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Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

REVISED* MEETING AGENDA August 4-5, 2015

River Lodge Conference Center
1800 Riverwalk Drive, Fortuna

The meeting will be live streamed at www.cal-span.org

NOTE: Please see important information about Commission deadlines and procedures at the end of the agenda.

On Monday, August 3, 2015 from 5:00 to 6:30 p.m., Commission staff will host office hours at the River Lodge Conference Center to answer questions about Commission meetings, the rulemaking process, and how the public may participate in both.

DAY 1 – AUGUST 4, 8:30 A.M

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. 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.
2. Committee Assignments
 - (A) Marine Resources Committee
 - (B) Wildlife Resources Committee
 - (C) Tribal Committee
3. Tribal Committee
 - (A) Work plan development
 - I. Update on current work plan and timeline
 - II. Discuss and approve new topics

* Revisions were made to agenda items 21, 35 and 36, and executive session.

4. Marine Resources Committee
 - (A) Work plan development
 - I. Update on current work plan and timeline
 - II. Discuss and approve new topics
5. Request for authorization to publish notice of intent to amend Dungeness crab and crab trap sport fishing regulations
(Sections 29.80 and 29.85, Title 14, CCR)
6. Request for authorization to publish notice of intent to amend commercial hagfish regulations
(Section 180.6, Title 14, CCR)
7. Request for authorization to publish notice of intent to amend commercial herring regulations
(Sections 163 and 164, Title 14, CCR)
8. Update on implementing and managing California's marine protected areas, including impacts of AB 298 (Chap. 31, Stats 2015)
9. Request for authorization to publish notice of intent to amend marine protected area regulations
(Section 632, Title 14, CCR)
10. Determine whether Santa Barbara Mariculture's application for a new state water bottom lease adjacent to existing lease M-653-02 would be in the public interest
(Pursuant to Section 15400, Fish and Game Code)

CONSENT ITEMS	
11.	Receive Charles Friend Oyster Company request to renew state water bottom lease M-430-04 for aquaculture (Pursuant to Section 15406, Fish and Game Code)
12.	Receive Point Reyes Oyster Company, Inc. request to renew state water bottom lease M-430-13 & M-430-17 for aquaculture (Pursuant to Section 15406, Fish and Game Code)
13.	Receive and approve California Department of Fish and Wildlife (Department) request to amend gear authorized to take hagfish under experimental permit No. X-1868 issued to Mr. Craig Thomsson

14. Announce results from Executive Session

15. Items of interest from previous meetings

- (A) Action on petitions for regulatory change received at the June 2015 meeting (the summary of petitions will be posted with the meeting materials at fgc.ca.gov/meetings/2015 about July 29, 2015)
- (B) Action on non-regulatory requests received at the June 2015 meeting (the

summary of requests will be posted with the meeting materials at fgc.ca.gov/meetings/2015 about July 29, 2015)

- (C) Other
- 16. Department informational items
 - (A) Director's report
 - (B) Wildlife and Fisheries Division, and Ecosystem Conservation Division
 - (C) Law Enforcement Division
 - (D) Marine Region
 - (E) Other
- 17. Other items
 - (A) Staff report
 - (B) Legislative update and possible action
 - (C) Federal agencies report
- 18. Discussion and action on future meeting items
 - (A) Next meeting – October 7-8 in Los Angeles
 - (B) Perpetual timetable for regulatory action updates
 - (C) Meeting schedule and locations for 2016
 - (D) New business

DAY 2 – AUGUST 5, 8:00 A.M

- 19. 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.
- 20. Adoption of proposed changes to bobcat trapping regulations (Sections 478, 479 and 702, Title 14, CCR)
- 21. Receive, discuss and act on (1) request from the Center for Biological Diversity to reconsider the decision on whether listing tricolored blackbird (*Agelaius tricolor*) as a threatened or endangered species may be warranted, and (2) other information received by the Commission
- 22. Decision on whether to list fisher (*Pekania pennanti*) (formerly Pacific fisher (*Martes pennanti*)), as a threatened or endangered species (Pursuant to sections 2075 and 2075.5, Fish and Game Code)
Note: Findings will be adopted at a future meeting.

