



**CITY OF MARTINEZ**

**CITY COUNCIL AGENDA  
February 1, 2012**

**TO:** Mayor and City Council  
**FROM:** Councilmember Lara DeLaney  
**PREPARED BY:** Mercy Cabral, Deputy City Clerk  
**SUBJECT:** Regulations on Striped Bass  
**DATE:** January 20, 2012

**RECOMMENDATION:**

Councilmember DeLaney requests that the Council consider submitting a letter to the Department of Fish and Game Commission opposing proposed changes to the regulations on Striped Bass.

**BACKGROUND:**

The Department of Fish and Game Commission is considering changing the regulations on Striped Bass to the point they will be eradicated within a couple of years. This will have a huge impact on the Martinez Marina and Bait Store as well as the other marinas and fishing businesses from the San Francisco Bay all the way east through the Delta.

Some of the changes the Commission will be considering are: reduce the size from 18 to 12 inches for a legal catch and increase the daily bag limit from 2 to six a day.

Attached is an article from Western Outdoor News on the Striped Bass.

**FISCAL IMPACT:**

City could be looking at an unknown amount of lost sales revenue.

**ACTION:**

Motion to submit a letter to the Department of Fish and Game Commission opposing proposed changes to the regulations on Striped Bass.

Attachments:

Letter

Western Outdoor News Article



## City of Martinez

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February 1, 2012

Jim Kellogg, President  
California Fish & Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

**Re: Proposed Changes to the Striped Bass Regulation by the Department of Fish and Game**

Dear Mr. Kellogg:

As Mayor and on behalf of the City Council of the City of Martinez, I write to express our opposition to the proposed Striped Bass regulations that the Commission will be considering at the meeting in February. The regulations would authorize additional harvest of Striped Bass and could lead to their eradication and the subsequent negative impact on our economy. The Department of Fish and Game should instead convene an expert panel to review this issue before proceeding with relaxing the Striped Bass fishing limits.

Striped Bass is one of the non-native fish that is considered by some to be a contributor via predation to the decline of Smelt. Striped Bass were introduced in California from the East Coast, where they are found from the Gulf of St. Lawrence to Alabama. The initial introduction took place in 1879, when 132 small Bass were brought successfully to California by rail and released near Martinez. There was much concern by the Fish and Game Commission that such a small number of bass might fail to establish the species, so a second introduction of about 300 Stripers was made in lower Suisun Bay in 1882.

The State is now considering action to increase fishing limits for Striped Bass to reduce the number of these so-called "introduced predators." However, others argue that Smelt and Striped Bass used to peacefully coexist so the Bass cannot be the real problem.

Moyle and Bennett (in their 2008 PPIC report<sup>1</sup>) state that "Striped bass and American shad are regarded as desirable despite being non-native species, because they are estuarine-dependent, have been naturalized in the system for well-over a century, and have long supported important sport fisheries. In contrast, Largemouth Bass are not regarded as desirable even though they have recently become a major sport fish in the Delta. Largemouth Bass are not native, are not estuarine-dependent; they are actually increasing in abundance in habitats that once favored the endangered species."

<sup>1</sup> [http://watershed.ucdavis.edu/pdf/ComparingFutures\\_PPIC2008/708EHR\\_appendixD.pdf](http://watershed.ucdavis.edu/pdf/ComparingFutures_PPIC2008/708EHR_appendixD.pdf)

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These respected biologists suggest that we can now consider Striped Bass as "naturalized citizens" that eat other predatory fish and generally have become part of the Delta ecosystem. Eradicating or greatly reducing Striped Bass could have unintended consequences--the cure may be worse than the disease. Striped Bass should not be greatly reduced or eliminated without a scientific study to determine the impacts. This has not been done yet.

In summary, the Striped Bass is a beneficial species and has co-existed with all the other fish in the Delta. Since the advent of excessive water exports, all of our fish species have been in decline. Fishing and related businesses throughout all of Contra Costa County's shoreline are at economic risk if the proposed changes are approved by the Fish & Game Commission, not to mention the negative economic impact to the City, County, and the State if Striped Bass are eradicated.

