

Commissioners
Daniel W. Richards, President
Upland
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Jim Kellogg, Member
Discovery Bay
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

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Fish and Game Commission



Meeting of
June 20, 2012 (Wednesday)
9:00 a.m.²

Mountainside Conference Center
Rooms 4 and 5¹
1 Minaret Road
Mammoth Lakes

AGENDA³

ALL MEETINGS OPEN TO THE PUBLIC

NOTE: Items may be heard in any order pursuant to the determination of the Commission President.

1. **PUBLIC FORUM**— Any member of the public may address the Commission regarding 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 BY SOCIETY FOR THE CONSERVATION OF BIGHORN SHEEP.**
3. **REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 2.08 ET AL., TITLE 14, CCR, RE: SPORT FISHING REGULATIONS FOR 2012-2013.** (Note: The discussion hearing is scheduled for August 8, 2012, in Ventura and the adoption hearing is scheduled for November 7, 2012, in Los Angeles.)
4. **[DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 671.1 AND ADDITION OF SECTION 671.8, TITLE 14, CCR, RE: PERMITS FOR RESTRICTED SPECIES AND INSPECTION OF FACILITIES.](#)**
5. **[DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 550, 551, 552, 630, AND 703, ADDITION OF SECTION 550.5 AND REPEAL OF SECTION 553, TITLE 14, CCR, RE: PUBLIC USE OF DEPARTMENT LANDS.](#)**

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, materials received within **two** days of a meeting outside of Sacramento will not be delivered to 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 three 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.

6. [RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO WATERFOWL, MIGRATORY; AMERICAN COOT; AND COMMON MOORHEN \(COMMON GALLINULE\) REGULATIONS FOR 2012-2013, SECTION 502, TITLE 14, CCR.](#) (Note: The adoption hearing is scheduled for August 8, 2012, in Ventura.)
7. [RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 300, TITLE 14, CCR, RE: UPLAND GAME HUNTING REGULATIONS.](#) (Note: The adoption hearing is scheduled for August 8, 2012, in Ventura.)
8. DISCUSSION AND POSSIBLE COMMISSION ACTION TO DIRECT STAFF TO SEND A LETTER TO NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION FISHERIES, THE PACIFIC FISHERY MANAGEMENT COUNCIL AND THE INTERNATIONAL PACIFIC HALIBUT COMMISSION REQUESTING INCREASED ALLOCATION OF PACIFIC HALIBUT FOR THE RECREATIONAL FISHERY SOUTH OF HUMBURG MOUNTAIN, AND SUPPORT FOR EXPANSION OF THE ANNUAL STOCK ASSESSMENT INTO CALIFORNIA WATERS.
9. RECEIPT AND POSSIBLE ACTION ON COMMISSION BUSINESS.
 - (A) SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
 - I. MARINE RESOURCES COMMITTEE.
 1. COMMISSION FOLLOW-UP/CLARIFICATION ON BOW FISHING FOR SHARKS.
 - II. AL TAUCHER COMMITTEE.
 - III. BUDGET COMMITTEE.
 - IV. OTHER.
 - (B) ITEMS UNDER CONSIDERATION THAT NEED TO BE RESCHEDULED.
 - I. ABALONE
 - II. LEAD – WILDLIFE AND ECOLOGICAL RESERVES
 - III. LEAD – DEPREDATION
 - IV. AUTOMATED LICENSE DATA SYSTEM AUTHORITY #'S AND 1-DAY
 - V. FALCONRY
 - (C) NEW BUSINESS/COMMISSION FOLLOW-UP AND STAFF DIRECTION.

10. RECEIPT OF AND POSSIBLE ACTION ON LEGISLATIVE REPORTS.
 - (A) DEPARTMENT OF FISH AND GAME REPORT.
 - (B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.
 - I. [AB 1776, FONG, STATE GOVERNMENT: PACIFIC LEATHERBACK SEA TURTLE.](#)
11. ANNOUNCEMENT OF FUTURE MEETINGS.

