

STAFF SUMMARY FOR AUGUST 4-5, 2015

15. ITEMS OF INTEREST FROM PREVIOUS MEETINGS**Today's Item**Information Action

This is a standing agenda item for FGC to provide direction on regulatory petitions and non-regulatory requests from the public, as well as other items of interest from previous meetings. For this meeting:

- (A) Action on petitions for regulatory change received at the June meeting and pending items from previous meetings.
- (B) Action on non-regulatory requests received at the June meeting and pending items from previous meetings.
- (C) Other

Summary of Previous/Future Actions

- (A-B) FGC received the requests in exhibits A1 and B1 in three ways: (1) Requests received at the office through May 28 were published as tables in the June meeting binder, (2) requests received as late handouts were delivered at the June meeting, and (3) requests that were received during public forum at the June meeting.
- (C) N/A

Background

- (A-B) FGC provides guidance and direction to staff regarding requests from the public received by mail, fax, and email and during public forum at the previous FGC meeting. The public request logs listed as exhibits capture the regulatory and non-regulatory requests received through the last meeting that require FGC guidance.
- (C) N/A

Significant Public Comments

1. A request to ban all trapping in the Mono Basin National Forest Scenic Area (Exhibit A2)

Recommendation

- (A-B) Adopt staff recommendations for the regulatory and non-regulatory requests with either (1) deny the request, (2) grant the request, or (3) refer the request to MRC, WRC, TC, DFW staff, or FGC staff for further evaluation or information gathering. The exhibits contain staff recommendations for each request.
- (C) N/A

Exhibits

- A1. Regulatory requests received in preparation for or presented at the Jun 2015 meeting
- A2. PowerPoint presentation from Lynn Boulton, received Jul 16, 2015
- B1. Non-regulatory requests received in preparation for or presented at the Jun 2015 meeting

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Motion/Direction

(A-B) Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations for actions on June 2015 regulatory and non-regulatory requests.

OR

Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations for actions on June 2015 regulatory and non-regulatory requests, except for item(s) _____ for which the action is _____.

CALIFORNIA FISH AND GAME COMMISSION
DECISION LIST FOR REGULATORY REQUESTS RECEIVED THROUGH JUNE 11, 2015
Revised 7-20-2015

FGC - California Fish and Game Commission DFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee

Grant (previously Accept): FGC is *willing to consider* the petition through a process
Refer: FGC *needs more information* before deciding whether to grant or deny the petition

