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Monterey

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Los Angeles

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STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

MEETING AGENDA February 11-12, 2015

**Resources Building – Auditorium
1416 Ninth Street, Sacramento**

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

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

DAY 1 – FEBRUARY 11, 2015, 10:00 A.M

1. Election of Commission President and Vice President
2. Committee Assignments
 - (A) Marine Resources Committee
 - (B) Wildlife Resources Committee
 - (C) Tribal Committee
3. Marine Resources Committee
 - (A) Work plan development
 - I. Update on current work plan and timeline
 - II. