that corresponds with the last major statewide pulse of blue oak recruitment in the second half of the 1800s. Most are under 16 inches in diameter, but dozens of canopy-dominant trees exceed this size. These ancient trees are anchor points for me and Marie as we walk the land.

The recently-purchased land is mostly north slope in a steep canyon—a climate refuge! In addition to the nearly three-quarters-mile-long creek, there are vast stretches of intact, mossy ground. There are also over 18 acres of old, contorted, stunted canyon live oaks, California's oak species with the largest geographic range, spanning from central coastal Oregon through California and Arizona, and including spots in Baja California, Nevada, and the northwest corner of the state of Chihuahua, México—a testament to their knack for finding nooks and crannies in the broader landscape in which to sink their roots.

We are motivated by our love for these trees, and for those at the sanctuary, to secure protections through ownership, so that we can leave the land to future caretakers who will continue to revere the oaks of this place. To that end, we plan to establish permanent protection for these lands.

Visit eldercreek.org to learn more.

How you can help:

- Donate to California Wildlife Foundation/California Oaks. A secure donation can be made from our website: californiaoaks.org.
- Spend time in an oak woodland or forest. Click on californiaoaks.org/resources for a summary of oak landscapes around the state that have public access.
- Please consider including oak conservation in your financial and estate planning efforts. Information can be found at: californiaoaks.org/donate.
- Be vigilant about threats to oak woodlands and oak-forested lands in your community and email California Oaks for information about oak issues: amoskow@californiaoaks.org.
- Sign up for the Oaks e-newsletter at californiaoaks.org.
- Support local and statewide measures to protect natural resources.
- Hold decision-makers accountable for protecting our green infrastructure.

California Oaks is a fund within California Wildlife Foundation, federal tax identification number 68-0234744. Contributions of cash, stocks, and bonds are tax deductible.



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CALIFORNIA OAKS FUND

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Click on the Newsletters link of californiaoaks.org to download prior newsletters.

Latin names are used for species with designated state or federal conservation status.

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Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

June 7, 2019

NOTICE OF PROPOSED EMERGENCY ACTION

Special Order Regarding Take of Chinook Salmon in Anadromous Waters of the Klamath River Basin Downstream of Iron Gate and Lewiston Dams

Pursuant to the requirements of Government Code Section 11346.1(a)(1), the Fish and Game Commission (Commission) is providing notice of proposed emergency action with regard to the above-entitled emergency regulation.

SUBMISSION OF COMMENTS

Government Code Section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to OAL, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code Section 11349.6.

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail or e-mail, relevant to the proposed emergency regulatory action. Written comments submitted via U.S. mail or e-mail must be received at OAL within five days after the Commission submits the emergency regulations to OAL for review.

Please reference submitted comments as regarding "Emergency Regulations: Special Order Regarding Take of Chinook Salmon in Anadromous Waters of the Klamath River Basin Downstream of Iron Gate and Lewiston Dams" addressed to:

Mailing Address: Reference Attorney
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

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

E-mail Address: staff@oal.ca.gov

fgc@fgc.ca.gov

Fax No.: 916-323-6826

The Commission anticipates it will submit the rulemaking to OAL between June 14, 2019 and June 18, 2019. For the status of the Commission's submittal to OAL for review, and the end of the five-day written submittal period, please consult OAL's website at <http://www.oal.ca.gov> under the heading "Emergency Regulations."



CALIFORNIA FISH AND GAME COMMISSION
FINDING OF EMERGENCY AND
STATEMENT OF PROPOSED EMERGENCY REGULATORY ACTION

Emergency Action to
Add subsection (b)(91.2) to Section 7.50,
Title 14, California Code of Regulations
Re: Special Order Regarding Take of Chinook Salmon in Anadromous Waters of the
Klamath River Basin Downstream of Iron Gate and Lewiston Dams

Date of Statement: May 30, 2019

I. Statement of Facts Constituting the Need for Emergency Regulatory Action

Background

Regulations concerning the take of spring Chinook Salmon (where catch and release, or harvest, constitute take) in the Klamath River Basin are codified in subsection (b)(91.1) of Section 7.50, Title 14, California Code of Regulations (CCR).

On July 23, 2018, the Fish and Game Commission (Commission) received a petition to list Upper Klamath-Trinity Spring Chinook Salmon (UKTSCS) as endangered under the California Endangered Species Act (CESA). The petitioners, the Karuk Tribe and the Salmon River Restoration Council, submitted information indicating that declining population trends are evidence of extremely low UKTSCS abundance compared to historical status, and the current low numbers make UKTSCS vulnerable to extinction.

The Commission referred the petition to the Department of Fish and Wildlife (Department) for an evaluation of the merits of the petition. In November 2018, the Department submitted its evaluation report and recommended that the Commission accept and consider the petition.

On February 6, 2019, the Commission considered the Department's evaluation report and public comments received and found that there is sufficient information to indicate that the petitioned action may be warranted, after which the Commission then accepted the petition for consideration. Acceptance of the petition initiates a one-year review by the Department for determining the species status, which will include either a recommendation to the Commission that the petitioned action is not warranted, or a recommendation that the species be listed as threatened or as endangered. During the status review period, the species is considered a "candidate" species, which automatically confers CESA take prohibition measures (Fish and Game Code Section 2085).

At the February 6, 2019 meeting, the Department also recommended that the Commission adopt emergency regulations to help protect UKTSCS from take by minimizing confusion by sport anglers who may not have been aware of the

UKTSCS candidacy protections. The Commission adopted the emergency regulation on February 6, 2019 (effective February 28 through August 27, 2019) to close salmon fishing in specific reaches of the Trinity and Klamath rivers and make Klamath River Basin spring Chinook Salmon sport fishing regulations consistent with CESA protections. The emergency regulations were necessary to protect UKTSCS in these areas during its migratory and spawning phases.

Proposed Emergency Regulations

At its February 6, 2019 meeting, the Commission received testimony and letters from several members of the public, including the Del Norte County Board of Supervisors, and the Siskiyou County Board of Supervisors requesting that the Commission consider shortening the closed periods, or otherwise allow some take of UKTSCS during the spring Chinook Salmon fishing season. The concern expressed was that the complete closure by the February 2019 emergency regulations to spring Chinook Salmon fishing with UKTSCS designation as a candidate species under CESA would create economic harm to businesses (i.e., local tourism, fishing guides, motels, restaurants, and other infrastructure) associated with spring Chinook Salmon fishing. Such factors may be considered in authorizing some form of take under Section 2084 of the Fish and Game Code, which allows the Commission to authorize the taking of any fish by hook and line for sport that is listed as an endangered, threatened, or candidate species. The economic factors, coupled with the temporary and sudden nature of the Fish and Game Code Section 2085 protections for candidate species, constitutes an emergency that authorizes the Commission to address the matter through regulation.

The Commission directed the Department to explore potential changes to the February 2019 take prohibition for UKTSCS, and to conduct stakeholder outreach for the purpose of identifying potential fishing regulations that would mitigate economic impacts, while still providing protective UKTSCS regulatory measures.

The Department conducted three public meetings (Crescent City, March 7, 2019; Sacramento, March 18, 2019; Redding, March 26, 2019) to solicit public input on potential revisions to the February 2019 emergency UKTSCS regulations. The outcome of these meetings were majority consensus recommendations that included:

- July 1 opening dates for the lower Klamath River and the upper Trinity River that were otherwise closed by the February 2019 emergency rulemaking, and
- Daily bag limit of one Chinook Salmon; possession limit of two Chinook Salmon.

