Tracking Number: (2022-12)

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, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 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: James Stone
Address: PO Box 111, Sutter CA 95982
Telephone number:
Email address: jstone@ncgasa.org

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Sections 200, 205, 265 and 275, Fish and Game Code

3. Overview (Required) - Summarize the proposed changes to regulations: NCGASA and our partners are proposing a slot limit on striped bass from 20-30 inches. This would increase, from 18 inches to 20 inches, the size of a fish that may be harvested, and further restrict the harvest of any mature fish in the system above 30 inches. This slot limit would apply in both fresh and salt water, since striped bass are an anadromous species. Our organizations believe the 20-30 inch slot limit is an appropriate starting point to balance angler harvest, recreational enthusiasm, and protection of the species; we understand the Commission and Department may have perspectives on other limits and we welcome that discussion.

4. Rationale (Required) - Describe the problem and the reason for the proposed change:

NCGASA previously submitted a Petition for Regulatory Change for a striped bass slot limit, for the purpose of protecting the species, on April 3rd, 2020. NCGASA and our partners belived that petition would cover both inland and marine waters, given that striped bass are an anadromous species. Recently, we have been informed by Department staff that they interpreted this request to apply only to inland waters. After consultation with Department staff we have been encouraged to submit this clarifying petition. Therefore, we are additionally submitting this petition to clarify that the proposed slot limit should apply for the protection of this species in both inland (fresh) and marine (salt) waters.

NCGASA has been collaborating with nearly every other angling organization in the state that cares about striped bass, both inland and in marine waters. Our organizations collectively represent the voice of California's recreational angling community, from charter boats in the estuary and ocean to inland guides, fly fishers, and others. Together, we represent the vision of the majority of California's recreational angler communities, whose fishing license revenue fund fishery-related research, and enforce regulatory protection of fish and wildlife.

The Fish and Game Commission (FGC) recently approved changes to California's 1996 Striped Bass policy which our collective organizations strenuously objected. In addition to removing numeric targets for one of California's most heavily sought-after recreational angling species (Striped Bass), the FGC further directed the Department of Fish and Wildlife (DFW) to deprioritize investment in Striped Bass population research because of their non-native status. This despite the fact that Striped Bass were introduced 146 years ago and face exactly the same poor aquatic habitat conditions and water conveyance threats to survival as native fishes, including listed anadromous salmonids.

Over the past two years, our recreational angling community has been a committed party in discussions with FGC's and the DFW's leadership to present pragmatic solutions to the management of Striped Bass as a game fish. This included finding fiscal and non-fiscal management actions, including funding for the DFW to study, develop and implement a Fisheries Management Plan and/or other alternatives geared toward Striped Bass long term health and viability (conservation).

This proposal is one of those alternatives. The regulatory change petition proposed by NCGASA and supported by our organizations offers a low-cost alternative management tool that will promote the conservation of Striped Bass. By restricting take to a specific target size range, younger, sub-adult, Striped Bass females will have an opportunity to reach reproductive maturity and older large adults will be prevented from catch from the SFEW during their most reproductive years.

Additionally, NCGASA has committed financial resources to collect real time data on the Striped Bass population to facilitate management decisions based upon defensible science. It is our sincere hope that our recreational angling community can team with DFW to provide credible science on the current status of the Striped Bass to conserve Striped Bass for future generations of anglers.

It is not just the salmon and delta smelt populations that are in crisis. The striped bass population is collapsing parallel to the salmon populations and for the same reasons. The striped bass population is in desperate trouble at each life stage critical to supporting a viable population. Striped bass are broadcast spawners with each female producing hundreds of thousands if not millions of eggs/larvae. In a healthy ecosystem only a very few of these larvae ever survive to become adults. It's been documented for over a 10 year period that maternal transfer of contaminants causes over 90% of striped bass larvae to die prior to first feeding (Ostrach et al. PNAS, 2008, Ostrach et al. POD final report 2009) . It has been documented in the pelagic organism decline studies that the few larvae that survive as juveniles are subjected to poor water quality and contaminants such that extremely high incidences of parasitism and disease are found in these young fish and very few survive as young of the year fish (Ostrach

D.J. et al., POD final report 2009, Durieux E.D. et al. 2010, Spearow J.L. et al. 2010). This provides clear credible scientific evidence as to why the young of the year index for striped bass has been near zero for the past decades. The young of the year index directly relates to population recruitment. The latest fall midwater trawl data for striped bass indicates one of the lowest indices ever recorded. In addition, current fishing regulations allow for the removal of female striped bass before they reach sexual maturity removing them from the breeding population resulting in having fewer females to spawn in subsequent years. Current regulations also allow for the removal of the largest females from the system. Typically the larger/older fish produce the most and the highest quality eggs. Removing them from the system causes the most successful and fecund striped bass to be taken out of the breeding pool. Striped bass growth rates are approximately half of what they were 25 or 30 years ago which relates to poor quality food and environmental conditions. For there to be a robust viable recreational fishery the striped bass population needs to be stabilized and restored.

In order to sustain Striped Bass populations, several East Coast states (e.g., Maine, Massachusetts, New York, and others), adopted slot lengths.These slot length limits ensure that female Striped Bass reach sexual maturity and have more than one opportunity to spawn before been captured. Over the decades of the slot length limit regulation implementation, small changes have been made based upon the health of the Striped Bass population which is tied to riverine, estuarine, and marine habitat conditions and food availability. The recreational angling community strongly supports the principles for Adaptive Management which must be built into Fishery Management Plans due to unpredictable environmental changes to sustain viable recreational angling opportunities in California. Bradley et al (2019) provided a new approach to fisheries data systems which promotes innovation to increase data coverage, accuracy and resolution, while reducing costs and allowing adaptive, responsive, near real-time management decision-making to improve fisheries outcomes.

SECTION II: Optional Information

5. Date of Petition: 8/1/2022

6. Category of Proposed Change
X Sport Fishing
☐ Commercial Fishing
☐ Hunting
☐ Other, please specify:

7. The proposal is to: (*To determine section number(s), see current year regulation booklet or https://govt.westlaw.com/calregs*)
X Amend Title 14 Section(s): 27.85
☐ Add New Title 14 Section(s):
☐ Repeal Title 14 Section(s):

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 **X** 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:

Implementation consistent with the original petition for a striped bass slot limit which is under discussion.

10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: NONE

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: NONE

12. **Forms:** If applicable, list any forms to be created, amended or repealed: NONE

SECTION 3: FGC Staff Only

Date received: Originally rec'd 8/1 (incomplete); updated 8/4/22

FGC staff action:

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

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