

## **Opposition to Low-Flow proposals (Section 8.00):**

We truly hope the commission understands our reasons why the 150 CFS flow number does not work. We would like to see the 150 change to 100 CFS for angling on the Gualala River. If however, the commission is dead set on the 150 CFS, then consider leaving the main stem (below the confluence of the North Fork) open to anglers. This lower 4-mile section of the river has tidal flows, which keeps the fish moving up stream. Not only would this keep anglers on the river, but money being spent at local businesses.

**Jason Spangler, Nov. 12, 2014**

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I have fished the Navarro River for 30+ years and I have to say this stream as well as others can have river levels fluctuate to extremes in just days. I have called the DFG Low Flow Hotline on a Weds. in the past to double check and see if restrictions have been lifted knowing full well a storm is coming and rain has started only to be disappointed that the river has been closed all the way to the following Weds. because region 3 has not adopted a more daily Low flow regulation such as the rivers in region 1 and other states such as OR and WA. Because of this, I have lost many angling opportunities and simply put it has frustrated me and these proposed new levels have initiated me to respond. I have seen this flawed regulation go the other way as well seeing the Navarro being legal to fish last Feb. 2014 when flows were below 80 cfs!!! The proposed new levels do not solve the problem (raising to 200 cfs). What needs to happen is to have a 48 hour interval on Minimum flows at 150 cfs. and also while still allowing angling opportunities in estuaries (such as waters west of any Hwy 1 Bridge) making streams open in those sections while closing the upper sections where fish can be more vulnerable. I don't understand why the central coast section does not adopt this as it is almost to a Tee what is done in region 1. Can you please explain to me why? The proposed new levels for SF Gualala and Navarro make no sense whatsoever and it is not addressing the issue of protecting the fish and angling opportunities.

**Ned Morris, Nov. 12, 2014**

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Can you please explain how your proposal of a 150cfs Low Flow Closure on the SF Gualala was RAISED to 175cfs as the latest proposal? The overwhelming public pressure in both meetings, which I attended, was to lower it from 150 cfs as you originally proposed to us, to instead something like 100cfs. Members of the public even requested down to 65cfs, for the record. How did it go up to 175 cfs. This proposed flow of 175 cfs will be excluding us from valuable and traditional fishing opportunities when there has been no statistically significant scientific data demonstrating that actual angler impact, itself, in so called "low flows" even harms fish at all. Can you please explain?

**Robert Johnson, Jr. Nov. 14, 2014**

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The Gualala River, as one example, will be essentially unfishable to fly anglers at flows of 150 cfs and above. The water will be too high, and too turbid. What's more, I understand that the 150 cfs is to be measured at the USGS gauge on the South Fork rather than the river below the forks which gets water from the North Fork as well. That makes a questionable decision even worse. The data used to determine these flows was apparently based on a visual observation study of fish passage on the NF Gualala, a tributary that is closed to fishing. At 60cfs on the NF, at the mouth of the NF, Josh Fuller of NMFS determined through visual inspection during daylight hours, that no fish were observed to move at that one location. Through scatterplotting the data of NF and SForks, he determined that 60 on NF equals roughly 150cfs on the SF, with the 6 years of data they had. The data reflects nothing regarding angler impact in "low flows" as a causal factor of fish harm.

I'm also concerned that California anglers are not being listened to on this issue. The Native Fish Society, a seemingly reputable group but one that's focused mostly on issues in Oregon, sent out a blast email some months ago urging severe low flow closures on the central coast and implying that NFS had angler support. That's far from the truth in this case. From my talks with a wide variety of fly fishers, I get the impression that NFS wasn't present at public meetings on the issue, and that California residents who attended the meeting were unanimous in arguing for low flow regulations much lower than the 175 and 150 cfs that CDFW was proposing. If I recall correctly, someone proposed low flow closures greater than those currently in force (linked to the Russian River) on the Gualala a couple of years ago and CDFW responded that there was no science to support them. What, precisely, has changed?

One of the other reasons presented to support the proposed low flow closures was to make enforcement easier. I'd argue that the angling community, and the fly fishing community in particular, have been front and center in keeping poachers off the water. Remove us and our eyes on the river, and you make enforcement more difficult. Higher low flow closures also spread poaching possibilities over a longer expanse of water, making enforcement, even if it hasn't been stripped of legitimate angler involvement, even more difficult. I'd like to see 75 cfs as the low flow trigger on the Gualala, measured somewhere below the forks, but can live with 100 cfs. Greater than that is simply too high. Angling days will be curtailed somewhat at 100 cfs, but not eliminated as it will be at 150 cfs.

The Navarro low flow trigger should probably be set somewhat higher, at 125 to 150 cfs, and that for the Russian at a higher still 200 to 250 cfs.

**Larry Kenney, Nov. 12, 2014**

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I am writing to request that dfw set the future low flow closure triggers as follows:

- 100 cfs SF Gualala
- 100 cfs Navarro River
- 200 cfs Russian River

**Brad, Nov. 12. 2014**

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The Gualala flows in particular are supposedly put in place to protect the North fork which isn't even a fishable body of water and the gage is nowhere close to the North fork. And furthermore it seems like an attempt to cut back on your enforcement of these streams which is already seriously lacking. Our fees and taxes keep going up and we keep getting less for our money. Our fisheries are a valuable resource just look at Canada and what they have done with their steelhead fisheries. Most are artificial barbless catch and release regulations and people come from all over the world to fish there. Why is this? Because they have fish that are managed appropriately, which enables nice returns of healthy wild fish. What has been happening to the money we have poured into this system? You will crush these already fragile economies on the central coast, we are the few who visit these areas in the winter.

