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**Michael Sutton**, Vice President  
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Edmund G. Brown Jr., Governor

**Sonke Mastrup**, Executive Director

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[www.fgc.ca.gov](http://www.fgc.ca.gov)

## Fish and Game Commission



**Meeting of  
December 12, 2012 (Wednesday)  
8:30 a.m.**

**Hilton San Diego Mission Valley  
901 Camino del Rio South  
San Diego**

### AGENDA

#### ALL MEETINGS OPEN TO THE PUBLIC

**NOTE: Items may be heard in any order pursuant to the determination of the Commission President. Also see important information about Commission procedures at the end of the agenda.**

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. **CONSIDERATION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO RECREATIONAL GROUND FISH FISHING REGULATIONS FOR 2013-2014 (SECTION 27.25 ET AL., TITLE 14, CCR)**
3. **CONSIDERATION AND POSSIBLE ADOPTION OF PROPOSED ADDITION OF SOUTHERN MOUNTAIN YELLOW-LEGGED FROG (*Rana muscosa*) TO THE LIST OF ENDANGERED SPECIES AND ADDITION OF SIERRA NEVADA YELLOW-LEGGED FROG (*Rana sierrae*) TO THE LIST OF THREATENED SPECIES, (SECTION 670.5, TITLE 14, CCR)**
4. **CONSIDERATION AND POSSIBLE ADOPTION OF 2013 REGULATORY CALENDAR**
5. **RECEIPT OF DEPARTMENT PROPOSALS FOR 2013-2014 MAMMAL HUNTING AND REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND THE MAMMAL HUNTING REGULATIONS (SECTION 354 ET AL., TITLE 14, CCR)**
6. **RECEIPT OF RECOMMENDATIONS REGARDING LOBSTER REPORT CARDS FOR 2013-2014 (SECTION 1.74 ET AL., TITLE 14, CCR)**

7. COMMISSION STAFF REPORT FOR CONSIDERATION AND POSSIBLE ACTION
  - (A) ANNOUNCEMENT OF OFFICE OF ADMINISTRATIVE LAW'S APPROVAL OF THE NORTH COAST MARINE PROTECTED AREA REGULATIONS, EFFECTIVE DECEMBER 19, 2012
  - (B) UPDATE ON THE U.S. SECRETARY OF INTERIOR DECISION REGARDING DRAKES BAY OYSTER COMPANY
  - (C) RECOMMENDATIONS ON ITEMS OF INTEREST FROM PRIOR MEETINGS
    - (1) CONCEALED WEAPONS ON STATE LANDS
    - (2) TURTLES AND FROGS
  - (D) MARINE RESOURCES COMMITTEE
  - (E) PREVIEW OF FUTURE AGENDA ITEMS
8. UPDATE AND POSSIBLE ACTION ON ACTIVE CALIFORNIA ENDANGERED SPECIES ACT PETITIONS (SECTIONS 2073.5 AND 2074.6, FISH AND GAME CODE)
  - (A) UPDATE ON THE STATUS REPORT ON THE [AMERICAN PIKA PETITION](#)
  - (B) DEPARTMENT REQUEST FOR AN EXTENSION OF TIME OF 30 DAYS TO COMPLETE ITS EVALUATION OF THE PETITION TO LIST
    - (1) THE [CLEAR LAKE HITCH \(\*Lavinia exilicauda chi\*\)](#) AS THREATENED OR ENDANGERED
    - (2) THE [NORTHERN SPOTTED OWL \(\*Strix occidentalis caurina\*\)](#) AS THREATENED OR ENDANGERED
    - (3) THE [TOWNSEND'S BIG-EARED BAT \(\*Corynorhinus townsendii\*\)](#) AS THREATENED OR ENDANGERED
9. DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS
  - (A) DIRECTOR'S REPORT
  - (B) UPDATE ON BAY-DELTA CONSERVATION PLAN
  - (C) UPDATE ON BIGHORN SHEEP RECOVERY EFFORTS
  - (D) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION DIVISION
  - (E) LAW ENFORCEMENT DIVISION
  - (F) MARINE
    - (1) BAROTRAUMA RESEARCH AND POTENTIAL MANAGEMENT APPLICATIONS
    - (2) UPDATE ON MARKET SQUID FISHERY AND 2012 CLOSURE
  - (G) OTHER
10. OTHER INFORMATIONAL ITEMS
  - (A) LEGAL COUNSEL

- (B) FEDERAL AGENCIES
- 11. POSSIBLE DIRECTION ON LEGISLATIVE MATTERS
- 12. COMMISSION POLICIES FOR CONSIDERATION AND POSSIBLE ACTION
  - (A) CODE OF CONDUCT AND BUSINESS/MEETING PROCEDURES
  - (B) NATIVE PLANTS
  - (C) PRIORITIZATION

<u>CONSENT ITEMS</u>	
13.	REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND OCEAN SALMON SPORT FISHING REGULATIONS (SECTION 27.80, TITLE 14, CCR)
14.	APPROVAL OF REQUEST BY MR. GREGORY P. REAL TO REINSTATE HIS SEA CUCUMBER DIVING PERMIT (L54858)
15.	RECEIPT OF PETITION FROM CENTER FOR BIOLOGICAL DIVERSITY TO LIST THE TOWNSEND'S BIG-EARED BAT ( <i>Corynorhinus townsendii</i> ) AS THREATENED OR ENDANGERED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT (SECTION 2073.3, FISH AND GAME CODE)