Deny (previously Reject): FGC is *not willing to consider* the petition

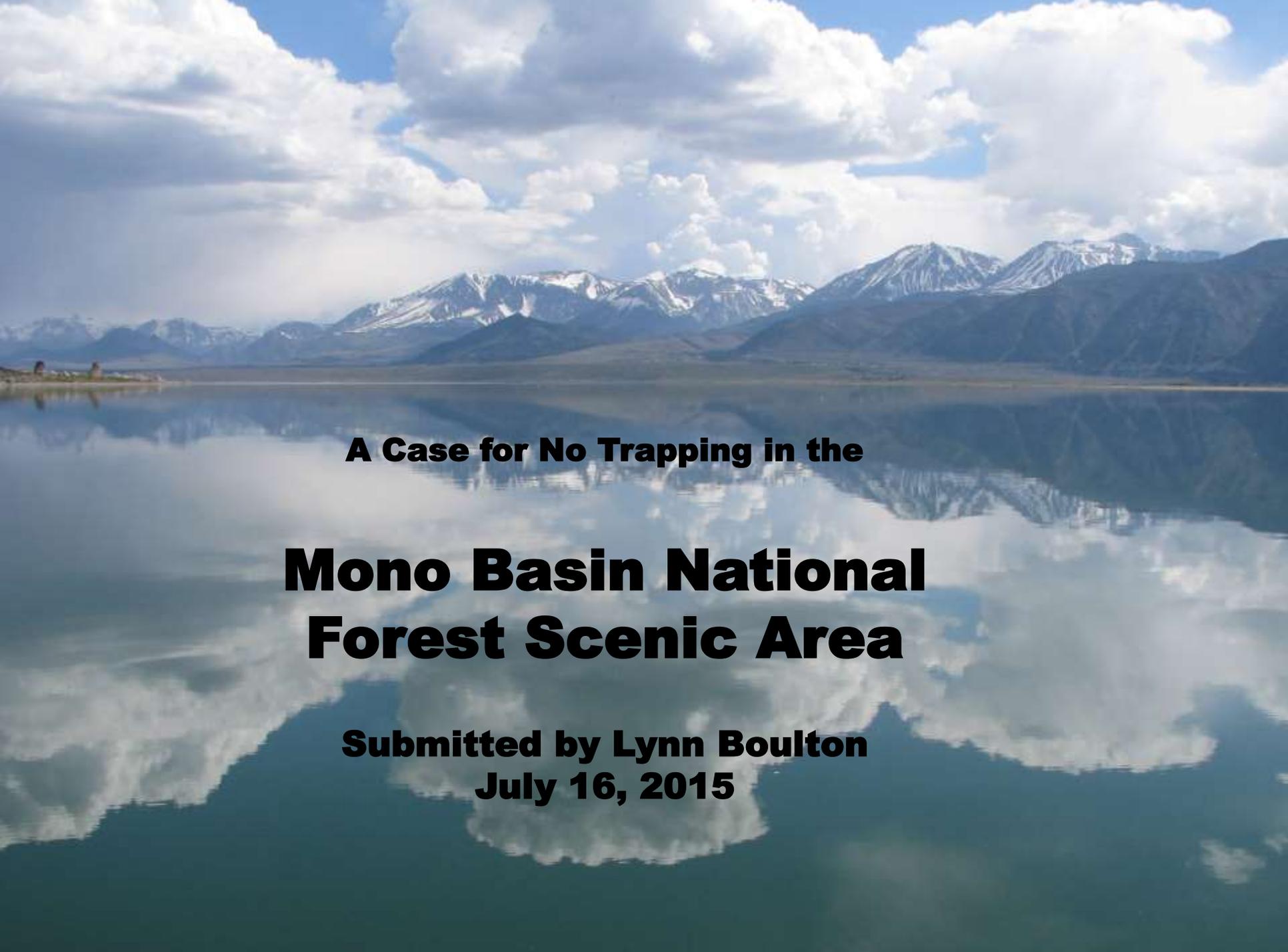
 **Green cells:** Referrals to DFW for more information
 **Lavender cells:** Accepted and moved to a rulemaking

 **Blue cells:** Referrals to FGC staff or committee for more information
 **Yellow cells:** Current action items

Date Received	Name of Petitioner	Subject of Request	Code or Title 14 Section Number	Short Description	FGC Decision	DFW/FGC Staff Response	Final Action, Other Outcomes
4/29/2015 6/11/2015	Lynn Boulton	Trapping		Request to ban any and all trapping in the Mono Basin National Forest Scenic Area.	Action scheduled 8/4-5/2015 Staff recommendation: Deny; FGC does not have sufficient staff.		
4/20/2015	James Keeling	Klamath River - Blue Creek Closure		Request Commission reconsider the Blue Creek decision, and hold a hearing on the matter in the region.	Action scheduled 8/4-5/2015 Staff recommendation: Refer to DFW; per commitments made at June 2015 meeting in Mammoth.		
5/28/2015	Kenny Priest	Klamath River - Blue Creek Closure		Petition signed by 497 supporters requesting the Commission reconsider the conservation closure on Blue Creek.	Action scheduled 8/4-5/2015 Staff recommendation: Deny; will not reconsider for this season.		
4/26/2015	Dave Brabec	Clear Lake Hitch		Requests regulations to (1) stop weed spraying along banks, and (2) establish a Hitch hatchery in the state park.	Action scheduled 8/4-5/2015 Staff recommendation: (1) Deny; FGC has no authority (2) Deny; FGC has no authority, refer to State Parks		
4/28/015	Robert Rutkowski	Dcrab regulation-- Whale entanglement		Requests measures to address whale entanglement from Dcrab pot or trap lines and reducing the number of lines in the water to protect whales.	Action scheduled 8/4-5/2015 Staff recommendation: Deny; FGC has no authority.		