**John Pogue, Nov. 12, 2014**

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Based on our years of observation, we strongly disagree with the proposal to prohibit catch and release fishing in flows lower than 150 cfs on the Gualala River. On normal years, we typically fish in flows much less than 100 cfs on this river. During these flows (as low as 70 cfs), we observe adult steelhead moving between runs of water. We observe this not only as a night-time "re-distribution" activity between runs overnight, but even during the daytime hours, when new fish move into a run and fish become active. These are our observations as good fishermen. These fish are not restricted by critically skinny riffles in the main-stem of the Gualala. They are not "stranded" in these flows. It is true that steelhead will congregate in particular holes or runs. It's interesting to read Russell Chatham's "Anglers of the Lost Coast" which describes the Gualala and steelhead haunts during his fishing days some 50 years ago.

. . . We know of no other water body where fishing opportunity is being regulated by flows of tributary water. If this was the norm, it would be logical to close the Klamath during time that Blue Creek is not adequately flowing to allow full passage, or close the Sacramento if Deer Creek is insufficiently flowing.

. . . 150 cfs is not consistent with other State required protective flow regimes on the Gualala.

. . . Low flow restrictions based on 150 cfs reduces our opportunities to fish and challenges our ability to safely access fishing locations.

. . . Fly fishermen are uniquely impacted by this regulation.

. . . Catch and release with artificial lures and barbless hooks is not a threat to steelhead.

. . . When ethical fishermen are regulated off the water, poachers win and fish lose.

. . . Relying on the South Fork gage is not sustainable.

Recommendations. . .

. . . No summer/fall fishing.

. . . Artificial lures and flies (barbless) only, similar to the Mattole.

Additional serious concern. . . that the department may change its method of announcing low flow closures.

**Brendon Gertz, Belmont**  
**Paul Young, Folsom**  
**Ron Williams, Placerville**  
**Fritz, Mill Valley**  
**Bruno Nuvi, Roseville**  
**Dan Gracia, Napa**  
**Mike Edwards, Santa Rosa**  
**Brian Moore, Sacramento**  
**Ed Given, Salinas**  
**Tim Frahm, Carmel Valley**  
**Dennis Stefani, Danville**  
**Daniel E Brown, Gualala**

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. . . Sport fishing has never and never will have a negative impact on migrating fish species. No one can change the amount of rainfall in a given year or at times successive years. The Russian River has chinook returns of 3, 000 to over 5,000 throughout the drought and abundant rainfall years, with the amount tallied at the Wohler Dam fish ladder viewing facility. There is a no take, catch and release regulation on for all Salmon species on the Russian River. The Steelhead have returned in good numbers (3,000 to 8,000) between the counts of Warm Springs and the Ukiah Fish Hatcheries annually. All wild Steelhead are released if caught by sport anglers. There are also Shad runs and Black Bass along with other resident sport fish in the Russian River. Your proposed new regulations would not allow sport fishing for these species because of lower flows traditionally implemented for Spring, Summer and Fall for the recreational use by swimmers and small craft enthusiasts (canoers, kayakers, tourists and resort owners). . . All other streams included in your new proposed regulations are all catch and release for all migratory species, in addition to current sport fishing regulations (barbless hooks, recording of catch by sport fisherman, low flow closures mandated by Russian River flows of 500 cubic feet per second or more, which have not had a negative effect throughout the years they have been in place).

**Fred Boniello, November 4, 2014**

If new low flow regulations are implemented this would make it impossible to cross streams in higher and faster water conditions that lead to unsafe sport fishing. . .

Sport fishermen already release all of their catch of migratory fish in all the streams in the Central Coast, except for the marked hatchery fish on the Russian River. We would release those if the D.F.G. and it's constituents wanted us to do so. . .

**Fred Boniello, November 17, 2014**

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November 12, 2014

Dear Commissioner's:

My name is Jason Spangler; I am a member of a state holder group on the central coast. The group includes local anglers as well as business owners.

I am writing you in regards to the newly proposed central coast low-flow closures. It is understood by all, that the old regulations were not working. The newly proposed regulations make sense for the Russian River as well as the streams in Mendocino County. However, the Gualala should represent the coastal streams in Sonoma and Marin counties and should close when the gauge on the Gualala River reaches 150 CFS. The Gualala River itself should not be closed at 150 CFS and here are the reasons:

1. The Gualala has 11 miles of river that is regulated for angling where only the lower 4 miles of the river are accessible to the public. The upper 7-miles are private property and very few have access. Which means, 75 percent of the anglers fish the lower section. The gauge that the flow will be regulated from is 10.5 miles up the river. There are 3 major tributaries that enter the river in the upper 7-mile section below the gauge. Buckeye and Rock-pile Creeks, both flow at 20 CFS, and North Fork at 60 CFS when the upper section is gauged at 150 CFS. This puts the main stem (lower section) at around 250 CFS. This will take away a considerable amount of fishing days under the proposed regulations.
2. There is not enough data to show that fish are not moving through the system at flows under 150 CFS. The present data only goes back under 10 years.
3. The anglers are the eyes and ears of the river. If we have less fishing days, it provides more opportunity for the illegal poaching to happen on a river already plagued but such actions.

We truly hope the commission understands our reasons why the 150 CFS flow number does not work. We would like to see the 150 change to 100 CFS for angling on the Gualala River. If however, the commission is dead set on the 150 CFS, then consider leaving the main stem (below the confluence of the North Fork) open to anglers. This lower 4-mile section of the river has tidal flows, which keeps the fish moving up stream. Not only would this keep anglers on the river, but money being spent at local businesses.

Thank you for your time,

Sincerely,

Jason Spangler

**From:** [REDACTED]  
**To:** [Mitchell, Karen@Wildlife](mailto:Mitchell.Karen@Wildlife)  
**Subject:** Comments to Proposed New Low Flow Closure restrictions for Central Coast  
**Date:** Wednesday, November 12, 2014 2:08:29 PM

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Hello Karen,

My name is Ned Morris and have been a longtime CA Steelhead Fly angler for past 25 years. I wanted to tell you that I do agree changes need to be made to region 3, however the proposed levels for SF Gualala and Navarro Rivers is the incorrect course of action as it is missing the problem entirely.