**2012 FISH AND GAME COMMISSION
MEETING SCHEDULE**
www.fgc.ca.gov

August 8 (Wed.) August 9 (Thurs.)	Crowne Plaza Ventura Beach Santa Rosa Room 450 East Harbor Boulevard Ventura
October 3 (Wed.) October 4 (Thurs.)	State of California Resources Building First Floor Auditorium 1416 Ninth Street Sacramento
November 7 (Wed.) November 8 (Thurs.)	Radisson Hotel at Los Angeles Airport 6225 West Century Boulevard Los Angeles
December 12 (Wed.)	Hilton San Diego Mission Valley 901 Camino del Rio South San Diego

INFORMATIONAL ITEMS

12. 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 AND ECOSYSTEM CONSERVATION DIVISION UPDATES.
 - (C) LAW ENFORCEMENT DIVISION UPDATE.
 - (D) RECOMMENDATION AND PROPOSED TIMELINE FOR THE AMENDMENT OF SECTIONS 165 AND 165.5, TITLE 14, CCR, RE: COMMERCIAL TAKE OF KELP AND OTHER AQUATIC PLANTS.
 - (E) OTHER.
13. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
14. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.

15. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.

CONSENT CALENDAR

16. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 163 AND 164, TITLE 14, CCR, RE: HARVEST OF HERRING AND HERRING EGGS. (Note: The discussion and adoption hearing is scheduled for October 3, 2012, in Sacramento.)
17. CONSIDERATION AND POSSIBLE APPROVAL OF 2012-2013 CALIFORNIA DUCK STAMP PROJECTS.
18. RECEIPT OF WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES (WAFWA) MULE DEER WORKING GROUP REPORT.
19. APPROVAL OF 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 PETITION TO LIST THE GRAY WOLF (*Canis lupus*) AS ENDANGERED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT.
20. APPROVAL OF REQUEST BY SANFORD-BURNHAM MEDICAL RESEARCH INSTITUTE (SBMRI) TO RENEW THEIR RESTRICTED SPECIES PERMIT (#2502) FOR 2012 AND APPROVAL TO POSSESS TRANSGENIC ZEBRAFISH (*DANIO RERIO*).
21. APPROVAL OF MR. JOHN CAMPBELL'S REQUEST FOR REINSTATEMENT OF HIS TRAPPING PERMIT.
22. POSSIBLE APPROVAL OF ANNUAL REPORT AND 2012 PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA PLANS FOR:
 - (A) ABERNATHY RANCH, SHASTA COUNTY
 - (B) BARDIN RANCH, MONTEREY COUNTY
 - (C) BIG BLUFF RANCH, TEHAMA COUNTY
 - (D) BLACK RANCH, SHASTA COUNTY
 - (E) CORNING LAND AND CATTLE COMPANY, TEHAMA COUNTY
 - (F) DIXIE VALLEY RANCH, LASSEN COUNTY
 - (G) EL RANCHO RIO FRIO, TEHAMA COUNTY
 - (H) JS RANCH, SHASTA COUNTY
 - (I) LLANO SECO RANCHO, BUTTE COUNTY
 - (J) MEISSNER RANCH, SHASTA COUNTY
 - (K) MENDIBOURE RANCH, LASSEN COUNTY
 - (L) PINE RANCH, YOLO COUNTY
 - (M) RANCHOS LOS CERRITOS, YOLO COUNTY
 - (N) ROBERTS RANCH, MODOC COUNTY
 - (O) R-R RANCH, MENDOCINO COUNTY
 - (P) ROSEBURG RESOURCES PONDOSA, SISKIYOU COUNTY
 - (Q) SL RANCH, MODOC COUNTY
 - (R) SPRING VALLEY RANCH, MENDOCINO COUNTY
 - (S) STEWART RANCH, TRINITY COUNTY
 - (T) TRIPLE B RANCH, SHASTA COUNTY
 - (U) WILLIAMS RANCH, SHASTA COUNTY

23. CONSIDERATION AND POSSIBLE APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2012-2017) AND 2012-2013 MANAGEMENT PLAN FOR:

- (A) BUCKEYE RANCH, SOLANO COUNTY
- (B) DIAMOND M OUTFITTERS, HUMBOLDT COUNTY
- (C) TEJON RANCH, KERN AND LOS ANGELES COUNTIES

POSSIBLE FIELD TRIP

THE COMMISSION MAY CONDUCT A FIELD TRIP TO THE HOT CREEK HATCHERY. THE PUBLIC IS INVITED, BUT MUST PROVIDE ITS OWN TRANSPORTATION, SOME AREAS MAY HAVE RESTRICTIONS ON PUBLIC ACCESS.

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. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
- III. 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.
- IV. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.
- V. 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.
- VI. CENTER FOR BIOLOGICAL DIVERSITY AND EARTH ISLAND INSTITUTE vs. FISH AND GAME COMMISSION ADOPTING EMERGENCY REGULATION TO AUTHORIZE INCIDENTAL TAKE OF THE BLACK-BACKED WOODPECKER DURING CANDIDACY PERIOD.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.

C. STAFF PERFORMANCE AND COMPENSATION.

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

