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Fish and Game Commission



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WILDLIFE RESOURCES COMMITTEE PREDATOR POLICY WORKGROUP

Members: Josh Brones, Noelle Cremers, Rebecca Dmytryk, Jennifer Fearing, Bill Gaines, Mark Hennelly, Rick Hopkins, Tony Linegar, Erica Sanko, and Jean Su

Meeting Summary September 28, 2016

**Department of Fish and Wildlife
Yolo Bypass Wildlife Area Conference Room
45211 County Road 32b
Davis, CA 95618**

Following is a summary of the meeting prepared by staff.

The meeting was called to order at 10:00 a.m. by Wildlife Advisor Erin Chappell, who introduced Fish and Game Commission (FGC) staff and California Department of Fish and Wildlife (DFW) staff. Self-introductions were made by the Wildlife Resources Committee's (WRC) Predator Policy Workgroup (Workgroup) members.

FGC Staff

Valerie Termini
Erin Chappell
Caren Woodson

Executive Director
Wildlife Advisor
Analyst

DFW Staff

Patrick Foy
Scott Gardner

Captain, Law Enforcement Division
Senior Environmental Scientist

Workgroup Members

Josh Brones (late)
Noelle Cremer
Rebecca Dmytryk
Jennifer Fearing (absent)
Bill Gaines

Mark Hennelly
Dr. Rick Hopkins
Tony Linegar
Erica Sanko
Jean Su

Erin Chappell outlined the meeting procedures and let participants know that the meeting was being audio-recorded for posting to the website with a staff summary.

1. Public forum for items not on the agenda

Late comment letter distributed to Workgroup members

Commenter noted that UC Davis is conducting a study on traffic conditions which includes impacts on wildlife and suggested that any predator policy should consider traffic impacts to wildlife and take into account the number of animals impacted by traffic and related impacts on predator management. More information on the study is available at <https://roadecology.ucdavis.edu/frontpage>.

2. Discuss and revise draft predator policy

Erin Chappell introduced the topic, provided an overview of the timeline for review and revisions, and invited discussion among the Workgroup members. A draft policy was provided to the Workgroup members prior to the meeting (see meeting materials Exhibit 2.2 at http://www.fgc.ca.gov/meetings/2016/Sep/ppwg/exhibits/SS_0928_Item2_PredatorPolicy.pdf). The Workgroup opted to discuss the draft policy provided sequentially.

Paragraph 1 (Values)

- Bill – suggested final sentence regarding impacts to humans should include more specificity, expressly noting impacts to livestock
 - Erica – suggested ‘human enterprise’ should be changed to private property
 - Tony – note human health and safety as a value and suggested new language: “...that result in impact to human health and safety, private property, crops, and livestock.”
 - Bill – agreed with Tony, noting it would be consistent with the detail provided earlier.
 - Erica – conflict and impact are separate matters and both should be included. Conflict can be passing through; impact considers cost and private property.
 - Rick – the bucket of conflict includes the whole list of impacts; conflict with humans (reduce prey, take livestock, or threat to safety).
 - Tony – don’t think conflict infers loss to the lay person; trying to be sensitive to fact that predators impact property.
- Rebecca – concerned that the second sentence belongs elsewhere.
- Noelle – need to have a statement about our value of private property
- Mark – conserving wildlife is a value, this is fine the way it is.
- Rick – policy should integrate values and it makes sense to group together; recommended keeping as is.
- Erica – suggested removing “native” since there is still some uncertainty about the status of some of the species under consideration

