

STAFF SUMMARY FOR OCTOBER 19-20, 2016

2. PUBLIC FORUM (DAY 1)**Today's Item**Information Action

Receipt of public comments and requests for regulatory and non-regulatory actions.

Summary of Previous/Future Actions

- **Today's receipt of requests and comments** **Oct 19-20, 2016; Eureka**
- Direction to grant, deny, or refer requests input **Dec 7-8, 2016; San Diego**

Background

This agenda item is primarily to provide the public an opportunity to address FGC on topics not on the agenda. Staff also delivers written materials and comments received prior to the meeting for FGC receipt as exhibits in the meeting binder (if received by comment deadline), or as late comments at the meeting (if received by late comment deadline).

Public comments are generally categorized in three types under public forum: 1) Requests for regulatory action; 2) requests for non-regulatory action; and 3) informational-only comments. Under the Bagley-Keene Open Meeting Act, FGC cannot discuss any matter not included on the agenda, other than to schedule issues raised by the public for consideration at future meetings. Thus, regulatory and non-regulatory requests generally follow a two-meeting cycle (receipt and direction): FGC will determine the outcome of the regulatory and non-regulatory requests received at today's meeting at the next FGC meeting following staff evaluation.

As required by the Administrative Procedure Act (APA), regulatory requests will be either denied or granted and notice made of that determination. Action on requests received at previous meetings is scheduled under a separate agenda item called "Petitions for regulation change and non-regulatory requests from previous meetings."

Significant Public Comments

1. Regulatory petitions are summarized in Exhibit 1, followed by individual petitions.
2. No non-regulatory requests requests or informational items were received for this meeting.

Recommendation

Consider whether any new future agenda items are needed to address issues that are raised and within the FGC's authority.

Exhibits

1. [Table containing a summary of new petitions for regulation change received by Oct 6 at 5:00 p.m.](#), the comment deadline for meeting binder (individual petitions listed below)
2. [Petition #2016-020 \(Shark bowhunting\)](#) (summarized in Exhibit 1 table)
3. [Petition #2016-023 \(Ban roe; close Smith River\)](#) (summarized in Exhibit 1 table)
4. [Petition #2016-024 \(Tricolored Blackbird\)](#) (summarized in Exhibit 1 table)

Motion/Direction **(N/A)**

CALIFORNIA FISH AND GAME COMMISSION
RECEIPT LIST FOR REGULATORY REQUESTS: RECEIVED BY 5 PM ON OCTOBER 6, 2016
 Revised 10-10-2016

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

Tracking No.	Date Received	Response Due (10 work days)	Response letter to Petitioner	Accept or Reject	Name of Petitioner	Subject of Request	Code or Title 14 Section Number	Short Description	FGC Decision
2016-020	10/5/2016 (revised and resubmitted from original 8/29/2016 version)	10/19/2016	10/10/2016	A	Michael Domeier	Recreational shark bowhunting	28.95	Disallow bow and arrow and harpoon as legal gear types for recreational take of sharks and rays	Receipt scheduled 10/19-20/2016 Action scheduled 12/7-8/2016
2016-022	9/12/2016	9/26/2016	9/26/2016	R	Willard W. Hunter	Mammal hunting, Big game			Rejected under staff review; petition is outside the scope of FGC authority.
2016-023	10/3/2016	10/17/2016	10/10/2016	A	Ted Souza	Use of roe; fishing season on Smith River		Ban the use of roe for fishing salmon and steelhead. Close Smith River to all fishing above Middle and South Forks November to December.	Receipt scheduled 10/19-20/2016 Action scheduled 12/7-8/2016
2016-024	10/5/2016	10/19/2016	10/11/2016	A	Noelle Cremers	Tricolored Blackbird	749.8	Authroize incidental take of tricolored blackbird in limited circumstances for the 2017 nesting season.	Receipt scheduled 10/19-20/2016 Action scheduled 12/7-8/2016



Tracking Number: *2016-020 Revised* (Click here to enter text.)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Michael L. Domeier, Ph.D.

