

State of California
FISH AND GAME COMMISSION
(916) 653-4899
<http://www.fgc.ca.gov>

Special Meeting of
May 20, 2010 (Thursday)
9:30 a.m. (Teleconference Call)

Resources Building
1416 Ninth Street, Room 1320¹
Sacramento

AGENDA²

ALL MEETINGS OPEN TO THE PUBLIC

NOTE: The teleconference call will be audible to the public at the address above and at the following locations:

Department of Fish and Game, Santa Barbara Field Office and Laboratory, 1933 Cliff Dr., Suite 9, Santa Barbara, CA 93109, and Department of Fish and Game, Inland Deserts Region, 3602 Inland Empire Boulevard, Suite C-220, Ontario, CA 91764, and Center for the Future of the Oceans Monterey Bay Aquarium, 99 Pacific Street, Suite 100A, Monterey, CA 93940.

1. RECONSIDERATION OF [COMMISSION POLICY ADOPTED AT ITS APRIL 8, 2010, MEETING IN MONTEREY, RE: NON-NATIVE FROGS AND TURTLES.](#)
2. (A) CONSIDERATION AND POSSIBLE ADOPTION/RATIFICATION OF COMMISSION FINDINGS ON THE PETITION TO LIST THE CALIFORNIA TIGER SALAMANDER (*Ambystoma californiense*) AS AN ENDANGERED SPECIES.

(B) [CONSIDERATION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 670.5, TITLE 14, CCR, RE: ADDITION OF CALIFORNIA TIGER SALAMANDER \(*Ambystoma californiense*\) TO THE LIST OF ANIMALS OF CALIFORNIA DECLARED TO BE THREATENED.](#)

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 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 eleven (11) copies.

3. UPDATE ON THE DEPARTMENT'S ONE YEAR STATUS REPORT/RECOMMENDATION ON THE PETITION TO LIST THE PACIFIC FISHER (*Martes pennanti*) AS A THREATENED OR ENDANGERED SPECIES.
4. [DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 7.50, TITLE 14, CCR, RE: CENTRAL VALLEY SALMON SPORT FISHING.](#)
5. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS.
 - (A) HARVEY GONZALEZ – RECOMMENDATION TO PERMANENTLY REVOKE COMMERCIAL FISHING LICENSE AND SOUTHERN ROCK CRAB, TIDAL INVERTEBRATE AND GENERAL TRAP PERMITS.

(NOTE: After this agenda item, the Commission will consider the foregoing recommendation(s) of the hearing officer during executive session, closed to the public, during this meeting, unless otherwise announced. Parties to such matters, or their representatives, may comment on the hearing officer's recommendations at this point in the in the public portion of the meeting. It should be understood that a party's opportunity to contest the proposed action by the Department is afforded at the hearing before the hearing officer. In the absence of extraordinary circumstances, therefore, the opportunity before the Fish and Game Commission to comment on the hearing officer's recommendations, which is given at this agenda item, is not an opportunity to present additional evidence or new arguments, but only to argue for an outcome different than that recommended by the hearing officer. Any action taken by the Commission after its consideration during executive session will be announced thereafter in public.)

6. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.

CONSENT CALENDAR

7. PURSUANT TO SECTION 10680 OF THE CALIFORNIA FISH AND GAME CODE, APPROVAL OF THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, ACQUISITION OF APPROXIMATELY 17,640 ACRES WITHIN THE LAND ACQUISITION BOUNDARY FOR THE STONE LAKES NATIONAL WILDLIFE REFUGE.
8. DEPARTMENT REQUEST PURSUANT TO SECTION 2073.5 OF THE FISH AND GAME CODE FOR AN EXTENSION OF TIME OF 30 DAYS TO COMPLETE ITS EVALUATION OF THE PETITION TO LIST THE MOUNTAIN YELLOW-LEGGED FROG (*Rana muscosa* and *Rana sierrae*) AS AN ENDANGERED SPECIES.

9. (A) EXTENSION OF STATE WATER BOTTOM LEASE NO. M-430-12 FOR JOHN FINGER, HOG ISLAND OYSTER COMPANY, MARIN COUNTY.
- (B) EXTENSION OF STATE WATER BOTTOM LEASE NO.M-430-02 FOR MICHAEL TOUSSAINT, MARIN OYSTER COMPANY, MARIN COUNTY.
- (C) EXTENSION OF STATE WATER BOTTOM LEASE NO. M-430-14 FOR MARTIN STRAIN, POINT REYES OYSTER COMPANY, MARIN COUNTY.
10. APPROVAL OF REQUEST FROM BRUCE HARGER TO SUBLEASE STATE WATER BOTTOM LEASE M-654-03 NEUSHEL MARICULTURE, INC.
11. POSSIBLE APPROVAL OF ANNUAL REPORT AND 2010 PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA PLANS FOR:
 - (A) BUCKEYE RANCH, SOLANO COUNTY
 - (B) CONNOLLY/CORRAL HOLLOW RANCH, SAN JOAQUIN COUNTY
 - (C) MILLER/ERIKSEN RANCH, MENDOCINO COUNTY
 - (D) SHAMROCK RANCH, MENDOCINO COUNTY
 - (E) SLICK ROCK RANCH, SANTA CLARA COUNTY
 - (F) SPANISH VALLEY RANCH, NAPA COUNTY
 - (G) SWEETWATER RANCH, SANTA CLARA COUNTY
12. CONSIDERATION AND POSSIBLE APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2010-2015) AND 2010-2011 MANAGEMENT PLAN FOR:
 - (A) ISABEL VALLEY RANCH, SANTA CLARA COUNTY
 - (B) MALLISON RANCH, SANTA CLARA COUNTY
 - (C) POCKET RANCH, SONOMA COUNTY
 - (D) SEVEN SPRINGS RANCH, MENDOCINO COUNTY

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. HARVEY GONZALEZ – PERMANENTLY REVOKE COMMERCIAL FISHING LICENSE AND SOUTHERN ROCK CRAB, TIDAL INVERTEBRATE AND GENERAL TRAP PERMITS.
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