I have fished the Navarro River for 30+ years and I have to say this stream as well as others can have river levels fluctuate to extremes in just days. I have called the DFG Low Flow Hotline on a Weds. in the past to double check and see if restrictions have been lifted knowing full well a storm is coming and rain has started only to be disappointed that the river has been closed all the way to the following Weds. because region 3 has not adopted a more daily Low flow regulation such as the rivers in region 1 and other states such as OR and WA. Because of this, I have lost many angling opportunities and simply put it has frustrated me and these proposed new levels have initiated me to respond. I have seen this flawed regulation go the other way as well seeing the Navarro being legal to fish last Feb. 2014 when flows were below 80 cfs!!! The proposed new levels do not solve the problem (raising to 200 cfs). What needs to happen is to have a 48 hour interval on Minimum flows at 150 cfs. and also while still allowing angling opportunities in estuaries (such as waters west of any Hwy 1 Bridge) making streams open in those sections while closing the upper sections where fish can be more vulnerable. I don't understand why the central coast section does not adopt this as it is almost to a Tee what is done in region 1. Can you please explain to me why? The proposed new levels for SF Gualala and Navarro make no sense whatsoever and it is not addressing the issue of protecting the fish and angling opportunities.

Thank you

Ned Morris

**From:** [REDACTED]  
**To:** [Mitchell, Karen@Wildlife](mailto:Mitchell_Karen@Wildlife); [Larson, Eric@Wildlife](mailto:Larson_Eric@Wildlife); [Ryan@Wildlife.ca.gov](mailto:Ryan@Wildlife.ca.gov)  
**Cc:** [REDACTED]  
**Subject:** FW: Central Coast Low Flow Closure  
**Date:** Friday, November 14, 2014 10:09:42 AM

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Good day -

I am following up on the email between Ryan and Eric to fellow friend and fly fisherman, Walter Jorgensen.

Please consider this email my strong endorsement for making region 3's low flow regulations more similar to those for region 1, and for the Gualala River low flow trigger to be set at closet to 100 and not 150 cfs; for the Navarro River to be set at 100-125cfs, and 200-250cfs on the Russian River.

Please fight for these flows, which will give more balance for fisherman.

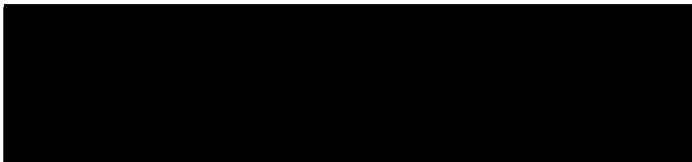
I think an alternative would be to restrict to artificial flies only in times of low flow, so a tier could be set, on the Gualala River for instance, at below 150 cfs and above 100 cfs, artificial flies or fly fishing only.

I say this because we all know that the bait fisherman indeed put more stress on the fish. We have all witnessed this, and I think using such a slotted system could work politically (bait fisherman might buyoff easier), and it will encourage some bait fisherman to take up fly fishing, which is far less stressful on the fish!

Sincerely,

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**Robert Johnson, Jr.**



> To:  
> Subject: Re: Central Coast Low Flow Closure  
> From: [REDACTED]  
> Date: Wed, 12 Nov 2014 08:15:56 -0800



>  
> Gentlemen,  
> Please send your comments to [Karen.mitchell@wildlife.ca.gov](mailto:Karen.mitchell@wildlife.ca.gov) by today or tomorrow!!!!

>  
>  
> LAST CHANCE!! Its important!

>  
>> On Nov 12, 2014, at 8:07 AM, Walter jorgensen [REDACTED] wrote:

>>  
>> Eric,  
>> Thank you for your reply. Since Comments about these Low Flow Reg changes from Anglers are Due Tomorrow to Karen Mitchell of DFW, can you please reply to the following questions?

>>  
>> 1) How can angler access be limited by DFW because of alleged harm to the fish, without any data related to the causal factor of those impacts, as in data quantifying or measuring the actual damage to fish FROM ANGLING itself?

>>  
>> The "best availble science" used in the proposals to pick the proposed flow numbers on the SF Gualala and Novarro guages use a study on fish passage on a tributary(NF Gualala) that we are not even allowed to fish. The data, although germaine to fish travel, is unrelated to the measurement of impact anglers put on fish through catching them.

>>  
>> How can our ability to fish these rivers, with already small windows of opportunity, be further reduced based on this unrelated data?

>>

>>

>> 2) Are our comments going to be listened to or ignored? In your response you indicated that higher flow triggers were considered. Why were no lower numbers considered? Every person I know who actually lives in this state, has been requesting lower low flow numbers. I feel strongly that 100cfs on the SF Gualala, 100-125cfs on the Novarro, and 200-250cfs on the Russian are more reasonable and fair numbers to provide for fish protection and angler opportunity. I must say that your proposed numbers seem unnecessarily high in order to address issues that would be better tackled with increased enforcement, not removing responsible anglers from the water. It seems to us that your plan is to remove us from the water so "management" will be simplified.

>>

>> 3) I can imagine your response to this next question will be "propose the ideas." Why were none of our other suggestions incorporated into the proposal? We asked for Region 3 to emulate Region 1.

>>

>> Reg 1 has multiple per week low flow telephone updates. Reg 1 leaves areas in the estuaries open to fishing during low flow closures. Reg 1 uses data collected from their low flow phone tree to determine where to send their wardens. It seems to me these activities provide Reg 1 with a more reactive and equitable low flow closure system, for both fish and anglers.

>>

>> Why wont Region 3 incorporate those management behaviors into your low flow closure management plan, instead of unjustly removing our opportunities?