We urge you to consider these comments when you act on the proposed regulations in February.

Sincerely,

Rob Schroder  
Mayor

## PERSPECTIVE

# STRIPED BASS: *Your engagement is critical*

BY JOHN BEUTTLER, MIKE MCKENZIE, JOHN RYZANYCH

*Allied Fishing Groups*

**VALLEY SPRINGS** — The State's Striped Bass Fishery is under serious threat of destruction should the sport fishing regulations proposed by the Department of Fish and Game be adopted by the California Fish and Game Commission at the Commission's meeting in early February. The DFG regulation proposal is due to a recent settlement agreement after the department prevailed in the litigation filed in 2007 by the 'Coalition for a Sustainable Delta' (CSD).

The litigation alleged that striped bass sport fishing regulations have a negative impact on fish listed under the federal Endanger Species Act (ESA) that utilize the Bay-Delta Estuary. CSD claimed the DFG was therefore in violation of this act. They argued the regulations protected striped bass from additional harvest and resulted in more bass eating the Listed Species. The CSD is composed of several water districts and funded by Agribusiness from the Southern San Joaquin Valley who resent the small cutbacks in Delta diversions they had to suffer to protect ESA listed fish species. They declared war on the striper fishery, the anglers who enjoy it, and the public that owns this natural resource as payback.

Following the filing of the litigation, CSD flexed their political muscle to destroy the fishery by attempting to pass state legislation in 2008 and 2009 to have striped bass made a non-sport fish which would have removed all regulations protecting the fishery, subjecting it to unlimited harvest. This effort was turned back by a coalition of fishing and environmental interests spearheaded by California Sportfishing Protection Alliance, the Allied Fishing Groups and the California Striped Bass Assoc.

In July of 2010, Federal District Court Justice Wanger ruled that the CSD failed to demonstrate striped bass predation of Listed Species had a population level effect on the salmon, steelhead and Delta smelt listed under the ESA. The court's ruling was based on the testimony presented during the trial by expert scientific witnesses presented by the DFG. They testified that the peer reviewed science on predation studies demonstrated that even though striped bass did predate on a variety of species, the predation was not sufficient to have a population level effect on the Listed Species.

All though the court ruled in DFG's favor on every predation issue and against CSD, the department maneuvered their way into the settlement agreement that was politically encouraged by the Schwarzenegger administration. Fishing groups that intervened as defendants in the litigation (CSPA, NCC/FFF, and CSBA) were absolutely clear with the department that they opposed the settlement. In a stunning sell out of their constituency, the DFG snatched defeat from the jaws of victory and signed the settlement agreement with CSD after having been vindicated by the State Legislature and by federal court!

We urge you to **immediately** contact the Commission and tell them you do not support the changes. It's important to know that under current law, striped bass, like the estuary's salmon and steelhead, are supposed to be managed at sustainable levels that support sport fishing. The striper fishery has collapsed from some 4 million adults in the early 1960s to about 650,000 today.

These declines have paralleled those of the estuary's salmon and steelhead. They are due primarily to the development and export of water from the estuary which has significantly altered the natural flow regimes fisheries require to be abundant. In addition, the losses of these fish along with salmon, steelhead and other species at the Delta export facilities are staggering, but the state-of-the-art fish screens promised by the government (see the CALFED Record of Decision) never arrived because the water contractors refused to pay for them!

Making striped bass a scapegoat for the declines of Listed Species is a bankrupt ploy. Anglers and fishing organizations must fight back if future generations are to know and enjoy the estuary's once abundant fisheries. Should the Ag interests prevail on this issue, there is little doubt that they will go after any fishery they deem to be in their way.

Please advise your friends and everyone who cares about our fisheries that they need to send letters to the Commission opposing the regulation proposal now. The letter should be polite and brief.

Please send your letters to: California Fish and Game, Commission President Jim Kellogg, P.O. Box 944209, Sacramento, CA 94244-2090 or via fax to (916) 653-5040/via e-mail to [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov) and include "Proposed Striped Bass Sport Fishing Regulations" in the fax/e-mail or mail subject line.