Date Received	Name of Petitioner	Subject of Request	Code or Title 14 Section Number	Short Description	FGC Decision	DFW/FGC Staff Response	Final Action, Other Outcomes
4/24/2015	Stash Elkin	Hedgehogs		Legalize possession of hedgehogs	Action scheduled 8/4-5/2015 Staff recommendation: Deny; no new data to support request		
4/24/2015	Emma Hanna	Hedgehogs		Leglaize possession of hedgehogs	Action scheduled 8/4-5/2015 Staff recommendation: Deny; no new data to support request		
4/28/2015	Deanna C.	Badger		Leglaize possession of badgers	Action scheduled 8/4-5/2015 Staff recommendation: Deny; FGC does not support possession of wildlife as domesticated pets.		
5/15/2015	Jorden Custard	Ferrets		Leglaize possession of ferrets	Action scheduled 8/4-5/2015 Staff recommendation: Deny; no new data to support request.		
6/11/2015	Rebecca Dymytrk	Pest Control Reporting Requirements		Requests regulation to require pest control operators to annually report the number, type, location, and method used to kill animals.	Action scheduled 8/4-5/2015 Staff recommendation: Refer to FGC staff for evaluation and recommendation.		
6/11/2015	Ed Woorley (NRA), Tom Pederson (CRPA)	Correspondence		Requests regulation to require all (1) FGC and (2) DFW staff conduct correspondence concerning official business via government issued email addresses.	Action scheduled 8/4-5/2015 Staff recommendation: (1) Refer to FGC staff for evaluation and recommendation. (2) Deny; FGC has no authority over the administration of DFW.		
6/11/2015	Deborah Lurie	Trapping in Mono Basin Scenic Area		Requests regualtion to ban trapping in all of the Mono Basin Scenic Area.	Action scheduled 8/4-5/2015 Staff recommendation: Deny; FGC does not have sufficient staff.		
6/10/2015	Gretchen Stuhr, Del Norte County Counsel	Blue Creek Closure impact on Del Norte County		Requests reconsideration of the Lower Klamath/Blue Creek closure to fulfil its obligation to coordinate with the Del Norte County Board of Supervisors and other initerested and affected partries. .	Action scheduled 8/4-5/2015 Staff recommendation: Deny; Del Norte County notified along with all other interested and affected parties.		