The Department took into consideration the following goals when formulating its recommendation to the Commission for re-opening parts of the Klamath and Trinity rivers and tributaries to a shortened salmon season, pursuant to Section 2084 of Fish and Game Code:

1. Focus on protecting wild spawning UKTSCS populations in Upper Salmon River, Upper South Fork Trinity River and mainstem Trinity River between Cedar Flat and Lewiston Dam;
2. Reduce, but not eliminate, harvest levels of UKTSCS during the candidacy period;
3. Direct the timing and location of any allowable take to areas with abundant hatchery stock available to fish; and
4. Provide some level of economic and fiscal benefits to the affected communities.

The Department's support of the consensus recommendations from the March 2019 outreach meetings aligns with the above goals, as follows:

1. The proposed July 1 opening date in the lower Klamath River protects the majority of wild-origin UKTSCS which enter and migrate through the lower Klamath River by reducing the spring Chinook Salmon fishing season by six months (opening July 1 instead of January 1). These wild salmon are destined for spawning in the Upper Salmon River and Upper South Fork Trinity River. Similarly, the July 1 opening date on the upper Trinity River protects wild UKTSCS by reducing the fishing season by six months.
2. Lowering the bag limit from historic levels still reduces harvest, which provides protection for the wild UKTSCS population.
3. The objectives for hatchery production of spring Chinook Salmon at Trinity River Hatchery are to mitigate for the loss of spring Chinook Salmon habitat and spawning above Lewiston and Trinity dams, and to provide for foregone sport and tribal harvest opportunities associated with this loss. The proposed regulatory action is consistent with the mitigation fishery objective. The July 1 opening date on the upper Trinity River protects UKTSCS, since the majority of the fish in this area between July and August are produced and stocked by the Trinity River Hatchery.
4. Integration of the feedback received during the February 6, 2019 Commission meeting and March 2019 Department outreach meetings into the proposed emergency regulations will help minimize economic hardship or loss associated with the February 2019 spring Chinook Salmon fishing closures. In particular, allowing fishing during the economically important Independence Day (July 4) weekend at the specified locations should provide significant economic benefits while minimizing effects to wild UKTSCS.

Regulatory Proposal

The proposed emergency regulation will amend the Klamath River Basin spring Chinook Salmon fishing regulations from the February 2019 emergency action to allow limited fishing opportunity on UKTSCS in the Klamath River downstream of the confluence of the Highway 96 bridge at Weitchpec, the Trinity River upstream of the mouth of the South Fork Trinity River, and the New River main stem downstream of the confluence of the East Fork to the confluence with the Trinity

River. Under the proposed emergency regulation, these areas will open July 1, 2019, and remain open until their regularly scheduled spring season close (Table 1, Figure 1), after which fall season regulations will apply (not shown). The New River reach is proposed to be opened to provide additional angling opportunity, but is not expected to have adverse impacts to UKTSCS since angler effort and access is very limited.

Table 1. Summary of regulatory changes in response to Commission acceptance of the UKTSCS petition.

Reach*	2018-2019 Regulations	February Emergency Regulations	Proposed Emergency Regulations
Klamath (Iron Gate Dam to Weitchpec) 7.50(b)(91.1)(E)2.a.	0 salmon bag and possession limit from Jan. 1-Aug. 14	Closed to salmon fishing through Aug. 14	No change
Klamath (Weitchpec to Klamath River mouth) 7.50(b)(91.1)(E)2.b.	2 salmon bag and possession limit from Jan. 1-Aug. 14	Closed to salmon fishing through Aug. 14	1 salmon bag limit; 2 salmon possession limit Jul. 1 – Aug 14.
Trinity (Old Lewiston Bridge to Hwy 299 bridge at Cedar Flat) 7.50(b)(91.1)(E)6.b.	2 salmon bag and possession limit from Jan. 1-Aug. 31	Closed to salmon fishing through Oct. 15	1 salmon bag limit; 2 salmon possession limit Jul. 1 – Aug 31.
Trinity (Hwy 299 bridge at Cedar Flat to Denny Road bridge at Hawkins Bar) 7.50(b)(91.1)(E)6.c.	2 salmon bag and possession limit from Jan. 1-Aug. 31	Closed to salmon fishing through Aug. 31	1 salmon bag limit; 2 salmon possession limit Jul. 1 – Aug 31.
New River (confluence of the East Fork to confluence w/ Trinity) 7.50(b)(91.1)(E)6.d.	Closed to salmon fishing	No change	1 salmon bag limit; 2 salmon possession limit Jul. 1 – Aug 31.
Trinity (Denny Road bridge at Hawkins Bar to mouth of the South Fork Trinity) 7.50(b)(91.1)(E)6.e.	2 salmon bag and possession limit from Jan. 1-Aug. 31	Closed to salmon fishing through Aug. 31	1 salmon bag limit; 2 salmon possession limit Jul. 1 – Aug 31.
Trinity (from the mouth of the South Fork Trinity to confluence w/ Klamath River) 7.50(b)(91.1)(E)6.f.	0 salmon bag and possession limit from Jan. 1-Aug. 31	Closed to salmon fishing through Aug. 31	No change
*description of reach is abbreviated; refer to subsection 7.50(b)(91.1)(E), Title 14, CCR, for specific names of the bodies of water.			

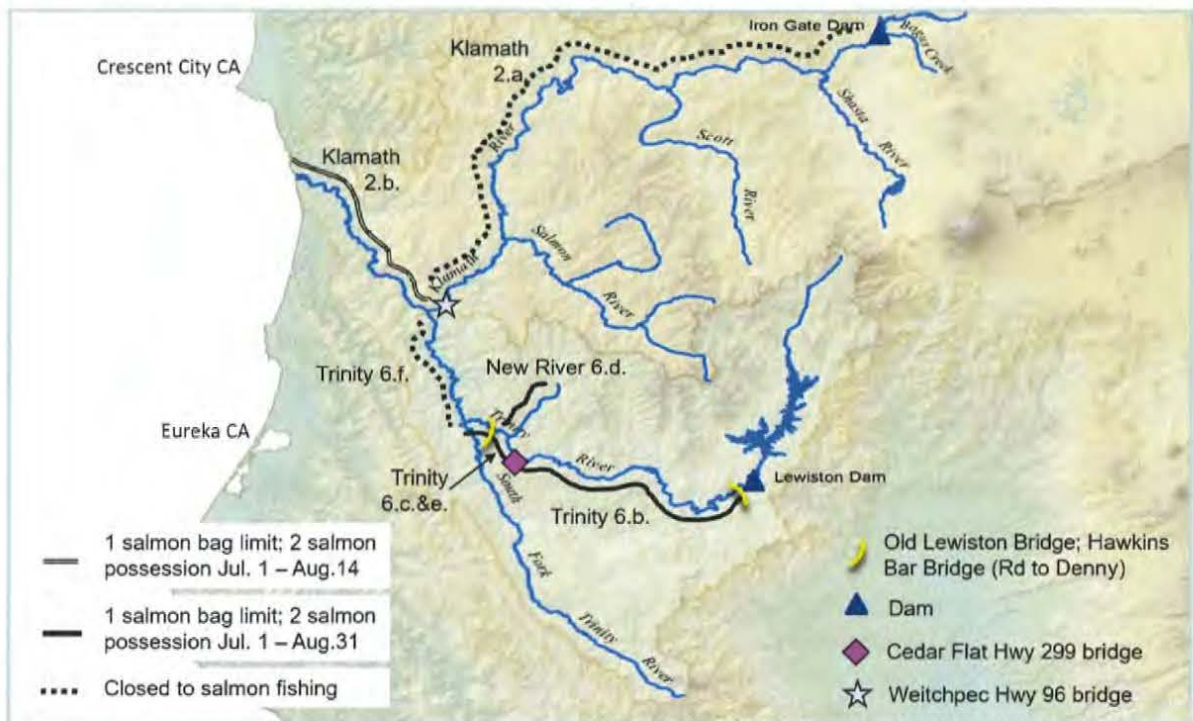


Figure 1. Map of proposed emergency regulations approved by the Commission, April 17, 2019