>>

>> Thank you for your time and your consideration,

>> Walter

>>

>>

>>> On Oct 21, 2014, at 1:25 PM, "Larson, Eric@Wildlife" <Eric.Larson@wildlife.ca.gov> wrote:

>>>

>>> Hi All -

>>>

>>> I want to explain what is going on and why. First off - there was an error in the public notice regarding the proposed Low- Flow Closure Regulation packet. The Department's recommended flow for opening the North-Central Coast Streams to fishing is 150 CFS at the Gualala gage not the 175 that appeared in the notice. The correct number (150 CFS) is contained in the actual Commission document known as the Initial Statement of Reason. This error stems from a decision that the Commission made to move the North-Central Coast Streams Low- Flow Closure Regulation Change Proposal into the Department's current Sport-Fishing Regulation packet that will be heard on December 3, 2014. The change in the

regulatory schedule was made by the Commission not the Department. The change was made due to the urgent drought related need to establish a Low-Flow closure on the Russian River and establish a new point of gaging the Low-Flow closures on the other North-Central Coast Stream. It was the Commission's decision that rather than establish an Emergency Closure for all North-Central Coast Streams, including the Russian, moving the regulatory timeline up for the proposed regulations would address both the proposed regulation changes and the needed Emergency Action.

>>>

>>> The problem of the mistake in the public notice came about because there were options for the Commission to consider in the original North-Central Coast Stream Low-Flow Closure Regulation packet. Those options included the Department's recommended 150 CFS as well as a higher flow option of 175 CFS. When the Commission decided to move the proposed regulation action into the existing Sport Fishing Regulation Packet, only the Department's recommended flows were include (150 CFS for the Gualala gage). However, an error was made when writing up the Public Notice. This error will not affect the Regulation Proposal before the Commission on Dec 3.

>>>

>>> I hope that this clarifies the issue. Should you have any questions, please feel free to contact Ryan Watanabe, George Neillands, or me.

>>>

>>> Sorry for the error and the, subsequent, confusion. Please feel free to share this message with other concerned constituents.

>>>

>>> Eric

>>>

>>>

>>> Eric J. Larson

>>> Environmental Program Manager

>>> California Department of Fish and Wildlife

>>> Bay Delta Region

>>> 7329 Silverado Trail, Napa, California 94558

>>> Office: 707-944-5528; Fax 707-944-5563

>>>

>>>

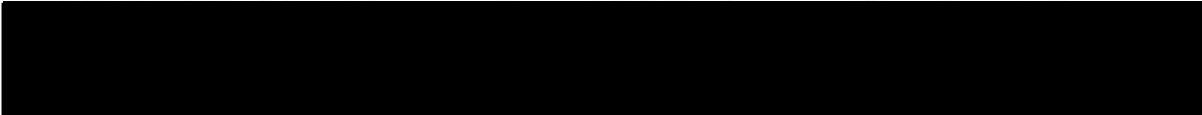
>>> -----Original Message-----

>>> From: Walter jorgensen [REDACTED]

>>> Sent: Monday, October 20, 2014 5:42 PM

>>> To: Watanabe, Ryan@Wildlife





>>> Subject: Central Coast Low Flow Closure

>>>

>>> Ryan,

>>> Can you please explain how your proposal of a 150cfs Low Flow Closure on the SF Gualala was RAISED to 175cfs as the latest proposal?

>>> The overwhelming public pressure in both meetings, which I attended, was to lower it from 150cfs as you originally proposed to us, to instead something like 100cfs. Members of the public even requested down to 65cfs, for the record. How did it go up to 175cfs?

>>> This proposed flow of 175cfs will be excluding us from valuable and traditional fishing opportunities when there has been no statistically significant scientific data demonstrating that actual angler impact, itself, in so called "low flows" even harms fish at all. Can you please explain?

>>> I can freely concede fish are stressed in extremely low flows. But data illustrating angler activity as a causal factor of fish harm has never been demonstrated. At most, the only data demonstrated by NMFS or DFW has been a visual correlation to reduction in fish passage during the daytime, to "lower flows."

>>> I will remind you I put a proposal for an emergency Reg Change to the Fish and Game Commission in 2013 , to change these low flow laws, and was rejected based on the "lack of a biological opinion indicating the fish were even at risk." I am quoting the Fish and Game Commission Directly.

>>>

>>> Thank you,

>>> Walter

**From:** [REDACTED]  
**To:** [Mitchell\\_Karen@Wildlife](mailto:Mitchell_Karen@Wildlife)  
**Subject:** Comments on proposed central coast low flow closures  
**Date:** Wednesday, November 12, 2014 2:05:14 PM

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Der Ms. Mitchell

I'm a 5th generation Californian, a fly fisher, a conservationist who, among other things, volunteers with the GGNRA's coho program on Redwood and Olema Creeks, and a contributing editor for California Fly Fisher Magazine..

I'm extremely concerned that the proposed low flow closures on the Gualala, Navarro and Russian Rivers are going to be set so high that angling for steelhead, as it's been practiced for a hundred years, will be made impossible. Every California anglers to whom I've spoken is committed to protecting our runs of anadromous fish. We're also willing to sacrifice angling opportunity in order to do so. But when we're presented with potential regulations that effectively close down the fishing without science-base data demonstrating the effects of angling on these populations, we have to protest.

The Gualala River, as one example, will be essentially unfishable to fly anglers at flows of 150 cfs and above. The water will be too high, and too turbid. What's more, I understand that the 150 cfs is to be measured at the USGS gauge on the South Fork rather than the river below the forks which ges water from the North Fork as well. That makes a questionable decision even worse. The data used to determine these flows was apparently based on a visual observation study of fish passage on the NF Gualala, a tributary that is closed to fishing. At 60cfs on the NF, at the mouth of the NF, Josh Fuller of NMFS determined through visual inspection during daylight hours, that no fish were observed to move at that one location. Through scatterploting the data of NF and SForks, he determined that 60 on NF equals roughly 150cfs on the SF, with the 6 years of data they had. The data reflects nothing regarding angler impact in "low flows" as a causal factor of fish harm.

I'm also concerned that California anglers are not being listened to on this issue. The Native Fish Society, a seemingly reputable group but one that's focused mostly on issues in Oregon, sent out a blast email some months ago urging severe low flow closures on the central coast and implying that NFS had angler support. That's far from the truth in this case. From my talks with a wide variety of fly fishers, I get the impression that NFS wasn't present at public meetings on the issue, and that California residents who attended the meeting were unanimous in arguing for low flow regulations much lower than the 175 and 150 cfs that CDFW was proposing. If I recall correctly, someone proposed low flow closures greater than those currently in force (linked to the Russian River) on the Gualala a couple of years ago and CDFW responded that there was no science to support them. What, precisely, has changed?

