

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

Meeting of
April 7, 2010 (Wednesday)
10:00 a.m.²

Best Western Beach Resort
2600 Sand Dunes Drive
La Grande Room¹
Monterey

AGENDA³

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. The issue to be discussed should not be related to any item on the current agenda. As a general rule, action cannot be taken on issues not listed on the agenda. At the discretion of the Commission, staff may be requested to follow up on such items. 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. PRESENTATION OF THE WARDEN OF THE YEAR AWARD.
3. (A) PURSUANT TO FISH AND GAME CODE SECTIONS 2075 AND 2075.5, CONSIDERATION AND POSSIBLE ACTION ON THE PETITION AND THE [DEPARTMENT'S ONE YEAR STATUS REPORT/RECOMMENDATION ON THE PETITION TO LIST THE PACIFIC FISHER \(*Martes pennanti*\) AS A THREATENED OR ENDANGERED SPECIES](#) AND ADOPTION OF COMMISSION FINDINGS.

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. 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 eleven (11) copies.

- (B) REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 670.5, TITLE 14, CCR, RE: ADDITION OF PACIFIC FISHER (*Martes pennanti*) TO THE LIST OF ANIMALS OF CALIFORNIA DECLARED TO BE ENDANGERED OR THREATENED. (Note: This Item will only be considered if the Commission makes a finding that listing the Pacific fisher as threatened or endangered is warranted.)
- 4. REVIEW OF AND POSSIBLE ACTION TO REVISE COMMISSION FINDINGS REGARDING THE PETITION TO LIST THE AMERICAN PIKA (*Ocotona princeps*) AS A THREATENED SPECIES.
- 5. COMMISSION CONSIDERATION AND DIRECTION TO STAFF REGARDING POSSIBLE AMENDMENT OF STRIPED BASS SPORT FISHING REGULATIONS.
- 6. ADOPTION OF THE [NORTH CENTRAL COAST MARINE PROTECTED AREAS MONITORING PLAN](#) AS AN APPENDIX TO THE DRAFT MARINE LIFE PROTECTION ACT MASTER PLAN.
- 7. SCOPING OF POSSIBLE 2010 UPLAND GAME REGULATION CHANGES.
- 8. SCOPING OF POSSIBLE 2010 AND 2011 WILDLIFE AREA AND ECOLOGICAL RESERVE REGULATION CHANGES.
- 9. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 632, TITLE 14, CCR, RE: SOUTH COAST MARINE PROTECTED AREAS.
- 10. RECEIPT OF LEGISLATIVE REPORTS.
 - (A) DEPARTMENT OF FISH AND GAME REPORT.
 - (B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.
- 11. 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) OTHER.

12. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
 - (A) UPDATE ON CALIFORNIA BIODIVERSITY COUNCIL MARCH 10-11, 2010 MEETING.
 - (B) UPDATE AND POSSIBLE ACTION ON CHANGING DATES AND/OR LOCATIONS FOR THE SEPTEMBER, OCTOBER, NOVEMBER, AND DECEMBER 2010 MEETINGS.
 - (C) OTHER.
13. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
 - (A) MARINE RESOURCES COMMITTEE.
 - (B) AL TAUCHER'S PRESERVING HUNTING AND SPORT FISHING OPPORTUNITIES ADVISORY COMMITTEE.
 - (C) AQUACULTURE COMMITTEE.
 - (D) OTHER.
14. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
15. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
16. 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. BIG CREEK LUMBER COMPANY AND CENTRAL COAST FOREST ASSOC. vs. CALIFORNIA FISH AND GAME COMMISSION RE: COHO LISTING, SOUTH OF SAN FRANCISCO.
- II. LINDY O'LEARY vs. CALIFORNIA FISH AND GAME COMMISSION RE: R.R.S.A.C. AND R.R.S.S. PERMIT DENIALS.
- III. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
- IV. KERN COUNTY WATER AGENCY vs. CALIFORNIA FISH AND GAME COMMISSION, DEPARTMENT OF FISH AND GAME, DEPARTMENT OF WATER RESOURCES RE: STATE WATER PROJECT AND CALIFORNIA ENDANGERED SPECIES ACT.
- V. 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.

- I. TIM SULLIVAN – APPEAL OF TRANSFER AND RENEWAL DENIALS OF NONTRANSFERABLE MARKET SQUID VESSEL PERMIT, F/V PACIFIC ROSE.
 - II. CHRISTIAN IVERSEN – DENIAL OF REINSTATEMENT OF APPLICATION FOR A SEA URCHIN DIVING PERMIT.
 - III. HARVEY GONZALEZ – PERMANENTLY REVOKE COMMERCIAL FISHING LICENSE AND SOUTHERN ROCK CRAB, TIDAL INVERTEBRATE AND GENERAL TRAP PERMITS.
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