- Erin – noted that the term was included as a way to distinguish our management of non-native species but recognized that how the term native is defined and used varies.
- Jean – recommended including language that acknowledges changing values so that the policy has greater longevity and suggested that environmental stewardship should be explicit within the policy.
 - Mark – not comfortable with having a policy that is open to interpretation and shifting values; the responsibility is to define the values we care about today and the document should be revisited from time to time to address/reflect society changing values
 - Bill – would be uncomfortable with a values statement that implies the FGC will make decisions as societal whims shift rather than relying on science.
 - Rick – science does not dictate policy, it merely informs policy. Science may provide options and impacts of those options, but FGC makes the choice based on numerous factors, including societal values.
- Rick – overall this language really does capture/ lock FGC into the important aspects of predators; the key factors have been captured, and while over time these issues have different weights, FGC has the authority over time to manage based on current weight. Locks FGC into what they should consider.
- Noelle – due to impacts predators don't necessarily benefit all persons; more accurate to frame as “provide value to society in general/as a whole”
 - Rick – suggested group look at language use in Code Section 1801 or in FGC policies for consistency.
 - Noelle – raptors has some language which is more general and leaves out “which benefits all persons” statement.
 - Jean – suggested using “society and ecosystems” to be more inclusive and take focus on people specifically
- Jean – suggested another word in place of ‘govern’ be used since we can't govern nature.
 - Mark – suggested “manage” as alternative
 - Noelle – needs to be clear that governing people not animals
 - Rebecca – suggested modifying sentence to clarify, such as ‘govern to ensure’ or ‘govern through regulation’, or some other qualifier

Paragraph II (Conservation and Management) Part A

- Noelle – recommended changing ‘preserve’ to ‘conserve’
- Mark – suggested adding text about maintaining wildlife populations to final sentence, such as “...and other wildlife species”
- Rebecca – noted language is skewed toward consumptive use and recommended language included to reflect that ‘recreational includes non-consumptive use
- Rick – noted little evidence that sport hunting manages predator populations; the literature suggests that there is little impact
 - Mark – noted that on the waterfowl side sport hunting does work.
 - Scott (DFW) – both make good points; with respect to mammalian predators sport hunting has had a limited impact however, for birds

and other non-mammalian predators there is a discernable impact from sport hunting. Noted DFW focus will likely be on habitat basis and not necessarily management through hunting although there are affects to rare species (like bobcats taking condors) where direct management is important.

- Mark - questioned whether the goal should be 'sustainable populations' or higher populations of fish and wildlife generally

Paragraph II (Conservation and Management) Part B

- Tony – raised concern that coexistence language goes beyond the reducing conflict and impacts concept from Paragraph I and suggested that language be repeated here.
- Jean – suggested including language related to stewardship
 - There was discussion about whether as a whole the policy encapsulates the concept of stewardship and whether it needs to be more explicit or not.
- Tony – suggested removing cost-effective and use feasibility instead
 - Noelle – raised concern that an option could be effective but cost prohibitive
- Bill – suggested changing 'emphasize non-lethal controls' to 'consider non-lethal options'
 - Jean – suggested 'encourage' or 'prioritize' as alternatives
 - Tony – wasn't sure policy should dictate prioritization of options
 - Jean – 'consider' only requires thought while 'encourage' goes a bit further
 - Erica – concerned that 'encourage' infers order of priority
 - Josh - let the manager decide based on available options. If judgement value given to verbiage, revise word consider in terms of human safety. Recommended combining it into one sentence "...that managers shall consider lethal and non-lethal controls."
- Erica – raised concern about the use of 'humane' since it can be defined many ways; should just be applicable rules and regulations
 - Rick – important to include humane and let FGC define what it means; important to include because it serves as a reminder to FGC that humane dispatch should be considered as they develop/modify regulations
 - Tony – suggested that use of the word 'humane' along with acting in accordance with laws and regulations infers that those law and regulations may not be humane. Also concerned about use of word 'shall'.
 - Rebecca – suggested term 'ethical' as alternate to 'humane'
 - Erica – noted that 'humane' is too controversial and subjective; the policy should be objective.

Paragraph II (Conservation and Management) Part C

- Rebecca – raised question about the context of this paragraph and term ‘habitat manipulation’
 - Scott (DFW) – improving habitat is important and likes the perspective and order of this paragraph
 - Mark – noted the modifying habitat used routinely for waterfowl
 - Josh – in some cases you’re mitigating influence of predator behavior on prey populations
- Mark – suggested adding recreational hunting as an management option
- Rick – suggested changing the order of the sentences to go from broad to specific
- Josh – suggested adding language related to the influence predators can have on other species not just merely the headcount
- Bill – suggested prioritizing consideration of management plans before ‘affected habitat and other biological and social constraints’
 - Rick – noted current order assumes priority
- Rebecca – suggested changing ‘shall be managed through’ to ‘shall include but not limited to’ otherwise it could be construed as limiting to just those two options

Decision: The Workgroup decided the revised draft, which incorporated the changes made by Erin during the discussion, was ready for input from the reviewers. There were two changes to the text that are still under discussion and will be revisited at the next meeting during consideration of reviewer comments. Also noted was the minority opinion regarding prioritization of non-lethal options.