One of the other reasons presented to support the proposed low flow closures was to make enforcement easier. I'd argue that the angling community, and the fly fishing community in particular, have been front and center in keeping poachers off the water. Remove us and our eyes on the river, and you make

enforcement more difficult. Higher low flow closures also spread poaching possibilities over a longer expanse of water, making enforcement, even if it hasn't been stripped of legitimate angler involvement, even more difficult.

I'd like to see 75 cfs as the low flow trigger on the Gualala, measured somewhere below the forks, but can live with 100 cfs. Greater than that is simply too high. Angling days will be curtailed somewhat at 100 cfs, but not eliminated as it will be at 150 cfs. The Navarro low flow trigger should probably be set somewhat higher, at 125 to 150 cfs, and that for the Russian at a higher still 200 to 250 cfs.

Anglers, fly fishers in particular, are one of anadromous fishes' best constituency. We all want to protect the fish we chase, and agree that fishing for them in abnormally low water is irresponsible. But limiting angling to unfishable water with semi-irrelevant data, or to simply making enforcement easier, is equally irresponsible.

Thanks for your consideration. And while you're at it, how about funding some studies on angler impact on the health of central coast wild steelhead?

Respectfully yours,

Larry Kenney



**From:** [REDACTED]  
**To:** [Mitchell, Karen@Wildlife](mailto:Mitchell, Karen@Wildlife)  
**Subject:** FW: FURTHER Comments on proposed central coast low flow closures  
**Date:** Wednesday, November 12, 2014 2:25:31 PM

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Dear Ms. Mitchell

Overlooked in my initial comments below was why suggestions for Region 3 to do what Region 1 does with respect to low closures weren't incorporated in the current proposal. To wit:

Region 1 has multiple per week low flow telephone updates and leaves areas in the estuaries open to fishing during low flow closures.

Region 1 uses data collected from their low flow phone tree to determine where to send their wardens.

Both policies provide more equitable protection for both fish and anglers.

Why were they not part of the proposal?

Thanks for your consideration,  
Larry Kenney

---

**From:** Larry Kenney [REDACTED]  
**Date:** Wednesday, November 12, 2014 2:05 PM  
**To:** <[Karen.mitchell@wildlife.ca.gov](mailto:Karen.mitchell@wildlife.ca.gov)>  
**Subject:** Comments on proposed central coast low flow closures

Der Ms. Mitchell

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Respectfully yours,

Larry Kenney



**From:** [REDACTED]  
**To:** [Mitchell\\_Karen@Wildlife](mailto:Mitchell_Karen@Wildlife)  
**Subject:** Low flow closure  
**Date:** Wednesday, November 12, 2014 2:30:13 PM

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Dear Karen,

I am writing to request that dfw set the future low flow closure triggers as follows:

100 cfs SF Gualala  
100 cfs Navarro River  
200 cfs Russian River

Thank you,  
Brad

[REDACTED]

**From:** [REDACTED]  
**To:** [Mitchell, Karen@Wildlife](mailto:Mitchell_Karen@Wildlife); [REDACTED]  
**Subject:** low flow closures  
**Date:** Wednesday, November 12, 2014 8:39:08 AM

---

Hi my name is John Pogue and I'm quite concerned about the proposed flow changes to the fishing regulations on the central coast streams. It has come to the attention of several other anglers and myself that the new imposed low flows have no data to back up why you chose these flows. The Gualala flows in particular are supposedly put in place to protect the North fork which isn't even a fishable body of water and the gage is nowhere close to the North fork. And furthermore it seems like an attempt to cut back on your enforcement of these streams which is already seriously lacking. Our fees and taxes keep going up and we keep getting less for our money. Our fisheries are a valuable resource just look at Canada and what they have done with their steelhead fisheries. Most are artificial barbless catch and release regulations and people come from all over the world to fish there. Why is this? Because they have fish that are managed appropriately, which enables nice returns of healthy wild fish. What has been happening to the money we have poured into this system? You will crush these already fragile economies on the central coast, we are the few who visit these areas in the winter. We patronize the stores and lodging facilities in these areas during the winter months. Please consider some different proposals and increase the amount of fish and game wardens in the northern California area.

Thank you,  
John Pogue

**From:** [REDACTED]  
**To:** [Mitchell\\_Karen@Wildlife](mailto:Mitchell_Karen@Wildlife)  
**Subject:** FW: Low Flow Regulations to be considered on the Gualala River - comment letter oppose  
**Date:** Wednesday, November 12, 2014 5:12:04 PM  
**Attachments:** [Low Flow Regulations for Gualala Oppose.pdf](#)

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Hello Karen,

I just sent this forwarded email and attachment to the fgc email address. I see in one of the DFW sites that comments should be sent there, but in another site, it suggested sending comments to you.

This is a letter which is being signed by a number of old time fishermen. Some of them are still up on the Smith River fishing and have promised to send their signatures along prior to the commission meeting in December. Rather than wait, I have sent the letter together with the several signatures collected.

Thanks for considering these comments,  
Tim Frahm

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**From:** [REDACTED]  
**To:** [fgc@dfg.ca.gov](mailto:fgc@dfg.ca.gov)  
**Subject:** Low Flow Regulations to be considered on the Gualala River - comment letter oppose  
**Date:** Wed, 12 Nov 2014 16:56:50 -0800

Good afternoon,

Attached is a comment letter regarding proposed low flow regulations on the Sonoma coastal streams which is being considered by the Commission in December. This letter is the result of conversations with fishermen who have decades of experience and time on these coastal streams. Most of us have decades of time on these waters. It is our hope that the Commission will consider our comments.

You will notice that for the most part, we are not "local" fishermen. We are scattered from around the state and were unable to attend public meetings which were held in Gualala or Fort Bragg. These waters are a treasure for the steelhead fishing community. They are part of the history of fly fishing for these great anadromous fish. We felt that it would be remiss if we didn't take the time to express our opinion.