Address: |

Telephone number:

Email address:

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Title 14; Division 1; Subdivision 1; Chapter 4; Article 1; Sections 200, 202, 205, 219 and 220, Fish and Game Code

3. Overview (Required) - Summarize the proposed changes to regulations: Disallow bow and arrow and harpoon as legal gear types for the recreational take of sharks and rays

4. Rationale (Required) - Describe the problem and the reason for the proposed change: It is important to manage fish and game resources wisely and ethically. Laws are put in place to protect the wild populations of fish and game while allowing for a sustainable level of harvest. Some laws are put in place for ethical reasons, to provide the wild fish and game a minimal level of "fairness." For example, hunters are not allowed to attract and kill game by baiting. Deer, bear, and waterfowl are all good examples of game that could be easily and unethically killed if hunters were allowed to attract them with bait. In some cases methods of hunting or fishing develop that are outside the scope of what resource managers considered when implementing the laws that regulate the sport. Bowhunting for sharks is a method of killing sharks that has recently gained some popularity, and one that has fallen into the grey area between fishing and hunting, where current laws do not adequately protect the sharks. Bowhunting for sharks consists of attracting sharks to the hunting boat and then shooting them in the head with an arrow at very close range. This practice should be banned for many reasons. First, it is a form of hunting, not fishing, and baiting is considered unethical and illegal in the realm of hunting. Second, sharks are slow growing species with very low reproductive rates. Shark bowhunting targets the very largest sharks and therefore is killing off the mature, breeding portion of the population. If this method of killing sharks were to become popular it would be an unsustainable method of harvesting sharks. And



finally, large sharks often have body burdens of heavy metals and toxins that are far above what has been deemed to be safe for human consumption, making them inedible. If the sharks can't be eaten they should not be killed. Furthermore, catch-and-release is not an option when this method of take is used. The number of people targeting sharks with bow and arrow are currently few. Banning the practice now, before it becomes more popular, would impact a very small percentage of the hunting and fishing community.

SECTION II: Optional Information

5. **Date of Petition: 25 August 2016**

6. **Category of Proposed Change**

- Sport Fishing
- Commercial Fishing
- Hunting
- Other, please specify: [Click here to enter text.](#)

7. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*

- Amend Title 14 Section(s):28.95
- Add New Title 14 Section(s): [Click here to enter text.](#)
- Repeal Title 14 Section(s): [Click here to enter text.](#)

8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.](#)

Or Not applicable.

9. **Effective date:** If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: 1 January 2017

10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: I have attached research papers that document the very high body burdens of toxins in sharks and rays.

11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: The number of participants in the recreational bow and arrow and harpoon fisheries is very small, so this proposed rule change would have very little economic impact

12. **Forms:** If applicable, list any forms to be created, amended or repealed:

[Click here to enter text.](#)

SECTION 3: FGC Staff Only



Date received: [Click here to enter text.](#)

FGC staff action:

- Accept - complete
- Reject - incomplete
- Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: 10/10/2016

Meeting date for FGC consideration: December 7-8, 2016

FGC action:

- Denied by FGC
- Denied - same as petition _____
- Granted for consideration of regulation change

Tracking Number

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2016-073

Tracking Number: (Not sure???)

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SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Ted Souza
Address:
Telephone number:
Email address:

As per Title 14 CCR 7.5 sections 200 & 205

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: ~~Unsure of what this means!~~

3. Overview (Required) - Summarize the proposed changes to regulations: 1) Ban the use of Roe for fishing salmon and steelhead 2) Second, close the Smith to all fishing above the Middle and South Forks of the Smith starting in November and lasting to the end of December.

4. Rationale (Required) - Describe the problem and the reason for the proposed change: There’s two problems we see with using roe. There is no doubt that the use of fresh roe reduces the effort hours per fish. As a result, fresh roe is the bait of choice for salmon fishermen. Consequently, many hens are killed solely for their roe. Using roe results in more deeply hooked fish than with an artificial lure. A 1997/98 Smith River Survey Summary, California Department of Fish and Game states, “...swallowed hook for bait was 26%, lures 12% and flies 0%.” That means that even if the angler intends to release the salmon, the chance of fatally harming the fish in retrieving the hook is more than double than if caught on a lure. **November and December the two months that salmon are spawning above the forks. And there is no doubt about it, salmon are spawning in the main stems of the North, Middle and South forks during this time. Reports by Mike McCain of the USFS and Justin Garwood, a fisheries biologist for the Department of Fish & Game, both attest that salmon are spawning in the main stream. Also, since the guides rarely, if ever, fish above the forks, the financial impact on them would be negligible. This gives at least some**



protection to our spawning salmon without hurting the guides. After December, when salmon spawning is about over, the river could then be opened for steelhead fishing.