The proposed emergency regulation adds subsection (b)(91.2) to Section 7.50, Title 14, CCR, detailing the river reaches to be opened for fishing beginning July 1, 2019. The regulations in (b)(91.2) will supersede the February 2019 emergency regulations for the listed river reaches, and the spring Chinook Salmon regulations which would be in effect August 28, 2019 after the expiration of the February 2019 emergency regulations.

Emergency Finding

The proposed emergency regulations are necessary to alleviate the anticipated economic hardship of the February 2019 spring Chinook Salmon closure to local communities, while still providing protections to wild origin UKTSCS. Before the February 6, 2019 Commission meeting, the counties of Del Norte and Siskiyou expressed opposition to the listing of UKTSCS. As a resource-based economy, both Siskiyou and Del Norte counties articulated their reliance on fishing, tourism, and other recreational opportunity as vital components of their economies. This proposed emergency regulation aligns with the recommendation by the Del Norte County Board of Supervisors (letter dated March 26, 2019) to provide a level of protection of UKTSCS that balances the local economic pulse that the summer months of salmon fishing bring to the region. The latter months (May, June, July) are the most commonly fished months for salmon, and the July 1 opening date was selected to include fishing during the Independence Day (July 4) weekend for local and out-of- area anglers to have that angling opportunity. Some fishermen stay in the area following the spring salmon season to also participate in the Klamath River Fall Run Chinook Salmon season. Fishing pressure will be

shifted in time and place to protect the UKTSCS areas of greatest concern and allow for harvest of hatchery produced fish on the Trinity River.

Further, by July 1 most of the wild spawning UKTSCS have passed through the lower reaches of the Klamath and Trinity rivers to spawning grounds in higher reaches, thereby reducing the potential for take by anglers.

Spring Chinook Salmon fishing in the Klamath Basin has a long tradition in which generations of families have participated. Maintaining this opportunity, to some degree, will ensure that these opportunities persist into the future. Additionally, spring Chinook Salmon fishing provides recreational opportunities and salmon is a desired, natural food source which contributes to a healthy diet.

The Commission considered the following factors in determining whether an emergency exists:

- the magnitude of potential harm, or the existence of a crisis situation. If the complete closure of all spring Chinook Salmon fishing were to remain unchanged from the move to CESA candidacy status and the February 2019 emergency rulemaking, it would lead to economic harm for local businesses and communities, as shared with the Commission by Del Norte and Siskiyou counties. The anticipation of harm communicated to the Commission has a basis firmer than simple speculation.
- the immediacy of the need. Since all spring Chinook Salmon fishing reaches are closed to UKTSCS fishing by the move to CESA candidacy status and the February 2019 emergency rulemaking, this proposed rulemaking to open select reaches of the Trinity, Klamath, and New rivers requires expediency in effective date of the emergency regulations on or before July 1, 2019.

II. Impact of Regulatory Action

The potential for significant statewide adverse fiscal impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

- (a) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The proposed emergency regulation would result in a return closer to the pre-February 2019 baseline for spring Chinook Salmon fishing than the February 2019 emergency regulations. The proposed emergency regulation will re-open certain reaches of the Klamath and Trinity rivers for a limited duration of July 1-August 14 (Klamath) and July 1-August 31 (Trinity) with no new program costs or savings.
- (b) Nondiscretionary Costs/Savings to Local Agencies: The proposed emergency regulation is expected to result in a return to increased spring Chinook Salmon angler spending over the February 2019 emergency regulations. The open periods are proposed over historically high angler

visitation periods that should optimize the potential for increased visitor expenditures, sales tax and transient occupancy tax revenue to the affected areas [see the Addendum to the Economic and Fiscal Impact Statement (STD 399) for more detail].