It wasn't until just recently that we heard of this accelerated review process -- we were under the impression that we had more time to individually review and sign the letter. Because of the quickened pace, some of those who wish to sign have not yet mailed it back (seems that a good many of the experienced fly fishermen are up on the Smith and or Chetco right now). We will forward those additional signatures if received prior to the December Board meeting.

Thank you

Tim Frahm

10/27/2014

California Fish and Game Commission  
Sonke Mastrup, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814

Regarding Proposed Changes to the Low Flow Closures for the Gualala River being considered at  
By the California Fish and Game Commission

Position: Oppose

We the undersigned are steelhead fishermen who have been caring about and enjoying the Mendocino/Sonoma Rivers for most of our lives. We are writing specifically about the Gualala River, but each of us has experience on other rivers such as the Garcia, Eel and Russian Rivers. We are all fly fishermen. Many of us travel great distances to fish this water. We come from Fresno, Salinas, Carmel, Sacramento, Chico, San Jose, San Rafael and Fort Bragg. We have a combined experience of 500 years of fishing and observation on this river. Not just occasionally, but year after year, decade after decade, low flow years and normal years. We are fly fishermen who advocated for and have accepted the catch and release, barbless hook practice since its introduction several decades ago. We consider ourselves fishermen/conservationists/advocates for wild steelhead. We understand the importance of protecting wild steelhead. You will find few people who know more about this river and these treasured, iconic sport fish than those of us who are dedicated to the activity of steelhead fly fishing. We aren't an organized web based group. We aren't professional biologists, hydrologists and don't have years of academic study. We're just old salts with a lot of time on water. Most folks consider us pretty good fishermen and to be good fishermen, you've got to be a good observer.

**Based on our years of observation, we strongly disagree with the proposal** to prohibit catch and release fishing in flows lower than 150 cfs on the Gualala River. On normal years, we typically fish in flows much less than 100 cfs on this river. During these flows (as low as 70 cfs), we observe adult steelhead moving between runs of water. We observe this not only as a night-time "re-distribution" activity between runs overnight, but even during the daytime hours, when new fish move into a run and fish become active. These are our observations as good fishermen. These fish are not restricted by critically skinny riffles in the main-stem of the Gualala. They are not "stranded" in these flows. It is true that steelhead will congregate in particular holes or runs. It's interesting to read Russell Chatham's "Anglers of the Lost Coast" which describes the Gualala and steelhead haunts during his fishing days some 50 years ago.

The same holes with the same names and with the same wood structures which held fish in the 50's and the 60's hold fish today. Each of us has contemporary stories which compare to those which Chatham so beautifully described "back in the day".

We honestly believe that 150 is overly protective, unreasonable and not supported by field conditions or observations. We say this for a number of reasons:

1. **150 cfs is based on a study of a tributary, not the fishable main-stem.** We understand that the proposed 150 cfs flow threshold is based on one study of the critical riffles of the North Fork of the Gualala. Flows needed to move fish on the North Fork, were then correlated to the South Fork gage to determine the 150 cfs standard for fishing the main-stem of the Gualala River. Please note that the North Fork is not a fishable section of the Gualala River. We know of no other water body where fishing opportunity is being regulated by flows of tributary water. If this was the norm, it would be logical to close the Klamath during times that Blue Creek is not adequately flowing to allow full passage, or close the Sacramento if Deer Creek is insufficiently flowing. Obviously, this is not how we treat other rivers and we are skeptical of this method for the Gualala.
2. **150 cfs is not consistent with other State required protective flow regimes on the Gualala.** Currently, a major domestic water diversion occurs in the North Fork. Some 1700 ac ft of water is appropriated the North Gualala Water Company by State Board action for the benefit of the town of Gualala (State Board Permit 14853). It should be noted, that in the amended water permit for these diversions, a by-pass flow is required for the protection of fish and wildlife. That by-pass flow is **40 cfs** during the migration and spawning season of the steelhead. On the South Fork Gualala (the fishable portion of the river), another major domestic water diversion is permitted for the Sea Ranch development (State Board Permit 15358). That water diversion also has a required by-pass for the protection of fish. That by-pass is **25 cfs** during the migration and spawning period. These periods of by-pass coincide with the time period of the proposed low flow regulations. However, rather than the protected flows of 40 cfs on the North Fork, or 25 cfs on the South Fork, it is being proposed that fishermen, exercising catch and release, barbless hook ethical pursuit of steelhead should endure a bypass flow **6 times higher** than the Sea Ranch protective flows as stated in their State Board permit documents dated March 24, 2011. We've been told that the 150 cfs is based on the "only science" out there. We'd like to know how the State Board set its protective flows. We'd suggest that it must have had some basis, some science for their conclusions, especially since DFW is notified and comments on all appropriate rights applications. We understand that the regulation of fishermen is within the jurisdiction

of the Commission, but we suggest that the proposal excessively punishes ethical fisherman.

