

**Commissioners**

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**Richard Rogers**, Vice President  
Santa Barbara

**Jim Kellogg**, Member  
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**Jack Baylis**, Member  
Los Angeles

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STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

**Sonke Mastrup**, Executive Director

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## Fish and Game Commission



### REVISED AGENDA

**December 11, 2013, 8:30 a.m.**

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

The meeting will be live streamed at [www.calspan.org](http://www.calspan.org)

**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. CONSIDERATION AND POSSIBLE ADOPTION OF COMMISSION'S 2014 RULEMAKING CALENDAR
2. [DISCUSSION OF PROPOSED CHANGES TO DEPARTMENT LANDS REGULATIONS \(SECTIONS 550, 550.5, 551, 552, 553, 630, AND 703, TITLE 14, CCR\)](#)
3. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND MAMMAL HUNTING REGULATIONS (SECTIONS 360, 361, 362, 363, AND 364, TITLE 14, CCR)
4. [DISCUSSION OF PROPOSED CHANGES TO COMMERCIAL MARKET SQUID TWO-TON INCIDENTAL TAKE FISHING REGULATIONS \(SECTION 149 AND SUBSECTION 149.1\(a\), TITLE 14, CCR\)](#)
5. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND KLAMATH RIVER SALMON FISHING REGULATIONS (SUBSECTION 7.50(b)(91.1), TITLE 14, CCR)
6. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND OCEAN SALMON SPORT FISHING REGULATIONS (SECTION 27.80, TITLE 14, CCR)
  - (A) APRIL 2014 AND OCEAN SALMON POSSESSION LIMIT CHANGE (SUBSECTIONS 27.80(c) AND (e), TITLE 14, CCR)
  - (B) MAY-NOVEMBER 2014 (SUBSECTION 27.80(d), TITLE 14, CCR)

7. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO ESTABLISH PACIFIC HALIBUT AUTO-CONFORMANCE REGULATIONS (SECTION 28.20, TITLE 14, CCR)
8. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND MARINE PROTECTED AREAS REGULATIONS – CLEAN-UP PACKAGE (SECTION 632, TITLE 14, CCR)

CONSENT ITEMS

9. [POSSIBLE ADOPTION OF PROPOSED CHANGES TO PRIVATE LANDS MANAGEMENT REGULATIONS \(SECTION 601 AND SUBSECTION 702\(a\), TITLE 14, CCR\) AND CONSIDERATION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT ADDENDUM.](#)
10. APPROVAL OF THE DEPARTMENT’S REQUEST TO ACQUIRE IN FEE TITLE PROPERTIES TO ADD TO LAKE EARL WILDLIFE AREA
11. ADOPTION OF THE REVISED ARIZONA-CALIFORNIA INTERSTATE AGREEMENT
12. RECEIPT OF ANNUAL ACCOUNTING FOR THE NEARSHORE FISHERY PERMIT FUND
13. ADOPTION/RATIFICATION OF COMMISSION FINDINGS REGARDING ACCEPTANCE OF THE PETITION TO LIST THE TOWNSEND’S BIG-EARED BAT (*Corynorhinus townsendii*) AS A THREATENED OR ENDANGERED SPECIES (PURSUANT TO SECTION 2074.2 OF THE FISH AND GAME CODE)
14. ADOPTION/RATIFICATION OF COMMISSION FINDINGS REGARDING THE REJECTION OF THE PETITION TO LIST THE AMERICAN PIKA (*Ochotona princeps*) AS A THREATENED OR ENDANGERED SPECIES (PURSUANT TO SECTION 2075.5 OF THE FISH AND GAME CODE)

15. (A) ADOPTION/RATIFICATION OF COMMISSION FINDINGS REGARDING THE ACCEPTANCE OF THE PETITION TO LIST THE NORTHERN SPOTTED OWL (*Strix occidentalis caurina*) AS A THREATENED OR ENDANGERED SPECIES (PURSUANT TO SECTION 2074.2 OF THE FISH AND GAME CODE)
- (B) CONSIDERATION AND POSSIBLE ACTION ON REQUEST BY CALIFORNIA FORESTRY ASSOCIATION FOR COMMISSION ADOPTION OF EMERGENCY REGULATION AUTHORIZING INCIDENTAL TAKE OF THE NORTHERN SPOTTED OWL (*Strix occidentalis caurina*) DURING CANDIDACY PERIOD (PURSUANT TO SECTIONS 240 AND 2084 OF THE FISH AND GAME CODE)

16. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION
17. COMMISSION STAFF REPORT FOR CONSIDERATION AND POSSIBLE ACTION
  - (A) RECOMMENDATIONS ON ITEMS OF INTEREST FROM PRIOR MEETINGS
  - (B) PREVIEW OF FUTURE AGENDA ITEMS AND MEETING LOGISTICS
  - (C) WILDLIFE RESOURCES COMMITTEE
    - I. REVIEW AND DISCUSSION OF DRAFT AGENDA
  - (D) NEW BUSINESS
18. DEPARTMENT INFORMATIONAL ITEMS
  - (A) DIRECTOR'S REPORT
  - (B) UPDATE ON [CA LAW REVISION](#) PROCESS
  - (C) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION DIVISION
    - I. CALIFORNIA HATCHERY SCIENTIFIC REVIEW PANEL MEETING
  - (D) LAW ENFORCEMENT DIVISION
  - (E) MARINE
    - I. RECOMMENDATIONS FROM THE LOBSTER ADVISORY COMMITTEE REGARDING THE LOBSTER FISHERY MANAGEMENT PLAN
    - II. UPDATE ON DUNGENESS CRAB PETITION
  - (F) ANNOUNCEMENT OF PUBLIC COMMENT PERIOD FOR PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT – MARINE AQUACULTURE
  - (G) OTHER
19. OTHER INFORMATIONAL ITEMS
  - (A) LEGAL COUNSEL
  - (B) FEDERAL AGENCIES
    - I. RECEIPT OF PACIFIC FISHERY MANAGEMENT COUNCIL NOVEMBER 2013 DECISION SUMMARY DOCUMENT
20. 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.)

**2014 FISH AND GAME COMMISSION  
MEETING SCHEDULE**  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
Jan. 15 (Wed.)		Wildlife Resources – Los Angeles
Feb. 5 (Wed.)	State of California Resources Building 1416 Ninth Street First Floor Auditorium Sacramento, CA 95814	
Mar. 19		Marine Resources – Santa Rosa
Apr. 16 (Wed.)	Ventura	
May 7 (Wed.)		Wildlife Resources – San Francisco/Bay Area
Jun. 4 (Wed.)	Eureka	
Jul. 16 (Wed.)		Marine Resources – Monterey
Aug. 6 (Wed.)	San Diego	
Sep. 17 (Wed.)		Wildlife Resources – Sacramento
Oct. 8 (Wed.)	Yreka <i>Joint meeting with Oregon DFW</i>	
Nov. 5 (Wed.)		Marine Resources – Los Alamitos
Dec. 3 (Wed.)	Los Angeles	

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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. 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](mailto: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 November 29, 2013 at 5:00 p.m. will be submitted to the Commission prior to the meeting. Written comments received between November 29, 2013 at 5:00 p.m. and December 6, 2013, will be submitted to the Commission at the meeting. After December 6, twelve copies of 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 12 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.