- 16. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION
- 17. POSSIBLE ACTION ON NEW BUSINESS, COMMISSION FOLLOW-UP AND STAFF DIRECTION
  - (A) INLAND SPORTFISH REGULATION SIMPLIFICATION EFFORT USING WILDLIFE RESOURCES COMMITTEE (NEW BUSINESS)
  - (B) LEAD AMMUNITION WORKSHOP PLANNING
- 18. ANNOUNCEMENT OF FUTURE MEETINGS

**2013 FISH AND GAME COMMISSION  
MEETING SCHEDULE**  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

February 6 (Wed.) February 7 (Thurs.)	State of California Resources Building First Floor Auditorium 1416 Ninth Street <b>Sacramento, CA 95814</b>
March 6 (Wed.) March 7 (Thurs.)	Mt. Shasta Medford, OR (Joint meeting with Oregon Fish and Wildlife Commission)
April 17 (Wed.) April 18 (Thurs.)	Santa Rosa
May 22 (Wed.) May 23 (Thurs.)	Los Angeles
June 26 (Wed.) June 27 (Thurs.)	Truckee
August 7 (Wed.) August 8 (Thurs.)	Long Beach
September 4 (Wed.) September 5 (Thurs.)	Sacramento
October 2 (Wed.) October 3 (Thurs.)	Ventura
November 6 (Wed.) November 7 (Thurs.)	Santa Barbara
December 11 (Wed.) December 12 (Thurs.)	San Diego

Winter WAFWA Meeting, January 3-6, Tucson, AZ  
Pacific Fishery Management Council Meeting, March 6-11, Tacoma, WA  
Pacific Fishery Management Council Meeting, April 6-11, Portland, OR  
Pacific Flyway Meeting, March 26, Arlington, VA  
Summer WAFWA Meeting, July 19-24, Omaha, NE

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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. 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

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION

C. STAFF PERFORMANCE AND COMPENSATION

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

- I. KEVIN YATES – DENIAL OF WAIVER OF PERMIT REQUIREMENTS AND DETERMINATION AS THE EQUIVALENT OF AMERICAN ZOO AND AQUARIUM ASSOCIATION AND/OR REDUCTION IN PERMIT FEES
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## **IMPORTANT COMMISSION MEETING INFORMATION**

**PERSONS WITH DISABILITIES.** These facilities are accessible to persons with disabilities. To request reasonable accommodations for a disability, please contact the California Fish and Game Commission at (916) 653-4899 no later than four (4) business days prior to the meeting. For persons with a hearing or speech disability, please contact the California Relay Service no later than four (4) business days prior to the meeting at 1-800-735-2929 (TTY) or 1-800-735-2922 (voice) and request they contact the California Fish and Game Commission.

**SUBMISSION OF WRITTEN MATERIALS.** The public is encouraged to comment on any item on the agenda. You may submit your comments by one of the following methods (only one is necessary): **E-mail to [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov), fax to (916) 653-5040, or U.S. mail to California Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814.**

Written comments received at the Commission office by December 2, 2012 (ten days before a meeting) will be submitted to the Commission prior to the meeting for its consideration.

Written comments received at the Commission office between December 3 and December 10 at 12:00 p.m. (after ten days before a meeting) will be submitted to the Commission at the meeting for its consideration.

Written comments received at the Commission office after 12:00 p.m. on December 10, 2012 (by noon two business days before a meeting) will not be delivered to the meeting; these late comments will be included in the materials the Commission receives for the following meeting *only if the subject matter will be on that agenda.*

**SPEAKING AT THE MEETING.** If you wish to speak on an agenda item, please fill out a "Speaker Card" and give it to the designated staff member before the agenda item is heard. Cards will be available near the entrance of the meeting room. Speakers will be called in groups, so please line up behind the podium when your name is called. Please begin by giving your name and affiliation (if any) and the number of people you represent. Each speaker typically has three minutes to speak to the Commission. However, the time allotted for each agenda item may be adjusted by the Commission, which may decrease the time each speaker receives. If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetitive testimony. If speaking about a specific proposal, the Commission is particularly interested in the reasons you are speaking about that proposal and any recommendations you have for how it can be improved. If you would like to present handouts/written material to the Commission at the meeting, please provide seven (7) copies to the designated staff member just prior to speaking.

**WHEN WILL MY AGENDA ITEM BE HEARD?** The Commission begins each session at the time listed on the Meeting Notice and generally considers each agenda item in the sequence listed, except in extraordinary circumstances.

**VISUAL PRESENTATIONS/MATERIALS.** PowerPoint presentations must be provided on a USB flash drive, flash memory card, DVD or CD. All electronic formats must be Windows PC compatible. Files created on a Mac are not supported. It is recommended that a hard copy of any electronic presentation be submitted in case of technical difficulties. A data projector, laptop and presentation mouse will be available.

**LASER POINTERS.** **Laser pointers** may only be used by a speaker during a presentation; use by others at any time may result in arrest.