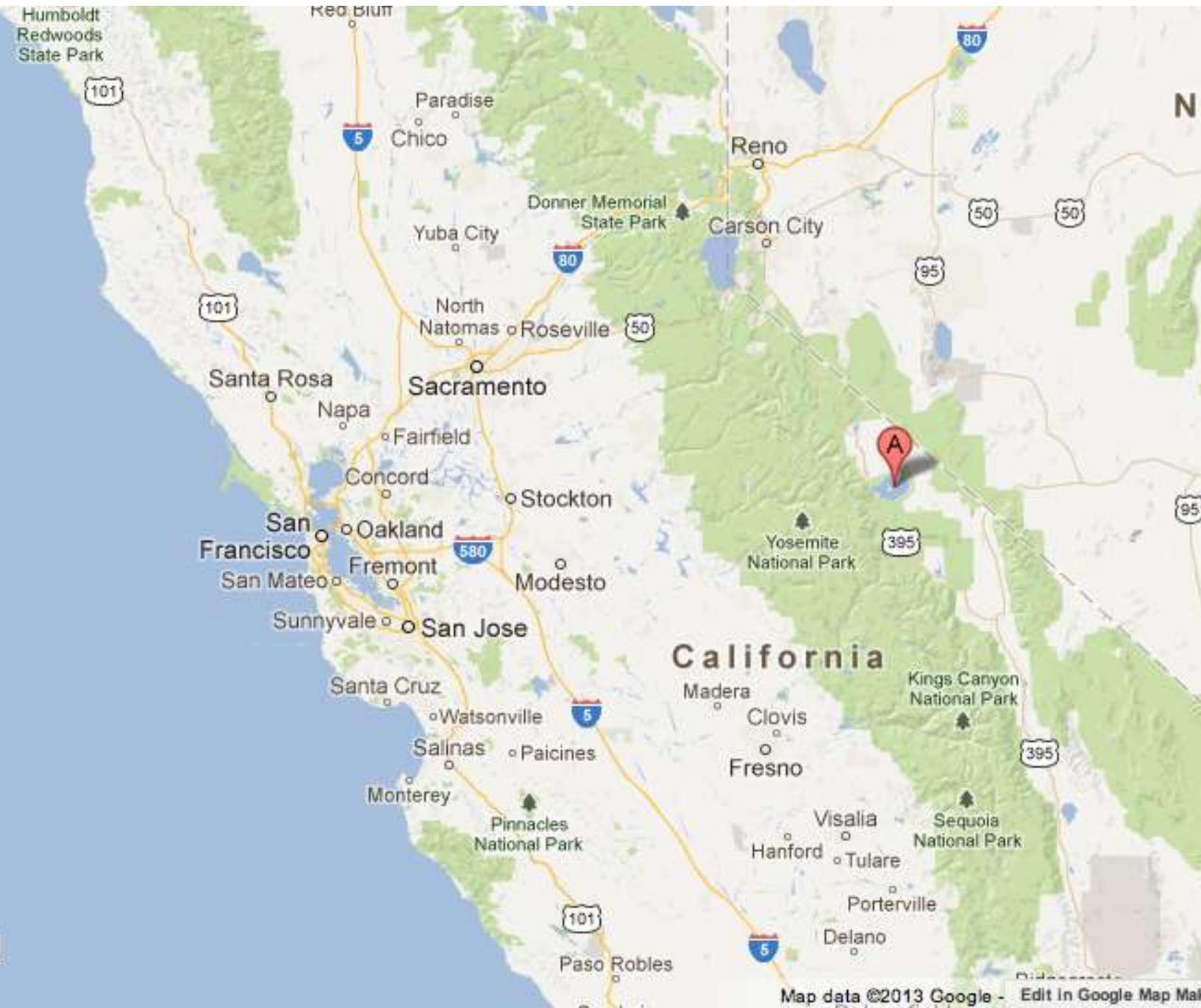
Date Received	Name of Petitioner	Subject of Request	Code or Title 14 Section Number	Short Description	FGC Decision	DFW/FGC Staff Response	Final Action, Other Outcomes
6/10/2015	Paul Weakland	Abalone		Request to re-open for abalone harvest the counties south of San Francisco.	Action scheduled 8/4-5/2015 Staff recommendation: Deny; to be considered during abalone fishery management plan development process.		



A Case for No Trapping in the

**Mono Basin National
Forest Scenic Area**

**Submitted by Lynn Boulton
July 16, 2015**





MONO LAKE TUFAS

STATE NATURAL RESERVE

A CALIFORNIA STATE PARK

Parking Fee
\$3 per vehicle

Commercial vans: \$20
Commercial buses: \$40

← Fee Station

Failure to pay may result in citation.

Mono Lake Tufa State Natural Reserve

- Was created in 1981
- Includes Mono Lake and 40% of the recessional lands around the shore.
- Has the highest level of protection under the State Park system
- Received 365,000 visitors in 2014
- Is 4th most popular SNR
- Is a Living Lakes partner (since 1999)
- Is a Western Hemisphere Shorebird Reserve Network site (since 1990)
- Designated an Important Bird Area by National Audubon and the American Bird Conservancy
- Is in the top 100 Greenest Vacation destinations world-wide







