

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

Meeting of  
September 15, 2010 (Wednesday)  
10:00 a.m.<sup>2</sup>

Lion's Gate Hotel & Conference Center  
Club Ballroom<sup>1</sup>  
3410 Westover Street  
McClellan

**AGENDA**<sup>3</sup>  
**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 DEPARTMENT OF FISH AND GAME LIFESAVING AWARD TO WARDEN TIFFANY STINSON.
3. CONSIDERATION AND POSSIBLE RATIFICATION OF COMMISSION'S JUNE 23, 2010 FINDINGS ON THE PETITION TO LIST THE PACIFIC FISHER (*Martes pennanti*) AS A THREATENED OR ENDANGERED SPECIES.
4. (A) PURSUANT TO SECTION 2074.2 OF THE FISH AND GAME CODE, CONSIDERATION OF [THE DEPARTMENT'S INITIAL REVIEW AND RECOMMENDATION](#), AND POSSIBLE ACTION ON [THE PETITION TO LIST THE MOUNTAIN YELLOW-LEGGED FROG \(\*Rana muscosa\* and \*Rana sierrae\*\) AS AN ENDANGERED SPECIES.](#)  
  
(B) PURSUANT TO SECTION 2084 OF THE FISH AND GAME CODE, CONSIDERATION AND POSSIBLE EMERGENCY ACTION TO ADD SECTION 749.6, TITLE 14, CCR, RE: SPECIAL ORDER RELATING TO

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<sup>1</sup> 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.

<sup>2</sup> The Commission may break for lunch at approximately 12:00 noon.

<sup>3</sup> 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.

INCIDENTAL TAKE OF MOUNTAIN YELLOW-LEGGED FROG DURING  
CANDIDACY PERIOD.

5. RECEIPT OF LEGISLATIVE REPORTS.
  - (A) DEPARTMENT OF FISH AND GAME REPORT.
  - (B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.
6. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
  - (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.
  - (B) RECEIPT OF ANNUAL REVIEW OF WHITE SEABASS FISHERY MANAGEMENT PLAN FOR 2008-2009 FISHING SEASON.
  - (C) RECEIPT OF ANNUAL STATUS OF THE FISHERIES REPORT – AN UPDATE THROUGH 2008.
  - (D) RECEIPT OF INFORMATION REQUESTED REGARDING STRESSORS AFFECTING THE BAY-DELTA ECOSYSTEM AND THREATENED AND ENDANGERED SPECIES THAT DEPEND ON IT.
  - (E) UPDATE ON LAW ENFORCEMENT DIVISION.
  - (F) UPDATE ON WILDLIFE AND FISHERIES PROGRAMS.
  - (G) UPDATE ON THE STATUS REVIEW OF STATE GAME REFUGES.
  - (H) UPDATE ON POTENTIAL BEAR REGULATION CHANGES FOR 2011.
  - (I) UPDATE ON CALIFORNIA TROUT'S LETTER OF APRIL 22, 2010, ON PROPOSALS FOR THE KLAMATH-TRINITY RIVER SPORT FISHING REGULATIONS.
  - (J) OTHER.
7. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
  - (A) RECEIPT OF PROPOSED 2011 MEETING SCHEDULE, DISCUSSION AND DIRECTION FROM COMMISSION.
  - (B) OTHER.
8. SUBCOMMITTEE REPORTS, RECOMMENDATIONS, AND POSSIBLE COMMISSION ACTION.
  - (A) MARINE RESOURCES COMMITTEE.
  - (B) AL TAUCHER'S PRESERVING HUNTING AND SPORT FISHING OPPORTUNITIES ADVISORY COMMITTEE.
  - (C) AQUACULTURE COMMITTEE.

- (D) OTHER.
- 9. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
- 10. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
- 11. NEW BUSINESS.

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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. JAMES BUNN - DENIAL OF TRANSFER AND RENEWAL OF NON-TRANSFERABLE MARKET SQUID PERMIT, F/V DONNA B.
  - II. BEATRICE M. BONANNO – DENIAL OF RENEWAL OF PACIFIC RESIDENT HERRING GILL NET PERMIT.
  - III. TACY LEE – DENIAL OF APPLICATION TO TRANSFER LOBSTER OPERATOR PERMIT FROM RICHARD LEE TO TYLER LEE.