

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

Meeting of  
December 15, 2010 (Wednesday)  
9:00 a.m.<sup>2</sup>

Hotel Mar Monte  
El Cabrillo Room<sup>1</sup>  
1111 East Cabrillo Blvd.  
Santa Barbara

**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. (A) FINAL CERTIFICATION OF ENVIRONMENTAL DOCUMENT, AND ADOPTION OF FINDINGS FOR PROPOSED CHANGES TO SECTION 632, TITLE 14, CCR, RE: MARINE PROTECTED AREAS FOR THE SOUTH COAST STUDY REGION.
- (B) DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 632, TITLE 14, CCR, RE: MARINE PROTECTED AREAS FOR THE SOUTH COAST STUDY REGION.

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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.

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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.
- VI. TACY LEE vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: DENIAL OF TRANSFER OF LOBSTER OPERATOR PERMIT.
- VII. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.

C. STAFF PERFORMANCE AND COMPENSATION.

- I. DISCUSSION OF FULL TIME LEGAL REPRESENTATION FOR THE COMMISSION.
- II. RECRUITMENT OF EXECUTIVE DIRECTOR.

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

- I. LAURIE BARRON – DENIAL OF APPLICATION FOR A RESIDENT RESTRICTED SPECIES EXHIBITING PERMIT.
  - II. JOSEPH CARVALHO - DENIAL OF APPLICATION TO AMEND RESIDENT RESTRICTED SPECIES EXHIBITING PERMIT.
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Meeting of  
December 16, 2010 (Thursday)  
9:00 a.m.

Hotel Mar Monte  
El Cabrillo Room  
1111 East Cabrillo Blvd.  
Santa Barbara

AGENDA

**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.**

3. CONTINUATION OF 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.
4. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.
5. UPDATE ON DEPARTMENT OF FISH AND GAME'S CURRENT ISSUES AND SEVEN STRATEGIC INITIATIVES.
6. RECEIPT OF LEGISLATIVE REPORTS.
  - (A) DEPARTMENT OF FISH AND GAME REPORT.
  - (B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.
7. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
  - (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.
  - (B) RECEIPT OF DEPARTMENT REPORT ON DELTA STRESSORS.
  - (C) UPDATE ON THE INITIAL STATEMENT OF REASONS REGARDING NON-NATIVE FROGS AND TURTLES.
  - (D) UPDATE ON LAW ENFORCEMENT DIVISION.
  - (E) UPDATE ON WILDLIFE AND FISHERIES PROGRAMS.
  - (F) UPDATE ON COMPLAINTS REGARDING NUISANCE RIVER OTTERS.
  - (G) OTHER.

8. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
9. 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.
10. POSSIBLE ADOPTION OF PROPOSED MEETING SCHEDULE FOR 2011 AND ANNOUNCEMENT OF FUTURE MEETINGS. (See tentative 2011 meeting schedule on page 6.)
11. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
12. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
13. NEW BUSINESS.
14. PRESENTATION TO CHILDREN OF DFG BIOLOGISTS MR. CLU COTTER AND MR. KEVIN O'CONNOR. (This will occur at approximately 10:30 a.m.)
15.
  - (A) UPDATE ON STATUS OF FEDERAL GROUND FISH FISHING REGULATIONS.
  - (B) POSSIBLE RECONSIDERATION OF COMMISSION'S OCTOBER 21, 2010 ACTION TO ADOPT CHANGES TO THE RECREATIONAL AND COMMERCIAL GROUND FISH FISHING REGULATIONS FOR 2011-2012, SECTION 27.20 ET AL, TITLE 14, CCR.
16. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 632, TITLE 14, CCR, RE: STEWARTS POINT MARINE RESERVE. (Note: The adoption hearing is scheduled for February 3, 2011.)
17. CONSIDERATION AND POSSIBLE EMERGENCY ACTION TO RE-ADOPT CHANGES TO SECTION 632, TITLE 14, CCR, FOR AN ADDITIONAL 90-DAY PERIOD, RE: STEWARTS POINT MARINE RESERVE.
18. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SUBSECTION (b)(1.5) OF SECTION 7.50, TITLE 14, CCR, RE: ALAMEDA CREEK SPORTFISHING REGULATIONS.
19. DISCUSSION AND POSSIBLE ADOPTION OF THE NOVEMBER 29, 2010 NOTICE OF CHANGES TO SECTIONS 671, 671.1, 671.7 AND 703, TITLE 14, CCR, RE: NEW RESTRICTED SPECIES PERMITS AND REQUIREMENTS; INCLUDING CHANGES TO 2011 FEE SCHEDULES, THE ADDITION OF TWO NEW PERMITS AND RELATED FORMS.
20. CONSIDERATION OF 2011 REGULATORY CALENDAR AND POSSIBLE REGULATORY PROPOSALS.