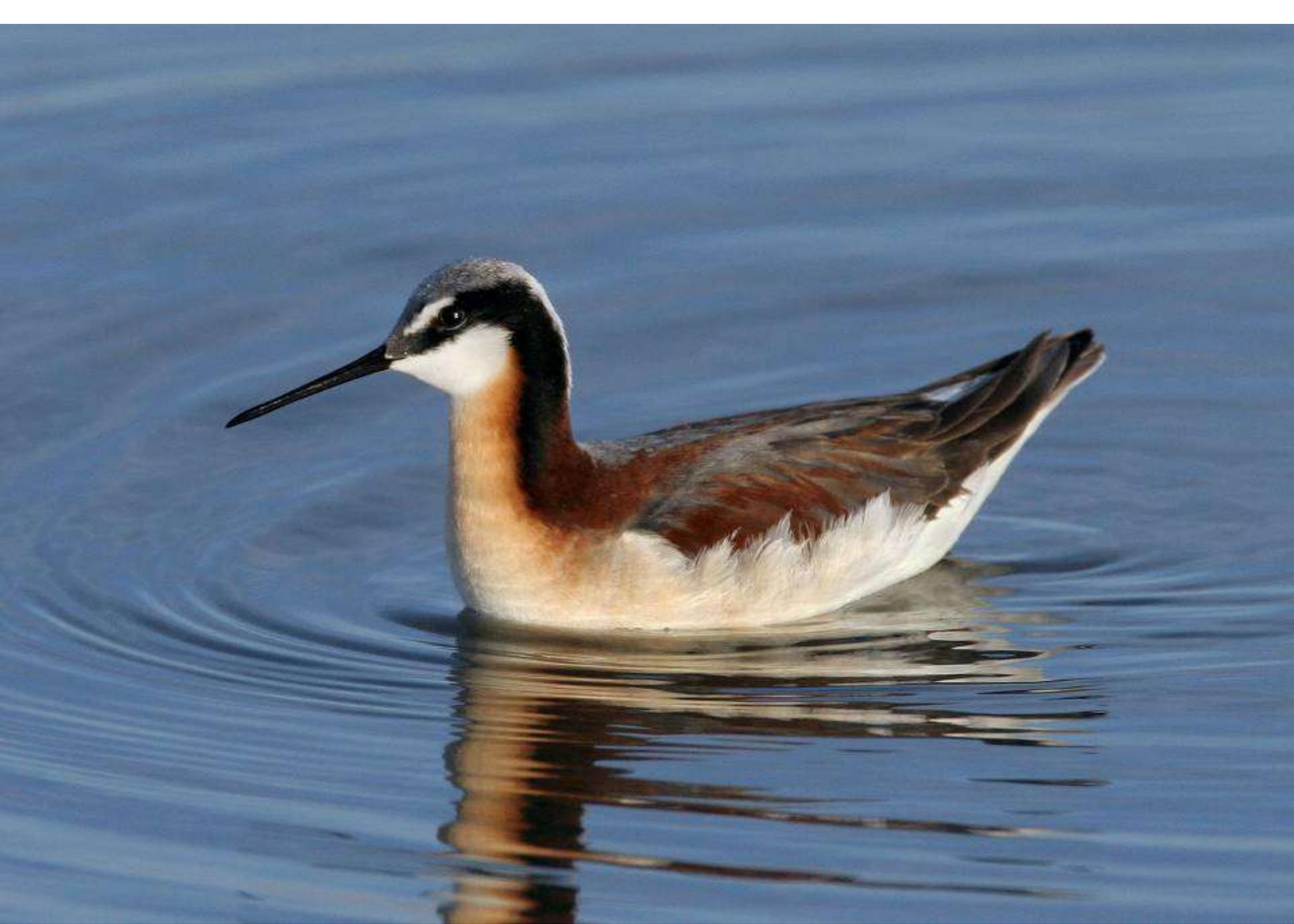


Mono Lake Tufa State Natural Reserve



- **Mono Lake's brine shrimp and alkali flies feed thousands of migrating birds:**
 - **1 million Eared Grebes**
 - **50-75,000 phalaropes**
 - **60,000 nesting California Gulls**
 - **15,000 avocets, sandpipers, dowitchers, snowy plovers**
- **80 terrestrial and song birds in winter/250-300 in summer**





