



May 1, 2019

Roger Bloom
Environmental Program Manager
Fisheries Branch – Inland Fisheries Conservation and Management
1416 9th Street, 12th Floor
Sacramento, CA 95814

RE: California Inland Trout Angling Regulation Simplification

Dear Mr. Bloom:

Trout Unlimited (TU), Trout Unlimited of California (“California Council”) and the undersigned TU chapter leaders, regional sporting organizations and businesses offer the following comments on proposed changes to California’s Inland Trout Angling Regulations presented by the California Department of Fisheries and Wildlife (CDFW) in April 2019. We appreciate the opportunity to provide comment and support the overarching goal of simplifying statewide angling regulations and aligning them with management objectives for specific waterways.

Trout Unlimited is America’s oldest and largest coldwater fish conservation organization, with 300,000 members and supporters nation-wide. TU’s mission is to conserve, protect, restore and sustain native trout and salmon populations and their watersheds. Approximately 10,000 TU members reside in California, many of whom are actively involved in our 12 volunteer chapters and nearly all of whom are active anglers. Through both these chapters and our professional staff we have worked in partnership with CDFW on inland trout assessment, restoration and enhancement projects in California for more than two decades. Below we articulate our feedback on the simplification process and on proposed regulation changes—our intent is to help CDFW maximize fishing opportunity while conserving habitat, species and the history and character of certain fisheries.

General Comments and Summary of Recommendations

First and foremost, we appreciate the Department’s effort to do substantial public outreach and accept comment on the proposed simplification prior to submission of the package to the California Fish and Game Commission. We recognize that this outreach and invitation of public comment is not mandatory, and we applaud the Department’s taking extra steps to make sure the effort is well understood by California’s more than 1.5 million licensed anglers. However, the Department has provided little insight on the decision-making framework for the regulation change determinations, and no science or data in support of proposed changes. The

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overarching aim of the proposal—to reduce the number of waters with special regulations and increase angling opportunity—is laudable. But the primary tactics for achieving this goal, including (1) opening the general trout angling season to year-round, (2) removing long-standing gear restrictions on many special regulation waters and (3) moving a proportion of special regulation waters to general regulations seem misplaced. This is particularly true since we do not have a good understanding the Department’s rationale for proposed adjustments, especially in the face of significant threats such as drought, climate change and continued habitat loss. Additionally, shortening the length of the season on many waters by nearly 2.5 months (nearly 40%) undercuts the goal of increasing opportunity, will intensify angling use in the hottest months of the year (especially at lower elevations), eliminate decades of tradition and likely harm local economies dependent on fishing associated with the current general season opener and closure.

Overall, it is difficult to provide useful comment without better understanding CDFW’s decision framework (e.g. management strategies, goals, objectives, existing data). We therefore request that the information utilized in the decision-making process be provided for the current proposed slate of simplified regulations and with any drafts moving forward.

Based on the current regulation change proposal, we have three primary recommendations:

1. Do not increase harvest or loosen gear restrictions on waters that can support wild trout. If the Department believes that reductions in gear protections or increased harvest for waters that can support wild trout are warranted, it should provide documentation that that fishery can support increased harvest or potential mortality, including current population data that can be used as a baseline for monitoring;
2. If seasons are expanded for waters that can support wild trout, the expanded season should be catch and release (0 limit, single barbless hooks, and artificial lures) to be consistent with point (1); and
3. Diversity in fishing experience should be a priority strategy for overall management of California inland trout waters. Based on the popularity of waters that are managed as catch-and-release for wild and native trout, it would appear the angling public wants more such destinations, rather than fewer.

Rationale and Discussion

Application of Section 7.0 General Regulations

The proposed general regulations allow increased year-round harvest. The driving impetus for this outcome is unclear to us. If the Department is basing this change on opinion research or other data showing a large proportion of California anglers want more harvest, it would be helpful to see it. Such a regulation should only apply to heavily stocked waters with both fall and winter stocking programs, and that may not be possible with changes to the general regulation; therefore, the general regulation change should be more conservative. The stocking schedule should also be re-evaluated so as not to impact any wild trout fisheries that may co-

exist in that system. General regulation waters that currently close from November 15th through April may also support wild trout, and these waters will now be open to take during both the spring and fall spawning season. While snow conditions may limit winter angling opportunity on some waters, others with wild trout populations, particularly on the West Slope of the Sierra Nevada, are accessible throughout most of the winter (e.g., Stanislaus, Tuolumne and American Rivers). There may be no way to determine if the proposed change in fishing regulations would cause a decline in wild trout populations without controlled pre- and post-regulation change implementation data. However, we encourage ongoing review of overall population trend data when available. If population numbers are trending downward, it seems highly inappropriate to increase harvest.