23. Wildlife Resources Committee
 - (A) Work plan development
 - I. Update on current work plan and timeline
 - II. Discuss and approve new topics
 - (B) Discussion of predator workgroup structure, and work plan
 - (C) Department presentation on snagging
24. Request for authorization to publish notice of intent to amend sport fishing regulations
(Sections 1.05, et al., Title 14, CCR)
25. Request for authorization to publish notice of intent to amend the definition of transgenic animal regulations
(Sections 1.92 and 671, Title 14, CCR)
26. Update on proposed changes to Department Lands Pass regulations
(Sections 550, et al., Title 14, CCR)
27. Update on potential changes to regulations for setting mammal hunting tag quotas
(Sections 360, et al., Title 14, CCR)
28. Adoption of proposed changes to upland game bird regulations
(Sections 300 and 310.5, Title 14, CCR)
29. Adoption of proposed changes to waterfowl regulations
(Section 502, Title 14, CCR)
30. Request to amend approved Duck Stamp funding for Fiscal Year 2015-2016
31. Presentation of Waterfowler's Hall of Fame certificates
32. Receive and act on the Pine Ranch Private Lands Wildlife Habitat and Enhancement Management Area annual report and 2015-2016 plan

CONSENT ITEMS	
33.	Receive petition from the Environmental Protection Information Center and Center for Biological Diversity to list Humboldt marten (<i>Martes caurina humboldtensis</i>) as an endangered species under the California Endangered Species Act (Pursuant to Section 2073.3, Fish and Game Code)
34.	Receive Environmental Protection Information Center's independent status report on the petition to list northern spotted owl (<i>Strix occidentalis caurina</i>) as a threatened or endangered species under the California Endangered Species Act (Pursuant to Subsection 670.1(h)(1)-(3), Title 14, CCR)

35. Receive and approve, or amend, initial Private Lands Wildlife Habitat Enhancement and Management Area (PLM) plans and 2015-2020 licenses for: (Pursuant to Section 601, Title 14, CCR)
- (A) Ackerman-South Daugherty WMA (Mendocino County)
 - (B) Alexandre Ecodairy Farms PLM (Del Norte County)
 - (C) Big Lagoon PLM (Humboldt County) - amendment
 - (D) Klamath PLM (Humboldt County)
 - (E) Rainbow Ridge PLM (Humboldt County)
 - (F) Stackhouse Ranch (Shasta County)
36. Receive and approve, or amend, annual reports and 2015-2016 PLM plans for: (Pursuant to Section 601, Title 14, CCR)
- (A) Basin View Ranch (Modoc County)
 - (B) Bell Ranch (Tehama County)
 - (C) Bird Haven Ranch (Glenn County)
 - (D) Clarks Valley Ranch (Lassen County)
 - (E) Cottrell Ranch (Humboldt County) - amendment
 - (F) Deseret Farms Ballard Unit (Butte County)
 - (G) Deseret Farms Wilson Unit (Butte County)
 - (H) Duncan Creek Ranch (Shasta County)
 - (I) Fulton Ranch (Humboldt County)
 - (J) Hathaway Oak Run Ranch (Shasta County)
 - (K) Little Dry Creek Ranch (Tehama County)
 - (L) M&T Chico Ranch (Butte County)
 - (M) Ordway Ranch (Calaveras County)
 - (N) PBM Farms (Siskiyou County)
 - (O) R Wild Horse Ranch (Tehama County)
 - (P) Red Rock Ranch (Lassen County)
 - (Q) Redwood House Ranch (Humboldt County) - amendment
 - (R) Roaring River Ranch (Shasta County)
 - (S) Roseburg Resources Pondosa (Siskiyou County)
 - (T) Salt Creek Ranch (Tehama County)
 - (U) Soper-Wheeler Ranch (Butte County)
 - (V) Sugarloaf Bangor Ranch (Yuba County)
37. Receive and approve 5-year PLM plans and 2015-2020 licenses for: (Pursuant to Section 601, Title 14, CCR)
- (A) Bardin Ranch (Monterey County)
 - (B) Five Dot Ranch School Section (Lassen County)
 - (C) Rock Creek (Butte and Tehama counties)
 - (D) Spurlock Ranch (Glenn County)

38. Department report on the status of Coho salmon (Pursuant to Section 2113, Fish and Game Code)

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. v. California Fish and Game Commission (Coho listing, south of San Francisco)
- II. James Bunn and John Gibbs v. California Fish and Game Commission (squid permits)
- III. Center for Biological Diversity and Earth Island Institute v. California Fish and Game Commission (black-backed woodpecker)
- IV. Dennis Sturgell v. California Fish and Game Commission, California Department of Fish and Wildlife, and Office of Administrative Hearings (revocation of Dungeness crab vessel permit No. CT0544-T1)
- V. Kele Younger v. California Fish and Game Commission, et al. (restricted species inspection fee waiver and Administrative Procedure Act)

(B) Possible litigation involving the Commission

- I. Tricolored blackbird

(C) Staff performance and compensation

(D) Receive and act on hearing officer recommendations for license and permit items