3. **Low flow restrictions based on 150 cfs reduces our opportunities to fish and challenges our ability to safely access fishing locations.** We don't precisely know (since we haven't been tracking that specific flow) what 150 looks like. Is it low enough for us (admittedly approaching seniors) to safely wade across the tail outs of Donkey or Thompsons or Bath-tub in order to correctly fly fish? At what flows does the river clear after a storm? Looking at a calendar and a flow chart tells us if it a fishing day, but does not tell us if it is a fishable day. Rather, the answer to the question "is the river in shape to fly fish?" is based on clarity and approachability. Can we wade it, can we present a line and a fly which can sink to the proper depth at a particular flow. When we ask staff "what does 150 look like?" they also cannot answer the question. Our sense is that flows greater than 150 cfs are likely too high to allow safe access to some or all of the important fly fishing locations.
4. **Fly fishermen are uniquely impacted by this regulation.** Higher flows are attractive and necessary for guides who drift this river (in fact, boats need higher flows to navigate). And bait or gear fishermen, using proper weights to bounce their artificial and baits very effectively fish in higher flows and more "colored" water than can fly fishermen. In fact, the lower flows are not as effective for gear or boat fishermen. Boats need more depth over riffles to float than steelhead need for their protection and movement between runs and bait fishermen need to more flow to "move their bait" to be most effective. We are fly fishermen and our access to the runs and riffles of this river are by donning our waders, fording the river and wading while casting. Our opportunities to fly fish come during times of water clarity and flows sufficiently low enough for us to present our flies to willing fish. As flows drop, current's lessen and fly fishermen have their chances. There is a very real possibility that this flow restriction will push fly fisherman off this water.
5. **Catch and release with artificial lures and barbless hooks is not a threat to steelhead.** We disagree that ethical fishing pressure is a great enough threat to steelhead that we should be regulated off the water. This is a catch and release, barbless fishery. Our season was shortened some years ago (we no longer fish in April). Have you seen the "science" which shows that we are having an impact? We certainly don't observe it.
6. **When ethical fishermen are regulated off the water, poachers win and fish lose.** We believe that when ethical fishermen are off the water, scoundrels and poachers will continue to fish. Our fish will have fewer advocates, fewer eyes, less enforcement because we won't be there to make the snaggers and the poachers uncomfortable.
7. **Relying on the South Fork gage is not sustainable.** We understand the idea that a local gage is more responsive to local conditions. We also understand that the Russian gage

is impacted by regulated flows from dams. We are concerned however, that USGS gages on small watersheds are under threat of discontinuation by federal funding. Other coastal gages have been discontinued in recent years. Even gages like the Big Sur River gage, with decades of history and which inform the residents of flood risk are now being discontinued. Staff has informed us that there is annually a scramble to find funding to continue the South Fork gage. What will happen if that gage is discontinued? Sea Ranch has an obligation to provide an "equivalent" gage if the South Fork gage is discontinued. However, this obligation is for the purposes of water rights reporting and we doubt that their obligation includes the high expense of real time data access to inform fishing opportunity. It has been suggested that the surrogate might be the Navarro. Can we be assured that that gage can reasonably reflect conditions on the Gualala and what is the surety of continued funding of that gage?

**Recommendations:** We deeply care about wild steelhead just like you and your staff. We would not be expressing ourselves to you if we weren't. We would not be expending hours and days and years pursuing a fish which when caught, must be quickly returned to the river unharmed if we didn't care for the fish. We have supported low flow closures and catch and release regulations in the past. We can't support new regulations without a true understanding by us and by staff, what the effects on our fishing opportunities really are. We do know that based on our collective years of observation that 150 is too restrictive and unwarranted. That said there are fishing regulations which we believe can provide real protection from damage, harm or death.

1. **No summer/fall fishing.** It concerns us that current regulations allow fishing during the summer and fall months in this and other coastal streams. No "low flow" regulations control this activity. Historically, DFW would plant catchable trout in these streams. No more. In essence, the only quarry of summertime fishing is juvenile steelhead and or adult kelts. In our opinion, these streams should be closed after steelhead season (similar to the South-Central Coast streams).
2. **Artificial lures and flies (barbless) only, similar to the Mattole.** We believe that there are ethical bait fishermen, but after around Feb 1, when some adults have spawned, the practice of using fresh roe as your bait becomes extremely effective. We bring this up, not because we are elitist or because we are jealous of fellow fishermen who are hooking more fish than we are, but because we observe more deeply hooked fish using roe bait than any other fishing method. We also, unfortunately, have observed hen steelhead which have been caught, gutted and stripped of roe, lying on the river banks. The only reason for this behavior is to acquire more bait. We suggest that after Feb. 1, all fishing should be artificial lures or flies, barbless hooks only. This would not preclude gear fishermen; it would only prevent bait. Currently the Mattole River fishing

regulations only allow artificial lures/flies, barbless hooks only from Jan 1 thru March 31. Our recommendation would mimic the Mattole.

**Additional Serious Concern:** We have heard that the department may change its method of announcing low flow closures. Currently, the department will announce on Wednesdays if the river is open for the following week. We have heard that this may change so that the message will change 3 times a week, to be more closely responsive to flows. For those of us who travel to get to the river, it is a great hardship if we can't plan for at least a week's trip. It will be less likely that we will make the commitment of the drive and the stay in Gualala if we don't have the surety of more than 2 days of fishing. For those of us who travel, we will lose and the town will lose our patronage (hotels, cafes, grocery stores, gas stations). Only the local fishermen will win. That seems unfair and we strongly disagree with the concept.

We know that we are arguing from our own "selfish" position. We love this water, we love these wild fish, we love to fish and we just don't want to lose our chance. Many of us have stories of our fathers who fished these waters. Now our stories are being passed along to our sons, daughters and grand-children. We are advocating for ourselves, but also for the next generation. This river has a fabulous history of steelhead and steelhead fishermen. We felt we would be remiss to not comment on regulations which in our minds will reduce or perhaps even eliminate our chance to continue the historical relationship of river, fish and fishermen.

We understand that the regulation of fishermen is within the jurisdiction of the Commission, but we respectfully suggest that this particular proposal excessively and unnecessarily punishes us.

Sincerely,

Brendon Gertz

Print Name

Paul Young

Print Name

RON WILLIAMS

Print Name

Signature

Home town/years on this river

FRTZ

Print Name

BRUNO MOVI

Print Name

Sign



Eael Buchanan

Print Name

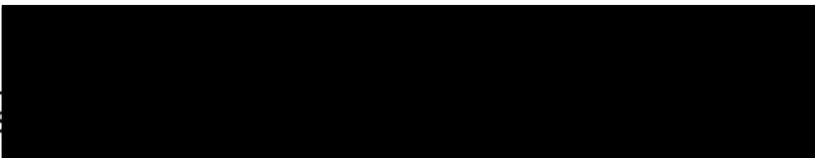
Sign Name

Home town years on this river



Dan GRACIA

Print Name



Mike Edwards

Print Name

Sign Name

Home town years on this river



Brian Moore

Print Name



Print Name

Sign Name

Home town years on this river

Print Name

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Home town years on this river

