

Commissioners
Michael Sutton, President
Monterey
Richard Rogers, Vice President
Santa Barbara
Jim Kellogg, Member
Discovery Bay
Jack Baylis, Member
Los Angeles
Jacque Hostler-Carmesin, Member
McKinleyville

Fish and Game Commission



AGENDA

Wednesday, August 7, 2013, 08:30 a.m.

**Embassy Suites
333 Madonna Road, San Luis Obispo**

The meeting may be viewed live streamed via our website at www.fgc.ca.gov

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

1. DISCUSSION OF PROPOSED CHANGES TO STURGEON TAG REGULATIONS (SECTIONS 5.79 AND 27.92, TITLE 14, CCR)
2. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND INLAND TROUT AND SALMON REGULATIONS (SECTION 7.50, TITLE 14, CCR)
3. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND COMMERCIAL HARVEST OF KELP REGULATIONS (SECTIONS 165 AND 165.5, TITLE 14, CCR)
4. CONSIDERATION AND POSSIBLE ADOPTION OF REGULATIONS FOR HARVEST OF HERRING AND HERRING EGGS
 - (A) CERTIFICATION OF FINAL ENVIRONMENTAL DOCUMENT
 - (B) PROPOSED CHANGES TO SECTIONS 163 AND 164, TITLE 14, CCR
5. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO UPLAND GAME BIRD/STAMP REGULATIONS (SECTIONS 300 AND 313, TITLE 14, CCR)
6. CONSIDERATION AND POSSIBLE ADOPTION OF WATERFOWL/STAMP REGULATIONS
 - (A) CERTIFICATION OF FINAL ENVIRONMENTAL DOCUMENT
 - (B) PROPOSED CHANGES TO SECTIONS 502 AND 510, TITLE 14, CCR

7. COMMISSION RECOGNITION OF NEWLY INDUCTED MEMBERS TO CALIFORNIA WATERFOWLER'S HALL OF FAME
8. POSSIBLE ACTION ON BLACK-BACKED WOODPECKER UNDER THE CALIFORNIA ENDANGERED SPECIES ACT
 - (A) CONSIDERATION AND POSSIBLE ACTION ON WHETHER TO LIST THE BLACK-BACKED WOODPECKER (*Picooides arcticus*) AS A THREATENED OR ENDANGERED SPECIES (FISH AND GAME CODE SECTION 2075.5)
 Note: Findings will be adopted at a future meeting.
 - (B) REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 670.5, TITLE 14, CCR, RE: ADDITION OF BLACK-BACKED WOODPECKER AS A THREATENED OR ENDANGERED SPECIES
 Note: This item will only be considered if the Commission decides to list the Black-backed woodpecker as a threatened or endangered species.
9. CONSIDERATION OF PETITION, DEPARTMENT'S REPORT, AND COMMENTS RECEIVED ON WHETHER LISTING NORTHERN SPOTTED OWL (*Strix occidentalis caurina*) AS A THREATENED OR ENDANGERED SPECIES MAY BE WARRANTED (FISH AND GAME CODE SECTION 2074.2)
 Note: If the Commission determines listing may be warranted, a one-year status review will commence before the final decision on listing is made.

<u>CONSENT ITEMS</u>

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| <ol style="list-style-type: none"> 10. APPROVAL OF ANNUAL REPORT AND 2013 PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA PLANS FOR: <ol style="list-style-type: none"> (A) ABERNATHY RANCH, SHASTA COUNTY (B) BELL RANCH, TEHAMA COUNTY (C) LITTLE DRY CREEK RANCH, TEHAMA COUNTY (D) LOOKOUT RANCH, MODOC COUNTY (E) ORDWAY RANCH, CALAVERAS COUNTY (F) R WILD HORSE RANCH, TEHAMA COUNTY (G) ROARING RIVER RANCH, SHASTA COUNTY (H) ROCK CREEK, BUTTE/TEHAMA COUNTIES (I) SALT CREEK RANCH, TEHAMA COUNTY (J) SOPER-WHEELER, BUTTE COUNTY (K) SPURLOCK RANCH, GLENN COUNTY (L) STOVER RANCH, HUMBOLDT COUNTY |
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11. APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2013-2018) FOR:

- (A) BASIN VIEW RANCH, MODOC COUNTY
- (B) BLACK RANCH, SHASTA COUNTY
- (C) HATHAWAY OAK RUN RANCH, SHASTA COUNTY
- (D) PBM FARMS, SISKIYOU COUNTY
- (E) SUGARLOAF-BANGOR RANCH, YUBA COUNTY

12. [RECEIPT OF WHITE SEABASS REPORT](#)

13. APPROVAL OF INITIAL PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSES FOR 2013-14 FOR:

- (A) FULTON RANCH, HUMBOLDT COUNTY
- (B) TRAVIS RANCH, TRINITY COUNTY
- (C) WIGGINS RANCH, HUMBOLDT COUNTY
- (D) 3D RANCH, TEHAMA COUNTY