- (c) Programs Mandated on Local Agencies or School Districts: None.
- (d) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

III. Authority and Reference

The Commission proposes this emergency action pursuant to the authority vested by sections 200, 205, 265, 270, 315, 316.5, 399 and 2084 of the Fish and Game Code, and to implement, interpret, or make more specific sections 200, 205, 265, 270, 316.5 and 2084 of the Fish and Game code.

IV. Section 399 Finding

Pursuant to Section 399 of the Fish and Game Code, the Commission finds that the adoption of this regulation is necessary for the immediate preservation of the public peace, health and safety, or general welfare.

V. Studies, Reports, or Documents Supporting Factual Emergency

- (1) Letter from Del Norte County Board of Supervisors, December 11, 2018
- (2) Letter from Siskiyou County Board of Supervisors, January 22, 2019
- (3) Letter from Del Norte County Board of Supervisors, March 26, 2019
- (4) Klamath River Basin Spring Chinook Salmon Spawner Escapement, River Harvest and Run-size Estimates, 1980 – 2017. Data compiled by CDFW.

Klamath River Basin spring Chinook Salmon Escapement surveys are performed by the Department and its partners. These surveys inform the range, distribution and timing of spring Chinook Salmon in the Klamath River Basin, including migration and spawning times and locations. This information was used to delineate the locations for fishing closures of the February 2019 UKTSCS emergency listing, as well as to identify the local fiscal impacts in terms of angler trips (see the Addendum to the STD 399 for more detail).

Informative Digest (Plain English Overview)

Proposed Regulatory Action

On February 6, 2019, the Fish and Game Commission (Commission) adopted emergency regulations to close spring Chinook Salmon fishing in specific reaches of the Trinity and Klamath rivers (effective February 28 through August 27, 2019). The purpose of this emergency regulation was to make Klamath River Basin spring Chinook Salmon sport fishing regulations consistent with protections for candidacy of Upper Klamath Trinity Spring Chinook Salmon (UKTSCS) under the California Endangered Species Act (CESA; Fish and Game Code Section 2085).

However, after conducting outreach and receiving testimony and letters from the public, as well as the Del Norte County Board of Supervisors and the Siskiyou County Board of Supervisors, the Commission adopted a second emergency action on April 17, 2019 to mitigate potential adverse economic and fiscal impacts of the complete prohibition of take, while still providing protective UKTSCS regulatory measures. Impacted parties include fishing guides, campgrounds, hotels, restaurants, gas stations and other businesses associated with Klamath Basin Spring Chinook Salmon sport fishing.

The proposed emergency regulatory action will allow limited sportfishing take of spring Chinook Salmon under Fish and Game Code Section 2084 to authorize the taking of any fish by hook and line for sport that is listed as an endangered, threatened, or candidate species. The economic factors, coupled with the temporary and sudden nature of the Fish and Game Code Section 2085 protections for candidate species, constitutes an emergency that authorizes the Commission to address the matter through regulation.

The proposed emergency regulation will amend the Klamath River Basin spring Chinook Salmon fishing regulations from the February 2019 emergency action to allow limited fishing opportunity on UKTSCS in the Klamath River downstream of the confluence of the Highway 96 bridge at Weitchpec, the Trinity River upstream of the mouth of the South Fork Trinity River, and the New River main stem downstream of the confluence of the East Fork to the confluence with the Trinity River. Under the proposed emergency regulation, these areas will open July 1, 2019, and remain open until their regularly scheduled spring season close, after which fall season regulations will apply.

The proposed emergency regulatory action will allow for harvest of spring Chinook Salmon in areas where the majority of fish encountered will be of Trinity River Hatchery origin, including the later July 1 season opening in the lower Klamath River and the upper Trinity River (above the confluence of the South Fork Trinity River).