SECTION II: Optional Information

5. **Date of Petition:** April 13, 2016

6. **Category of Proposed Change**

- Sport Fishing
- Commercial Fishing
- Hunting
- Other, please specify: [Click here to enter text.](#)

7. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*

- Amend Title 14 Section(s): Not sure how this works
- Add New Title 14 Section(s): Not sure what is meant
- Repeal Title 14 Section(s): This was a complete mystery to me.

8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.](#)

Or Not applicable.

9. **Effective date:** If applicable, identify the desired effective date of the regulation. If the proposed change requires immediate implementation, explain the nature of the emergency: This needs to be implemented as soon as possible.

10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: In 1973 there were over 528 sport boats at dock in Crescent City. Now there are only 100 slots even available for boats. On July 4th in the 1970's the line to launch your boat at the Crescent City harbor for ocean salmon fishing went all the way to Hwy 101—over 300 yards. Now there is no line at all. Ship Ashore, at the mouth of the Smith, used to sell fishing supplies, rent boats and had a big sign saying “World Class Salmon Caught Here”. Now the tackle shop is gone, no boats are rented and the sign is gone. As far back as 1997, the late Hank Westbrook, owner of Ship Ashore said, “It’s been some years since we rented



boats.”

The above photo is what it used to look like at the mouth of the Smith! No one comes to fish for salmon any more at Salmon Harbor! The Wagon Wheel in Gasquet used to be a major sport fishing motel. Now it's closed. In years past, the beaches of the Smith were littered with the carcasses of spent salmon. Now it's rare to see more than a couple all season. Veterinarians have reported that salmon poisoning of dogs (common when there were numerous salmon) has dropped to almost zero. The deep pools below the confluence of the Middle and South Fork of the Smith were once loaded with rolling salmon during October and November. Now you can watch for over an hour without see a single salmon roll. The same is true at the confluence of the North and Middle Forks of the Smith. The fish used to stack up there and roll day and night during October and November. In the past four years maybe one would roll every 45 minutes or so—or not at all! Not even 6 years ago, it was common to see 50 or more drift boats go down the river a day. For the past two years it is rare to see more than dozen a day. Your own Fish & Game put out a report in 1970 called “*Environmental Tragedy*” warning then of a collapsing salmon fishery. In 1986 Fish & Game put out another advisory called, “*The Tragedy Continues*” as well as numerous other reports warning of an impending collapse of the fishery. In 1988 your own Fish & Game reported an 80% decline in salmon and steelhead since 1954. Rowdy Creek Fish Hatchery only reported 98 salmon returned last season. As little as 10 years ago it was common for over five times that amount of fish to return. **This is strong evidence that unless we do more than we're doing, the Smith River Salmon is heading for the Endangered List!**

11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: There may be minimal impact on guides but if nothing is done, the guides will go out of business anyway.
12. **Forms:** If applicable, list any forms to be created, amended or repealed:
 Not informed in this area

SECTION 3: FGC Staff Only

Date received: [Click here to enter text.](#)

FGC staff action:

- Accept - complete
- Reject - incomplete
- Reject - outside scope of FGC authority

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Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:

- Denied by FGC
- Denied - same as petition _____
Tracking Number
- Granted for consideration of regulation change



Tracking Number: 2016-024 (Click here to enter text.)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

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SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

- 1. Person or organization requesting the change (Required)**
Name of primary contact person: Noelle G. Cremers, California Farm Bureau Federation
Address:
Telephone number:
Email address:
- 2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested:** Government Code § 11340.6 (right to petition for regulation) and Fish and Game Code § 2084 (authority of Commission to enact regulation).
- 3. Overview (Required) - Summarize the proposed changes to regulations:** The regulation would authorize the take of Tricolored Blackbirds in the following limited circumstances: 1) Actions to protect, restore, conserve or enhance habitat; 2) Actions to monitor Tricolored Blackbird colonies; and 3) Harvest of grain crops after delay to protect colonies. This proposed regulation is identical to the emergency regulation adopted by the Commission in February 2016 (Title 14, § 749.8).
- 4. Rationale (Required) - Describe the problem and the reason for the proposed change:**
Historically Tricolored Blackbirds nested in native flora in or adjacent to wetlands in the Central Valley and elsewhere across the State of California. Concomitant with the loss of wetlands during the 19th and 20th centuries, Tricolored Blackbirds have adapted to nest in varied substrates. Grain fields planted for winter silage on dairy farms provide attractive nesting sites for the species.
Unfortunately, nesting occurs at the same time the crop is scheduled for harvest. For about the past decade, a patchwork of funding sources have been used to pay farmers for the lost crop when they agree to delay harvest until after nesting is complete. In some cases, particularly where funding was unavailable or farmers were not aware of the potential for funding to offset losses, harvest has occurred before the young fledged. Recently, the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) committed to provide multiple years of funding to support a program to delay harvest of fields in which Tricolored Blackbird colonies have nested. At the same time, California Farm Bureau Federation and Dairy Cares in coordination with additional farming interests has initiated



