

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

Doubletree Hotel Ontario Airport
222 North Vineyard Avenue
Lake Arrowhead Room¹
Ontario

Meeting of
May 4, 2011 (Wednesday)
10:00 a.m.²

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. (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 CEDARS WILD BUCKWHEAT \(*Eriogonum cedrorum*\) AS ENDANGERED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT.](#)
- (B) PURSUANT TO SECTION 2084 OF THE FISH AND GAME CODE, CONSIDERATION AND POSSIBLE EMERGENCY ACTION TO ADD SECTION 749.7, TITLE 14, CCR, RE: SPECIAL ORDER RELATING TO INCIDENTAL TAKE OF THE CEDARS WILD BUCKWHEAT DURING CANDIDACY PERIOD.

OR

RECEIPT OF DEPARTMENT RECOMMENDATION CONCERNING THE ISSUANCE OF INCIDENTAL TAKE PERMITS PURSUANT TO SECTION 2080 OF THE FISH AND GAME CODE.

(Note: This item will only be considered if the Commission makes a finding that listing The Cedars wild buckwheat as threatened or endangered may be warranted.)

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.

3. RECEIPT OF OF STAFF PRESENTATION REGARDING OPTIONS/ALTERNATIVES ON THE DEVELOPMENT OF THE INITIAL STATEMENT OF REASONS FOR REGULATIONS CONCERNING MARINE PROTECTED AREAS IN THE NORTH COAST STUDY REGION. (Note: At its June 29-30, 2011 meeting, the Commission is scheduled to authorize publication of a notice of intent to amend the regulations.)
4. (A) DISCUSSION AND POSSIBLE COMMISSION ACTION ON [MARCH 31, 2011, LETTER FROM CENTER FOR BIOLOGICAL DIVERSITY \(PETITIONER\)](#) REGARDING THE PETITION TO LIST THE AMERICAN PIKA (*Ochotona princeps*) UNDER THE CALIFORNIA ENDANGERED SPECIES ACT.

(B) RECEIPT AND POSSIBLE ACTION ON DEPARTMENT REQUEST PURSUANT TO SECTION 2073.5 OF THE FISH AND GAME CODE FOR AN EXTENSION OF 30 DAYS TO COMPLETE ITS EVALUATION OF THE AMENDED PETITION TO LIST THE AMERICAN PIKA UNDER CALIFORNIA ENDANGERED SPECIES ACT.
5. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.

(A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.

(B) WILDLIFE AND FISHERIES DIVISION UPDATE: STURGEON RESCUE.

(C) OFFICE OF COMMUNICATIONS, EDUCATION AND OUTREACH: EDUCATION PRESENTATION.

(D) LAW ENFORCEMENT DIVISION UPDATE.

(E) OTHER.
6. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
7. 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.
8. RECEIPT OF LEGISLATIVE REPORTS.

(A) DEPARTMENT OF FISH AND GAME REPORT.

(B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.
9. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.

10. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
 - (A) RECOMMENDATIONS TO CLARIFY PROCEDURES FOR CONSIDERING COMMISSION POSITIONS ON PROPOSED LEGISLATION.
 - (B) OTHER
 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.
 - 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.
 - VIII. UNITED ANGLERS OF SOUTHERN CALIFORNIA; COASTSIDE FISHING CLUB; AND ROBERT C. FLETCHER vs. CALIFORNIA FISH AND GAME COMMISSION RE: SOUTH COAST STUDY REGION AND NORTH CENTRAL COAST STUDY REGION MARINE PROTECTED AREAS UNDER THE MARINE PROTECTION ACT.
 - B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.
 - C. STAFF PERFORMANCE AND COMPENSATION.
 - D. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS.
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