21. (A) UPDATE ON POSSIBLE COMMISSION AND DEPARTMENT PROPOSALS FOR TAG QUOTA CHANGES, CLARIFICATIONS AND URGENCY CHANGES FOR THE 2011-2012 MAMMAL HUNTING REGULATIONS AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DOCUMENTS. (Public recommendations for changes in Mammal Hunting Regulations are considered every three years. Any public recommendations received after the regulation adoption process in April 2010, will be scheduled for consideration at the Commissions February 2013, meeting.)
- (B) RECEIPT OF DEPARTMENT'S TENTATIVE RECOMMENDATIONS FOR ANTLERLESS/EITHER-SEX DEER HUNTS FOR 2011-2012.
22. CONSIDERATION AND POSSIBLE ACTION PERTAINING TO PROCESSING OF THE REQUEST OF MR. BOB PARKER FOR REINSTATEMENT OF HIS SUSPENDED TRAPPING PERMIT.
23. UPDATE ON STATUS OF DEPARTMENT'S ANNUAL RECOMMENDATION FOR CEILINGS ON RESERVOIR ACCESS FEES ALLOWED BY THE COMMISSION'S POLICY ON "STOCKING FISH IN WATERS WHERE ANGLERS PAY ACCESS FEES."

#### **CONSENT CALENDAR**

24. (A) REQUEST OF MR. JOHN FINGER, HOG ISLAND OYSTER COMPANY, FOR 180-DAY EXTENSION OF STATE WATER BOTTOM LEASE NO. M-430-12, MARIN COUNTY.
- (B) REQUEST OF MR. MICHAEL TOUSSAINT, MARIN OYSTER COMPANY, FOR 180-DAY EXTENSION OF STATE WATER BOTTOM LEASE NO. M-430-02, MARIN COUNTY.
- (C) REQUEST OF MR. MARTIN STRAIN, POINT REYES OYSTER COMPANY, FOR 180-DAY EXTENSION OF STATE WATER BOTTOM LEASE NO. M-430-14, MARIN COUNTY.
- (D) REQUEST OF MR. BERNARD FRIEDMAN, SANTA BARBARA MARICULTURE COMPANY, FOR 180-DAY EXTENSION OF STATE WATER BOTTOM LEASE NO. M-635-02, SANTA BARBARA COUNTY.
25. REQUEST OF MR. MANUEL FIGUEIREDO TO TRANSFER HIS CALIFORNIA HALIBUT BOTTOM TRAWL VESSEL PERMIT.
26. RECEIPT OF DEPARTMENT REPORT TO THE FISH AND GAME COMMISSION AND LEGISLATURE ON THE ANNUAL ACCOUNTING OF THE DEPOSITS INTO, AND EXPENDITURES FROM, THE FISH AND GAME PRESERVATION FUND, AS RELATED TO THE REVENUES GENERATED PURSUANT TO SECTION 8587 OF THE FISH AND GAME CODE AND REQUIRED BY SECTION 8589.7 OF THE FISH AND GAME CODE.

#### **OTHER**

27. COMMISSION FOLLOW-UP, MEETING REVIEW, AND STAFF DIRECTION.

**2011 FISH AND GAME COMMISSION  
TENTATIVE MEETING SCHEDULE**

**www.fgc.ca.gov**

<b>February 2</b> (Wed.) <b>February 3</b> (Thurs.)	State of California Resources Agency Building Auditorium 1416 Ninth Street <b>Sacramento</b>
<b>March 2</b> (Wed.) <b>March 3</b> (Thurs.)*	Embassy Suites at Los Angeles Airport 9891 Airport Blvd.  <b>Los Angeles</b>
<b>April 6</b> (Wed.) <b>April 7</b> (Thurs.)	Lake Natoma Inn 702 Gold Lake Drive  <b>Folsom</b>
<b>April XX</b> (Teleconference)	<b>Sacramento</b> (Via Telephone)
<b>May 4</b> (Wed.) <b>May 5</b> (Thurs.)	<b>Upland/Ontario</b>
<b>June 29</b> (Wed.) <b>June 30</b> (Thurs.)	<b>San Francisco</b>
<b>August 3</b> (Wed.) <b>August 4</b> (Thurs.)	State of California Resources Agency Building Auditorium 1416 Ninth Street <b>Sacramento</b>
<b>September 14</b> (Wed.) <b>September 15</b> (Thurs.)*	River Lodge Conference Center 1800 Riverwalk Drive  <b>Fortuna</b>
<b>October 19</b> (Wed.) <b>October 20</b> (Thurs.)	<b>Monterey</b>
<b>November 16</b> (Wed.) <b>November 17</b> (Thurs.)*	<b>Santa Barbara</b>
<b>December 14</b> (Wed.) <b>December 15</b> (Thurs.)	<b>San Diego</b>

\* Possible One-Day Meeting

Winter WAFWA Meeting January 6-9, 2011  
PFMC Meeting April 7-14  
Summer WAFWA Meeting July 15-20, 2011  
Federal Waterfowl Meeting July 28-29, 2011