an active campaign to educate dairy farmers about the Tricolored Blackbird and the NRCS-funded program. After adoption of Title 14 § 749.8 in 2016, through a coordinated effort including NRCS, farming interests, the Department, and Audubon, dairy farmers enrolled in the NRCS program delayed harvest on fields where an estimated 57,000 Tricolored Blackbirds nested. During the 2016 nesting season through this concerted effort 100 percent of the known Tricolored Blackbird colonies on dairy farms were protected under this program. Having the 2084 regulation in place helped alleviate concerns for farmers participating in the harvest delay program that they could still be at risk for incidental take.

NRCS funds compensate participating farmers for a portion of the value of the crop lost by the harvest delay. Under the NRCS program, a colony is identified and the area inhabited by the colony is delineated by a biologist. Once the colony is delineated, a buffer is established and the farmer is allowed to harvest only those fields outside the colony site and buffer area. Delaying harvest protects the vast majority of the colony until the birds fledge, but it does not guarantee that no take will occur. Having the emergency regulation (Title 14 § 749.8) in place for the 2016 nesting season provided tremendous value to ensure farmers who protected colonies on their farms weren't penalized in the event a small number of birds are taken incidental to their beneficial conservation actions in delaying harvest and otherwise lawful agricultural activities. By all accounts the 2016 nesting season was a success and the emergency regulation worked well.

It is likely that the timing of the Commission's consideration of whether or not listing is warranted under CESA won't occur until the middle of nesting season at the earliest. If a decision is delayed, Tricolored Blackbirds will be candidates for the entire nesting season. Given this timing, it is important to have a regulation in place that again allows for incidental take in the limited circumstances adopted previously.

SECTION II: Optional Information

5. **Date of Petition: October 3, 2016**

6. **Category of Proposed Change**

Sport Fishing

Commercial Fishing

Hunting

Other, please specify: Incidental Take Regulation for Tricolored Blackbirds

7. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*

Amend Title 14 Section(s):

Add New Title 14 Section(s): 749.9

Repeal Title 14 Section(s): Click here to enter text.

8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** Click here to enter text.

Or Not applicable.

9. **Effective date:** If applicable, identify the desired effective date of the regulation.

If the proposed change requires immediate implementation, explain the nature of the emergency: February 15, 2017. Tricolored Blackbirds typically start nesting in the southern San



Joaquin Valley in late February to early March. Tricolored Blackbirds have adapted their nesting to utilize both native and non-native habitat, including farm fields typically associated with working dairy farms. The nesting period typically coincides with planned harvest and this regulation is needed to provide incidental take to farmers who agree to delay harvest to protect Tricolored Blackbird colonies, but still have a risk of incidental take from their ongoing farming activities. A regulation adopted pursuant to Fish and Game Code § 2084 is necessary to protect farmers who are providing habitat and agreeing to protect nesting Tricolored Blackbirds.

10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: See Attachment A – Proposed 2084 Regulation for Incidental Take of Tricolored Blackbird (*Agelaius tricolor*) During Candidacy Period.

11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: If enacted by the Commission, the proposed 2084 regulation would have positive economic impacts and contribute to the conservation of the Tricolored Blackbird. The regulation would have positive economic impacts because it would incentivize farmers to participate in the NRCS program described above or a similar program administered by the Department. In 2016, there were nearly 400 acres of dairy silage fields that provided nesting habitat for Tricolored Blackbirds. NRCS was able to provide payments to farmers who agreed to delay the harvest of their fields until after the nesting season ended. Without these payments, losses (due to the decline in value of the crop) associated with delayed harvest would have been approximately \$250,000.