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Home town years on this river

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Sincerely,

ED GIVEN

Print Name

TIM FRAHM

Print Name

Sig

Print Name

Sign Name

Home town

years on this river

Print Name

Sign Name

Home town

years on this river

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Sincerely,

DENNIS STEFANI

Print Name

Sig

Print Name

Sign Name

Home town

years on this river

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*Gualala River Redwood Park*

Sincerely,

DANIEL E BROWN

Print Name

Print Name

Sign Name

Home town

years on this river

Print Name

Sign Name

Home town

years on this river

Print Name

Sign Name

Home town

years on this river

**Michelle Boniello**

RECEIVED  
CALIFORNIA  
FISH AND GAME  
COMMISSION

**From:** Michelle Boniello [REDACTED]  
**Sent:** Tuesday, November 04, 2014 5:53 PM  
**To:** 'ryan.watanabe@wildlife.ca.gov'; 'fgc@fgc.ca.gov'  
**Cc:** [REDACTED]  
**Subject:** Sport Fishing Regulations for 2015

2014 NOV 10 PM 2: 19

Hello,

I received your e-mail regarding proposed regulation changes to Sport Fishing on Central Coast Streams (Russian River and streams in Marin, Sonoma and Mendocino counties). Myself and others have fished these streams for thirty years or more through drought and abundant rainfall years. Sport fishing has never and never will have a negative impact on migrating fish species. No one can change the amount of rainfall in a given year or at times successive years. The Russian River has Chinook returns of 3,000 to over 5,000 throughout the drought and abundant rainfall years, with the amount tallied at the Wohler Dam fish ladder viewing facility. There is a no take, catch and release regulation on for all Salmon species on the Russian River. The Steelhead have returned in good numbers (3,000 to 8,000) between the counts of Warm Springs and the Ukiah Fish Hatcheries annually. All wild Steelhead are released if caught by sport anglers. There are also Shad runs and Black Bass along with other resident sport fish in the Russian River. Your proposed new regulations would not allow sport fishing for these species because of lower flows traditionally implemented for Spring, Summer and Fall for the recreational use by swimmers and small craft enthusiasts (canoers, kayakers, tourists and resort owners). Recreational dams are installed at these times and cannot be installed at higher flows which leads to no sport fishing if new regulations are implemented. All other streams included in your new proposed regulations are all catch and release for all migratory species, in addition to current sport fishing regulations (barbless hooks, recording of catch by sport fisherman, low flow closures mandated by Russian River flows of 500 cubic feet per second or more, which have not had a negative effect throughout the years they have been in place). Myself and other sport fisherman will attest to good numbers of migrating fish in these streams throughout the years (drought, normal and above normal rain years included). To implement the proposals of new regulations would be senseless.

Myself and many other sport fisherman would like the implementation of a "No Bait Rule" in the Central Coast Sport Fishery. Bait anglers will kill a migratory fish for the eggs (roe) to use as bait to catch another migratory fish and so on. That would help increase the success of reproduction while decreasing vulnerability to migratory sport fish. Leave all other regulations in place as they are.

Please consider our thoughts and ideas. Don't take the "sport" out of sport fishing.

Please feel free to contact me at [REDACTED]

Yours truly,

Fred Boniello  
And many other "Sport" Fisherman

Michelle Boniello

RECEIVED  
CALIFORNIA  
FISH AND GAME  
COMMISSION

To: ryan.watanabe@wildlife.ca.gov; fgc@fgc.ca.gov  
Cc: [REDACTED]  
Subject: Proposed Changes in Regulation

2014 NOV 17 PM 2:48

*MCS*

Hello,

Once again I am writing you people (D.F.G., supervisors, commissioners, biologists and anyone else involved in decision making) about your proposed changes in regulation for the proposed Central Coast Low Flow Closures.

In addition to current regulations which have worked very well throughout drought, successive drought and abundant rainfall years, and which have not had a negative impact on migratory sport fishing or migratory fish populations, the D.F.G. and it's constituents would like to implement new low flow closures that myself and many other sport fishermen feel are unnecessary and would impose senseless hardships on sport fishing anglers.

The overwhelming majority of sport fishermen use waders. We must cross streams many times in order to continue our sport fishing. With little or at times no legal access (examples, no trespassing, private property, etc.) we must cross these streams to reach many sport fishing areas, without disturbing land owners rights. The majority of sport fishermen do not and don't want to sport fish from boats. Many areas do not allow fishing from boats. With all the problems arising from fishing from boats (initial costs, towing or hauling, unavailable launch and pull out sites) we feel that having to fish in higher flow conditions (if new low flow regulations are implemented) would ultimately result in unnecessary hardships for anglers that use waders. Most sport fishing is done in waders.

If new low flow regulations are implemented this would make it impossible to cross streams in higher and faster water conditions that lead to unsafe sport fishing.

Sport fishing for migrating fish in (if implemented) higher flow conditions is like trying to catch a bus when it is moving. The only way to catch it is either when it stops for a period of time.

Sport fishing for migratory fish is seasonal. Conditions such as heavy rainfall, the timing of runs of fish and many other factors are always considered in the mix. Taking away lower flow sport fishing (which is already regulated) would make it that much harder or impossible at times to catch one of these.

Sport fishermen already release all of their catch of migratory fish in all the streams in the Central Coast, except for the marked hatchery fish on the Russian River. We would release those if the D.F.G. and it's constituents wanted us to do so.

If the D.F.G. and it's constituents wanted to do something to enhance migratory sport fishing in the Central Coast they might consider the banning of bait. It doesn't make sense to allow bait fishing in a catch and release sport fishery when migrating fish will often swallow bait along with a hook resulting in death after being released. That "rarely" happens with the use of artificial. The D.F.G. and it's constituents may also consider more stream restoration effort.

Based on many, many years of experience myself and many other sport fishermen don't feel the need for new low flow regulations. Please don't take the "sport" out of sport fishing.

Please feel free to contact me at [REDACTED]

Sincerely,

Fred Boniello