Proposed Alternatives to Section 7.0 General Regulations

In order to implement a longer season for the general regulation without increasing harvest or loosening gear restrictions for waters that can support wild trout in the absence of compelling science, the following approach might work: For any water under Section 7.0 general regulations, we propose the following amendment: Saturday preceding Memorial Day through September 30th: 5 fish bag, 10 in possession, no gear restrictions; October 1st through the Saturday preceding Memorial Day weekend: 0 fish bag, artificial lures & barbless hooks only. This will enable anglers to harvest stocked trout during the busy summer season while also protecting wild trout during the spawn and winter months. This should also provide a more diverse angling experience in that fishery.

Native and/or Wild Trout Water Protections

The proposed general regulation changes to incorporate year-round take and changes to increase take in special regulation waters could impact resident wild and/or native trout fisheries. Without scientific information affirming that these populations can withstand increased harvest or harvest during spawning season, or loosened gear restrictions, we oppose such changes. We propose that CDFW collect population data in wild and/or native trout waters so that comparatives can be made pre- and post-regulation change, and postpone any changes to current angling regulations for those waters until that information is gathered.

Most special regulation waters (Section 7.50) currently have some kind of gear restriction. The proposed regulation simplification changes remove gear restrictions in many of these waters, including the “artificial only” (artificial lures, barbless hooks) regulation which many anglers are familiar with and support. Given that these waters would still be under special regulation, removing gear restriction regulations does not move toward the goal of simplifying regulations—it just alters the existing special regulation. We strongly urge the Department to maintain both harvest limits and gear restrictions on native and wild trout waters.

Diversity in Fishing Experience as a Management Strategy

We understand one of the primary goals of the regulation simplification process is to increase fishing opportunity. However, the Department’s principal strategy for achieving this goal seems

to be loosening gear restrictions for many waters. While this strategy may be appropriate for “put-and-take” waters, it may not be appropriate for waters that presently have a history or reputation for being catch-and-release. We strongly encourage the Department to consider the value of providing a diversity of fishing experiences which can appeal to the broad variety of angler preferences in this state (i.e., bait anglers, artificial lure non-fly anglers, and fly-fishing anglers). In order to attract and retain more anglers, we need more different types of angling experience rather than fewer. Creating a generic all-gear-with-harvest experience for most waters may reduce angler interest overall and offset any gains in angling opportunity for certain angler groups. Other western states such as Montana, Wyoming and Colorado manage trout fisheries to appeal to more types of angler groups, and we believe this is a primary driver for their robust out-of-state angler visitation.

Summary

While we support the Department’s goal of making inland trout angling regulations simpler and easier to understand, the rationale for many of the proposed regulation changes remains unclear. Moreover, the present proposal for regulation changes could harm wild trout fisheries, both state-designated and in those stocked waters where wild populations are now established. Given the Department’s well-known challenges in satisfying stocking expectations (both required by statute and in terms of angler preferences), the high cost of stocking and the fact that rivers with good habitat conditions naturally produce better, harder-fighting trout than hatcheries, we cannot support policy that would increase pressure on existing hatcheries or for new hatcheries.

Overall, we think the proposed regulation changes would benefit significantly from being more clearly grounded in scientific data (both biological and social), and from having a more clearly defined management objective for each change. Trout Unlimited is committed to helping provide this data to the Department through collaborative studies and/or angler science and surveys. Having this data will enable the Department to make adaptive management adjustments to new angling regulations, as needed.

In Attachment A, we provide our comment and proposed alternatives for regulation changes for specific waters. Thank you again for your commitment to engaging the public early in this process. We appreciate the opportunity to participate in the regulation simplification process and to work cooperatively with CDFW to achieve ecologically sustainable and enforceable management of California’s inland trout fisheries for the future.

Sincerely,

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