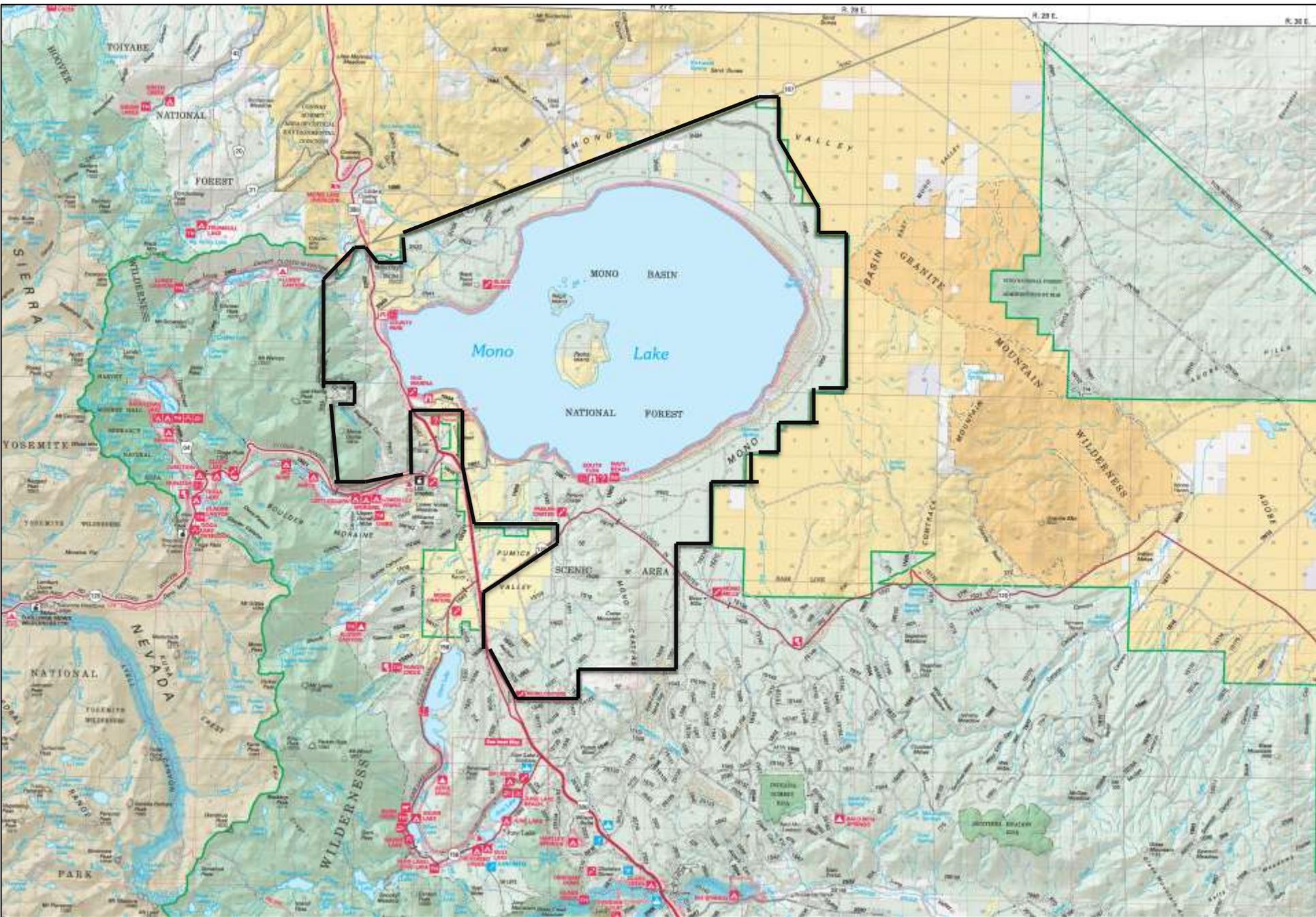






Mono Basin National Forest Scenic Area

- **Formed in 1984 under the California Wilderness Act, Title III**
- **First Scenic Area established and only one in California**
- **Established “to protect its geologic, ecologic and cultural resources.”**
- **The Record of Decision states, "The Scenic Area will be managed to promote healthy ecosystems and provide for a diversity of wildlife species.**
- **Riparian stream restoration was the first priority.**
- **The State Water Board-ordered restoration of the Lake and tributary streams has formally been going on since 1998 to restore the stream and stream corridor’s ecology.**
- **The Mono Basin is known as and advertised as the place to go for the most natural and wild experience.**
- **It offers solitude, wide-open spaces, self-discovery adventures, wildlife.**





















Enhancing the Scenic Area Experience

- **A wonderful visitor center**
- **Interpretive signs at the Tufa State Natural Reserve boardwalk, South Tufa, and the Old Marina**
- **A Lee Vining Creek Trail from the visitor center to the south end of town**
- **50 volunteer docents stationed around the lake (12 years)**
- **Guided tours of South Tufa and Panum Crater**
- **Sunday morning bird walks at the Tufa State Natural Reserve boardwalk**
- **Canoe tours around the tufa towers (27 years)**
- **Volunteer work crews to pull invasive plants, plant trees, pick up trash**