14. PERMANENT REVOCATION OF COMMERCIAL FISHING LICENSE AND PRIVILEGES FOR KHANH QUANG BUI, LONG BEACH

15. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION

16. PRESENTATIONS ON MARINE ELECTRONIC DATA REPORTING

- (A) PRESENTATION BY DEPARTMENT ON ELECTRONIC DATA REPORTING
- (B) PRESENTATION BY JOE EXLINE ON FISHING ACTIVITY LOG BOOKS

17. COMMISSION STAFF REPORT FOR CONSIDERATION AND POSSIBLE ACTION

- (A) RECOMMENDATIONS ON ITEMS OF INTEREST FROM PRIOR MEETINGS
- (B) PREVIEW OF FUTURE AGENDA ITEMS
- (C) MARINE RESOURCES COMMITTEE
- (D) WILDLIFE RESOURCES COMMITTEE
- (E) ARIZONA – CALIFORNIA RECIPROCAL HUNTING AND FISHING LICENSES

18. DEPARTMENT INFORMATIONAL ITEMS

- (A) DIRECTOR'S REPORT
- (B) UPDATE ON [CA LAW REVISION PROCESS](#)

- (C) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION DIVISION
 - (D) LAW ENFORCEMENT DIVISION
 - (E) MARINE
 - (F) OTHER
19. OTHER INFORMATIONAL ITEMS
- (A) LEGAL COUNSEL
 - (B) FEDERAL AGENCIES
20. RECEIPT OF AND POSSIBLE ACTION ON LEGISLATIVE MATTERS
- (A) DEPARTMENT REPORT
21. POSSIBLE ACTION ON NEW BUSINESS, COMMISSION FOLLOW-UP AND STAFF DIRECTION
22. DISCUSSION AND POSSIBLE ACTION ON FUTURE MEETINGS
- (A) 2013
 - (B) 2014
23. 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. Submitting 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 in the time allocated by the presiding commissioner.)

**2013 FISH AND GAME COMMISSION
MEETING SCHEDULE**
www.fgc.ca.gov

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
Oct. 2 (Wed.) Oct. 3 (Thurs.)	Crowne Plaza Ventura Beach Hotel 450 East Harbor Boulevard Ventura, CA 93001	
Nov. 6 (Wed.) Nov. 7 (Thurs.)	La Quinta, CA	
Dec. 11 (Wed.) Dec. 12 (Thurs.)	Hilton San Diego Mission Valley 901 Camino del Rio South San Diego, CA 92108	

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. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.
 - IV. 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 LIFE PROTECTION ACT.
 - V. 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.

IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION

PERSONS WITH DISABILITIES

These facilities are accessible to persons with disabilities.

1. To request reasonable accommodations for a disability, please contact the California Fish and Game Commission at (916) 653-4899 as soon as possible and no later than five (5) business days prior to the meeting.
2. For persons with a hearing or speech disability, please contact the California Relay Service as soon as possible and no later than five (5) business days prior to the meeting at 1-800-735-2929 (TTY) or 1-800-735-2922 (voice) and request your message be relayed to the California Fish and Game Commission.
3. If a request for an accommodation has been submitted but due to circumstances is no longer needed, please contact the California Fish and Game Commission at (916) 653-4899.

SUBMISSION OF WRITTEN MATERIALS

The public is encouraged to comment on any item on the agenda. You may submit your written comments by one of the following methods (only one is necessary): **E-mail to fgc@fgc.ca.gov; fax to (916) 653-5040; deliver to California Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or hand-deliver to a commission meeting.**

Written comments received at the Commission office by July 26, 2013 at 5:00 p.m. will be submitted to the Commission prior to the meeting. Written comments received between July 26 at 5:00 p.m. and August 2, 2013 will be submitted to the Commission at the meeting. After August 2, written comments must be delivered at the meeting if you would like the Commission to consider them at the meeting; otherwise they will be delivered to the Commission after the meeting.

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.

1. Speakers will be called in groups, so please line up behind the podium when your name is called.
2. Please begin by giving your name and affiliation (if any) and the number of people you represent.
3. 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.
4. If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetitive testimony.
5. Ceding time to other speakers - The presiding commissioner may allow attendees to cede time to a spokesperson, but only under the following conditions: A) each individual ceding time is forfeiting their right to speak to the agenda item, B) the person speaking must attach to his/her card the speaker

cards of each individual ceding time, and C) the presiding commissioner will determine the total amount of time allotted to the person speaking.

6. 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.
7. If speaking during public forum, the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Commission members discuss that item). As a general rule, the Commission may not take action on issues not listed on the agenda; public forum is an opportunity to bring matters to the attention of the Commission, but you may also do so via email, standard mail, and fax. At the discretion of the Commission, staff may be requested to follow up on the subject you raise.
8. If you would like to present handouts/written material to the Commission at the meeting, please provide eight (8) 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 agenda 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.

1. All electronic formats must be Windows PC compatible.
2. Files created on a Mac are not supported.
3. It is recommended that a hard copy of any electronic presentation be submitted in case of technical difficulties.
4. A data projector, laptop and presentation mouse will be available.

CONSENT CALENDAR

Any item may be removed from the consent calendar by the Commission or upon the request of the Department or someone in the audience who would like to speak to that item.

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