

## STAFF SUMMARY FOR JUN 12-13, 2019

**13. NORTHERN CALIFORNIA SUMMER STEELHEAD REGULATIONS****Today's Item**Information Action 

If, under Agenda Item 12, FGC determines that listing may be warranted for northern California summer steelhead (*Oncorhynchus mykiss irideus*) under the California Endangered Species Act (CESA), discuss and potentially take regulatory action.

**Summary of Previous/Future Actions**

See Agenda Item 12.

**Background**

Acceptance of a petition under CESA initiates a one-year review by DFW for determining the species' status. During the status review period, the species is considered a "candidate" species, which confers CESA take prohibition measures to protect the species (pursuant to Fish and Game Code Section 2085).

If FGC accepts the petition to list northern California summer steelhead (steelhead) under Agenda Item 12, FGC may wish to consider additional regulatory options for the recreational angling season.

CESA provides that FGC may authorize take of certain threatened, endangered, or candidate species "by hook and line for sport" (Fish and Game Code Section 2084 [Exhibit 1]). Section 2084 allows FGC to authorize take based on the best available scientific information when the take is otherwise consistent with CESA.

***FGC Staff and DFW Analysis***

In the case of steelhead, the adipose fins of hatchery-produced fish are clipped, making them distinguishable from naturally-spawned steelhead, which have intact adipose fins. Current regulations allow only hatchery-produced fish to be harvested (Section 7.50, Title 14); wild steelhead must be released unharmed.

Since the prohibition on the take of steelhead (under Fish and Game Code Section 2085) covers only wild individuals and not hatchery-produced fish, current regulations are already protective of all candidate fish. Therefore, in the assessment of DFW and FGC staff, no action is needed to bring current regulations into harmony with steelhead's status as a candidate species under CESA.

**Significant Public Comments (N/A)****Recommendation**

***FGC staff:*** Take no action, for the reasons described above under "FGC staff and DFW Analysis."

***DFW:*** Take no action, for the reasons described above under "FGC staff and DFW Analysis."

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**Exhibits**

1. [Fish and Game Code Section 2084](#)

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

**Section 2084, California Fish and Game Code**

(a) The commission may authorize, subject to terms and conditions it prescribes, and based on the best available scientific information, (1) the taking of any candidate species, or (2) the taking of any fish by hook and line for sport that is listed as an endangered, threatened, or candidate species, provided that in either case the take is consistent with this chapter.

(b) The department may recommend to the commission that the commission authorize, or not authorize, the taking of an endangered, threatened, or candidate species pursuant to this section.