Research and Education

- **Annual Bird Chautauqua (14th year)**
- **Summer outdoor education program for young students in LA**
- **Longest running bird study (California Gulls—over 30 years)**
- **Osprey nest count and tracking (8 nests this year, 11 last year)**
- **Mono Lake annual Audubon Christmas Bird Count (35 years)**
- **Field trips for Lee Vining students**











Mammals in the Scenic Area



- bears
- grey foxes
- coyotes
- bobcats
- deer
- mountain lions
- weasels
- raccoons
- rabbits
- squirrels (including a flying squirrel)
- chipmunks
- rodents
- badgers

















Trapping in the Scenic Area

- Trapping is not allowed in the Mono Lake Tufa SNR.
- The boundaries between the State Park and the Scenic Area are seamless by design.
- Both should have the same regulations.
- 76 bobcats, 18 grey fox, 5 coyotes, 1 badger and 9 raccoons were harvested in Mono County by 3 trappers in 2013-14.*
- Bobcats and badgers are the most effective predator of ground squirrels.
- There is evidence of a shift in the ecosystem due to trapping.





California Ground Squirrel is not native to the Mono Basin.

California Ground Squirrel Expansion

- **Ground squirrels' range and numbers have exploded in recent years and are common road kill.**
- **Ground squirrels are voracious foragers and predators and contribute to the decline of Calichortus (Mariposa Lily) and other wildflowers in the Sagebrush Steppe.**
- **Ground squirrels drive out and predate on the Panamint Chipmunk and Least Chipmunk**
- **Ground squirrels predate on nesting birds: Spotted Towhees, Green-tailed Towhees, Sagebrush Sparrow, Brewer's Sparrows, Nighthawks, and other sagebrush dependent birds.**
- **Ground squirrel territory has expanded at the expense of local snakes: Great Basin Garter Snake, Gopher Snake, and Rubber Boa.**



Legal Premise for a Trapping Ban

- **The enabling legislation for the MBNFSA grandfathered in deer and duck hunting and fishing, but was silent on trapping.**
- **People involved in MBNFSA formation, including the first manager of the Scenic Area, can testify that trapping was never brought up and many public hearings were held.**
- **Trapping was rare or non-existent. No one thought it would be a problem.**
- **The Final Environmental Impact Statement (FEIS) for the Scenic Area states, "Trapping activity is light. In 1986 no local residents had current trapping licenses."**
- **The Bobcat Export Tag reports show no trapping from 1995-2004.**
- **The MBNFSA Management Plan prioritizes preserving the ecology over extractive activities.**

Legal Premise for a Trapping Ban



Trapping activity has moved into the Mono Basin in recent years due to the lack of snow and increase pelt prices.

Why Ban Trapping in the Scenic Area?

Trapping removes mid-sized mammals from the Scenic Area, decreasing the biodiversity in violation of its charter.

“...shall provide for hunting and fishing...within the Scenic Area ..., except to the extent otherwise necessary for reasons of public health and safety, **the protection of resources**, scientific research activities, **or public use and enjoyment.**”

Trapping goes against the Mono County strategic direction and vision to:

- "protect natural resources" --including wildlife
- "promote a strong and diverse economy" --an economy driven by tourism and recreation

This request is supported by:

- **Mono County Board of Supervisors
(who have asked for a county-wide ban)**
- **The Mono Lake Committee**
- **Range of Light Group, Sierra Club**
- **local residents**

Mono County, “Wild by Nature”

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5/4/2015	Roy Thomas	Fishing access	Requests information on how federal tax dollars to provide fishing and boating access is spent.	Action scheduled 8/4-5/2015 Staff recommendation: Deny; FGC has no authority over use of federal tax dollars, refer to Wildlife Conservation Board.		
5/26/2015	Scott McMorrow	SWAP	Requests amended language to reflect the 2013 intent of reducing only <i>illegal</i> hunting, fishing and harvesting.	Action scheduled 8/4-5/2015 Staff recommendation: Deny; FGC has no authority regarding the SWAP, refer to DFW.		
6/11/2015	Gaye Muller Mono County Fisheries Commission	Fish stocking	Request to increase fish stocking activity in Mono County	Action scheduled 8/4-5/2015 Staff recommendation: Deny; FGC has no authority over fish stocking activity, refer to DFW.		