Note: Erin will send a clean version of the document to the reviewers tomorrow (9/29) with information about the comment deadlines.

Public Comments

- Comment that this has been informative process and some good ideas included but take exception to the use of regulatory language, like shall and humane. Suggested that policy more specifically address the problem with urban coyotes as DFW’s policy on this matter is not effective. Noted that if promote non-lethal than someone needs to provide financial resources to support.
- Comment that the policy is unbalanced toward consumptive side.
- Comment that if the policy prioritizes human safety than it needs to include education. Noted that the State Wildlife Action Plan mission statement overlaps with this policy and need to make sure they are consistent. Noted that wildlife pressures are result of land use matters so suggested having more land use agencies participate.
- Comment that wildlife is a public trust resource and therefore stewardship should be incorporated in the values statement. Noted that human responsibilities is a glaring omission from the policy and that the policy is human centric. Also noted that managing predators for prey species is not fair; burden of proof that predators are limiting prey species should be on the consumptive users.

- Comment that calling out crop and livestock at the end of the values section does a disservice to those who don't engage in agriculture. Suggested use of 'healthy and socially viable populations' in place of 'sustainable populations'. Concerned that predators are being treated differently than prey species. Noted that lethal control should be a last resort and prevention and non-lethal options should be a priority.
- Suggestion that references to private property should include public property too. Suggested adding 'as appropriate' to first sentence of Paragraph II (A) to lessen prescriptive nature of the language. Also suggested changing 'preventing habituation' to 'reducing habitation' and noted that term 'social constraints' is too broad.
- Comment that deeply concerned that overarching vision skews heavily towards removal of predators, heavy handed management, and management for game populations. Commented that policy is weighted towards benefitting hunting and agriculture and noted that general public doesn't want to pay for removal or non-lethal options.
- Comment that majority of Californians want to see wildlife alive rather than dead. Noted rehabilitators see the worst of human conflicts with wildlife and for that reason 'humane' and 'ethics' belong in the policy. Noted that policy seems lopsided and there should be more emphasis on humans taking responsibility for their actions.
- Comment that policy heavily weighted to predator control. Lethal control should be the last resort. Noted all species are under stress and that we have a moral and ethical responsibility to look at how humans can live together and share the ecosystem.
- Comment noted that at first read it seems like a predator game policy. Lethal options should be a last resort and control of predators should be aimed at individual problem animals not a blanket approach.
- Comment about the areas where human and wildlife overlap is growing which results in the need to manage to the carrying capacity. Noted the unintended consequences of banning the use of dogs for bear hunting which is now contributing to habituation.
- Comment regarding the management of Tule elk, noting that due to habitat loss the population can never be restored to what it once was historic which is why management is important. Noted goal should be balance between predator and prey species.

3. Review and identify existing predator regulations to propose for revision

Due to time constraints, Erin provided a brief overview of the topic and posed some questions to the Workgroup regarding how to approach revisions to the regulations. The questions focused on scope, key concepts, and consideration of structural changes.

- Rebecca – asked if would be possible to have someone from DFW speak about these issues to help inform the process.
- Tony – noted it would be helpful to have DFW talk about the depredation permit process. Also suggested including secondary species in the scope.

- Scott – highlighted the presentation DFW gave at the September 2016 WRC meeting related to the eight priority species.
- Noelle – noted that if there is an interest in some structural changes then probably need to consider all the species that may be affected. Sees the value in keeping the scope narrow but on the other hand if opening up a regulation then should aim to fix all the issues rather than just some.
- Josh – noted more inclined to take a broad approach; the speed could be influenced by identifying the low hanging fruit (i.e. consistent use of language and organizational structure).
- Erin – recommend that the Workgroup start looking for the low hanging fruit for each topic in preparation for the next meeting. Requested Workgroup members think about the topics posed today and to give some thought as to whether there is value in having separate discussions about take for depredation purposes and recreational take.

4. Next steps

Due to time constraints this item was moved to November

- (A) Review work plan tasks and timeline
- (B) Potential new agenda topics
- (C) Select dates for future meetings

The meeting adjourned at 3:30 p.m.