Benefits:

The major benefit under the proposed emergency action is to ameliorate the economic losses associated with a total closure of the spring Chinook Salmon sport fishery from the February 2019 emergency regulation. Under this proposed emergency action, a portion of the spring Chinook Salmon season would be open to sport fishing, while the proposed July 1 opening date for spring Chinook Salmon sport fishing in the lower

Klamath River protects the majority of migrating wild UKTSCS. The proposed regulatory action also reduces the daily bag limit to one fish, a reduction from historical two fish daily bag limits for spring Chinook Salmon, providing additional protective measures. The July 1 proposed opening date will allow for partial economic activity in the region associated with the fishery which will enable businesses to maintain infrastructure critical to the sport fishing public.

The pursuit, catch and harvest of spring Chinook Salmon in the Klamath River Basin has a long tradition in which generations of families have participated. Maintaining this opportunity, to some degree, will ensure that these opportunities persist into the future. Additionally, spring Chinook Salmon fishing provides recreational opportunities and salmon is a desired, natural food source which contributes to a healthy diet.

Consistency and Compatibility with Existing State Regulations:

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated authority to the Commission to authorize the taking of any fish by hook and line for sport that is listed as an endangered, threatened, or candidate species (Section 2084, Fish and Game Code). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. Commission staff has searched the California Code of Regulations and has found no other State regulations related to sport fishing in the Klamath River Basin.

Proposed Emergency Regulatory Language

Subsection (b)(91.2) is added to Section 7.50, Title 14, CCR, as follows:

§ 7.50. Alphabetical List of Waters with Special Fishing Regulations.

. . . [No changes to subsections (a) through (b)(91.1)]

(91.2) Special Order Regarding Take of Chinook Salmon in Anadromous Waters of the Klamath River Basin Downstream of Iron Gate and Lewiston dams.

Notwithstanding subsection (b)(91.1) of Section 7.50, between January 1 and August 14 on the Klamath River and between January 1 and August 31 on the Trinity River, South Fork Trinity River and New River, Chinook Salmon may not be taken or possessed except as authorized on the identified segments of rivers as listed in the following table. All other restrictions apply.

<u>Body of Water</u>	<u>Open Season and Special Regulations</u>	<u>Daily Bag and Possession Limit</u>
<u>(A) Klamath River segment identified in subsection 7.50(b)(91.1)(E)2.b.</u>	<u>July 1 through August 14</u>	<u>1 Chinook Salmon</u> <u>2 Chinook Salmon in possession</u>
<u>(B) Trinity River segment identified in subsection 7.50(b)(91.1)(E)6.b.</u>	<u>July 1 through August 31</u>	<u>1 Chinook Salmon</u> <u>2 Chinook Salmon in possession</u>
<u>(C) Trinity River segment identified in subsection 7.50(b)(91.1)(E)6.c.</u>	<u>July 1 through August 31</u>	<u>1 Chinook Salmon</u> <u>2 Chinook Salmon in possession</u>
<u>(D) New River segment identified in subsection 7.50(b)(91.1)(E)6.d.</u>	<u>July 1 through August 31</u>	<u>1 Chinook Salmon</u> <u>2 Chinook Salmon in possession</u>
<u>(E) Trinity River segment identified in subsection 7.50(b)(91.1)(E)6.e.</u>	<u>July 1 through August 31</u>	<u>1 Chinook Salmon</u> <u>2 Chinook Salmon in possession</u>

. . . [No changes subsections 7.50(b)(92) through (b)(212)]

* Wild Chinook Salmon are those not showing a healed adipose fin clip and not showing a healed left ventral fin clip.

**Hatchery trout or steelhead in anadromous waters are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip (adipose fin is present).

Note: Authority cited: Sections 200, 205, 265, 270, 315, ~~316.5 and 399~~316.5, 399 and 2084, Fish and Game Code. Reference: Sections 200, 205, 265, ~~270 and 316.5~~270, 316.5 and 2084, Fish and Game Code.