- I. Mr. Andrey Bukaty – Request to reinstate sport fishing privileges
- II. Mr. Fred Todd – Request to hold one Nearshore Fishery Permit (NFP) in the North Central Coast Fishery Management Zone and an additional NFP in the North Coast Fishery Management Zone

**FISH AND GAME COMMISSION
2015 MEETING SCHEDULE**
www.fgc.ca.gov

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
September 9		Wildlife Resources Department of Industrial Relations 2550 Mariposa Mall, Room 1036 Fresno, CA 93721
October 6		Tribal Committee Embassy Suites – LAX North 9801 Airport Boulevard Los Angeles, CA 90045
October 7-8	Embassy Suites – LAX North 9801 Airport Boulevard Los Angeles, CA 90045	
November 4		Marine Resources Four Points by Sheraton Ventura Harbor Resort 1050 Schooner Drive Ventura, CA 93001
December 9-10	Town and Country Resort & Convention Center 500 Hotel Circle North San Diego, CA 92108	

OTHER MEETINGS OF INTEREST

Wildlife Conservation Board

- September 3, Sacramento, CA
- November 19, Sacramento, CA

Pacific Fishery Management Council

- September 11-16, Sacramento, CA
- November 14-19, Garden Grove, CA

IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION

WELCOME TO A MEETING OF THE CALIFORNIA FISH AND GAME COMMISSION

This is the 145th year of operation of the Commission in partnership with the California Department of Fish and Wildlife. Our goal is the preservation of our heritage and conservation of our natural resources through informed decision making; Commission meetings are vital in achieving that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome and please let us know if you have any questions.

PERSONS WITH DISABILITIES

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Reasonable Accommodation Coordinator at (916) 651-1214. Requests for facility and/or meeting accessibility should be received at least 10 working days prior to the meeting to ensure the request can be accommodated.

SUBMITTING WRITTEN MATERIALS

The public is encouraged to comment on any agenda item. Submit written comments by one of the following methods: **E-mail to fgc@fgc.ca.gov; hand deliver to Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or hand-deliver to a Commission meeting. *The Commission no longer accepts written comments or requests for regulation changes via facsimile; please submit written comments and requests for regulation changes by email, mail service or in person.***

Written comments received at the Commission office by **5:00 p.m. July 23** will be made available to Commissioners prior to the meeting. Comments received by **12 noon on July 31** will be marked late and made available to Commissioners at the meeting. Otherwise, 12 copies of written comments must be brought to the meeting. All materials provided to the Commission may be made available to the general public.

PETITIONS FOR REGULATORY CHANGE AND NON-REGULATORY REQUESTS

All petitions for regulatory change and non-regulatory requests will follow a two-meeting cycle to ensure proper review and thorough consideration of each item. All requests submitted by **12 noon on July 31** (or heard during public forum at the meeting) will be scheduled for receipt at this meeting, and scheduled for consideration at the next business meeting.

VISUAL PRESENTATIONS/MATERIALS

All electronic presentations must be pre-approved by the executive director. Visual presentations must be provided by email or delivered to the Commission office on a USB flash drive by **12 noon on July 31**. All electronic formats must be Windows PC compatible. A data projector, laptop and presentation mouse will be available for use at the meeting.

CONSENT CALENDAR

A summary of all items will be available for review at the meeting. Any item may be removed from the consent calendar by the Commission, or upon the request of the Department or member of the public who wishes 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.

SPEAKING AT THE MEETING

To speak on an agenda item, please complete a "Speaker Card" and give it to the designated staff member before the agenda item is announced. Cards will be available near the entrance of the meeting room. Only one speaker card is necessary for speaking to multiple items.

Agenda items may be heard in any order and on either day pursuant to the discretion of the presiding commissioner.

1. Speakers will be called in groups; please line up when your name is called.
2. When addressing the Commission, give your name and the name of any organization you represent, and provide your comments on the item under consideration.
3. Each speaker has three minutes to address the Commission; however, time may be adjusted at the discretion of the presiding commissioner. If there are several speakers with the same concerns, please appoint a spokesperson and avoid repetitive testimony.
4. Speakers may cede their time to an individual spokesperson, but only under the following conditions:
 - a. Individuals ceding time forfeit their right to speak to the agenda item and must be present at the time the speaker addresses the Commission; and
 - b. The minimum number of individuals required to cede time to a spokesperson and the amount of time allocated are *arranged in advance* with the presiding commissioner.
5. If you are presenting handouts/written material to the Commission at the meeting, please provide 12 copies to the designated staff member just prior to speaking.