Absent the 2084 regulation, enrollment in the NRCS program may decline. Furthermore, farmers may harvest their crop early before onset of the nesting season, which would decrease the value of the crop and also decrease available nesting habitat; farmers may elect to plant crops that do not provide nesting habitat for the Tricolored Blackbird thereby decreasing available nesting habitat; or farmers may risk harvesting their crop even if Tricolored Blackbirds are present. The first of these outcomes has adverse economic impacts.

Adopting a regulation providing incidental take coverage for farmers participating in harvest delay programs will incentivize participation in these programs thereby reducing economic impacts as described above. As important if not more so, adopting a regulation will contribute to the conservation of the Tricolored Blackbird during the period the species is a candidate for listing.

12. **Forms:** If applicable, list any forms to be created, amended or repealed:

[Click here to enter text.](#)

SECTION 3: FGC Staff Only

Date received: [Click here to enter text.](#)

FGC staff action:

- Accept - complete
- Reject - incomplete
- Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

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 FISH AND GAME
 COMMISSION
 2016 OCT 20 AM 11:55
 MSB



Meeting date for FGC consideration: _____

FGC action:

- Denied by FGC
- Denied - same as petition _____
Tracking Number
- Granted for consideration of regulation change

Attachment A – Proposed Section § 749.8. Incidental Take of Tricolored Blackbird (*Agelaius tricolor*) During Candidacy Period.

This regulation authorizes take as defined by Fish and Game Code Section 86, of tricolored blackbird in the limited circumstances described below, subject to certain terms and conditions, during the species' candidacy under the California Endangered Species Act (Fish and Game Code, Section 2050 et seq.).

(a) Take Authorization.

The Commission authorizes the take of tricolored blackbird during the candidacy period subject to the terms and conditions herein.

(1) Actions to Protect, Restore, Conserve, or Enhance Habitat.

Take of tricolored blackbird incidental to otherwise lawful activity, where the purpose of the activity is to protect, restore, conserve, or enhance habitat for a species designated as an endangered, threatened, or candidate species under state or federal law.

(2) Actions to Monitor Tricolored Blackbird Breeding Colonies.

Take of tricolored blackbird incidental to efforts to monitor active tricolored blackbird breeding colonies, including entering colonies to perform walking transects. Only trained observers who are approved by the Department will be authorized to engage in such monitoring.

(3) Harvest of Grain Crops Under Harvest Management Program to Protect Colonies.

Take of tricolored blackbird incidental to harvest of grain fields and related agricultural activities is authorized where an individual participates in a harvest management program administered by the Natural Resources Conservation Service (NRCS), or harvest management program administered or approved by the Department; the harvest management program shall include the establishment of a buffer zone and harvest date as described under Topics 1 and 2 in the document "California Department of Fish and Wildlife (Department) Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (adopted on March 19, 2015 and available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=99310&inline>). The individual seeking authorization for take incidental to harvest of grain fields and related agricultural activities shall receive written confirmation of participation in the harvest management program and must obtain specific authorization for the timing of harvest and related agricultural activities from NRCS, the Department, or a biologist authorized by the Department or NRCS before proceeding with any harvest activities that take tricolored blackbirds.

(b) Reporting.

Any person, individual, organization, or public agency, or their agents, for which incidental take of tricolored blackbirds is authorized pursuant to subsections (a)(1) or (a)(3), shall report observations and detections of tricolored blackbird colonies, including take, to the Department's Wildlife Branch by August 1 during the candidacy period.

Information reported to the Department pursuant to this subsection shall include: a contact name; the date and location (GPS coordinate preferred) of the colony or take; colony size; colony outcome; and details regarding the tricolored blackbirds observed. Colony outcome means whether the colony was abandoned or whether young in a colony fledged. Any person, individual, organization, or public agency, or their agents seeking incidental take authorization pursuant to subsection (a)(3), shall report their participation in an approved harvest management program to the Department prior to grain harvest.

(c) Additions, Modifications or Revocation.

Incidental take of tricolored blackbird from activities not addressed in this section may be authorized during the candidacy period by the Commission pursuant to Fish and Game Code Section 2084, or by the Department on a case-by-case basis pursuant to Fish and Game Code Section 2081, or other authority provided by law.

Note: Authority cited: Sections 200, 202, 240 and 2084, Fish and Game Code.
Reference: Sections 200, 202, 240, 2080, 2084 and 2085, Fish and Game Code.