

**State of California
FISH AND GAME COMMISSION
(916) 653-4899
www.fgc.ca.gov**

**Meeting of
October 2, 2008 (Thursday)
8:30 a.m.²**

**Flamingo Conference Resort¹
2777 Fourth Street
Santa Rosa**

REVISED AGENDA³

The sole revision to the October 2, 2008, Fish and Game Commission meeting, is a change in the starting time to 8:30 a.m. The meeting will open at 8:30 a.m. and go into Executive Session immediately. The Public Forum will begin at 10:00 a.m.

ALL MEETINGS OPEN TO THE PUBLIC

NOTE: Items may be heard on either day and in any order pursuant to the determination of the Commission President.

1. **PUBLIC FORUM**– Any member of the public may address and/or ask questions of the Commission relating to the implementation of its policies or any other matter within the jurisdiction of the Commission. As a general rule, action cannot be taken on issues not listed on the agenda. Staff will normally be requested to follow up on such items at the discretion of the Commission. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Commission. Please be prepared to summarize your comments to the time allocated by the President.
2. **RECEIPT OF PUBLIC RECOMMENDATIONS AND REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 632, TITLE 14, CCR, RE: NORTH CENTRAL COAST MARINE PROTECTED AREAS (MPA).** (Note: The proposed Initial Statement of Reasons is posted on the Commission's website at: <http://www.fgc.ca.gov/regulations/new/2008/proposedregs08.asp>)
3. **UPDATE ON THE STATUS OF THE NEGATIVE DECLARATION, AND RECEIPT OF PUBLIC TESTIMONY ON THE PETITION TO DELIST THE CALIFORNIA BROWN PELICAN (*Pelecanus occidentalis californicus*) FROM THE ENDANGERED SPECIES LIST.**

¹ These facilities are accessible to persons with disabilities. To request reasonable accommodations for a disability, please contact California Relay Service at 1 (800) 735-2929 (TT) or 1 (800) 735-2922 (Voice) and ask them to contact the California Fish and Game Commission at (916) 653-4899.

² The Commission may break for lunch at approximately 12:00 noon.

³ The public is encouraged to comment on any item on the agenda. In order for the Commission to adequately consider public comments, the public is requested to submit written comments no later than **ten** days prior to the meeting. Written comments received fewer than **ten** days preceding the meeting will be submitted to the Commission at the meeting; however, Commission staff is unable to deliver material received one day before and on the day of the meeting to the Commissioners when the meeting is not in Sacramento. Please send your comments to be received no later than two days before the meeting.

If you decide to speak at the Commission meeting, please begin by giving your name and affiliation (if any) and the number of people represented by your organization. Then tell the Commission your concerns in five minutes or less. Time allotted for each agenda item depends upon the number of speakers for each item and the length of the agenda. The Commission is interested in your views; don't worry about how to say them. If several people have spoken, try not to be repetitious. If there are several with the same concerns, please try to appoint a spokesperson. The Commission is particularly interested in the specific reasons you are for or against a proposal because the Commission's decision needs to be based on specific reasons.

If you would like to present handouts/written material to the Commission at the meeting, please provide eight (8) copies.

4. DEPARTMENT OF FISH AND GAME LEGISLATIVE REPORT UPDATE AND POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.
5. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
 - (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.
 - (B) UPDATE ON ENFORCEMENT.
 - (C) UPDATE ON PACIFIC FISHERY MANAGEMENT COUNCIL ISSUES.
 - (D) UPDATE ON THE STATUS OF THE PAIUTE CUTTHROAT TROUT MANAGEMENT ACTIONS.
 - (E) UPDATE ON REGULATORY ACTION TO UPLIST DELTA SMELT.
 - (F) OTHER.
6. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
 - (A) STAFF REPORTS.
 - I. UPDATE ON 2009 WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES CONFERENCE.
 - II. DISCUSSION OF 2009 REGULATORY CALENDAR AND POSSIBLE REGULATORY PROPOSALS.
 - III. REPORT ON ASSOCIATION OF FISH AND WILDLIFE AGENCIES (AFWA) MEETING.
 - (B) OTHER.
7. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
 - (A) MARINE RESOURCES COMMITTEE.
 - (B) AL TAUCHER'S PRESERVING HUNTING AND SPORT FISHING OPPORTUNITIES ADVISORY COMMITTEE.
8. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
9. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
10. NEW BUSINESS.

EXECUTIVE SESSION
(NOT OPEN TO PUBLIC)

PURSUANT TO THE AUTHORITY OF GOVERNMENT CODE SECTION 11126(a)(1) AND (e)(1), AND SECTION 309 OF THE FISH AND GAME CODE, THE COMMISSION WILL MEET IN CLOSED EXECUTIVE SESSION. THE PURPOSE OF THIS EXECUTIVE SESSION IS TO CONSIDER:

A. PENDING LITIGATION TO WHICH THE COMMISSION IS A PARTY.

- I. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION RE: TIGER SALAMANDER.
- II. BIG CREEK LUMBER COMPANY AND CENTRAL COAST FOREST ASSOC. vs. CALIFORNIA FISH AND GAME COMMISSION RE: COHO LISTING, SOUTH OF SAN FRANCISCO.
- III. LINDY O'LEARY vs. CALIFORNIA FISH AND GAME COMMISSION RE: R.R.S.A.C. AND R.R.S.S. PERMIT DENIALS.
- IV. NATURAL RESOURCES DEFENSE COUNCIL, ET AL., vs. CALIFORNIA FISH AND GAME COMMISSION RE: CALIFORNIA CONDORS EXPOSURE TO LEAD AMMUNITION.
- V. ROBERT LARRY EDER, JUSTIN WESLEY YAGER AND BYRAN D. RANDALL vs. CALIFORNIA FISH AND GAME COMMISSION RE: DUNGENESS CRAB VESSEL PERMITS.
- VI. COALITION FOR SUSTAINABLE DELTA, ET AL., vs. CALIFORNIA FISH AND GAME COMMISSION RE: SPORTFISH REGULATIONS AND TAKE OF LISTED SPECIES.
- VII. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
- VIII. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION RE: AMERICAN PIKA.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.

C. STAFF PERFORMANCE AND COMPENSATION.

D. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS: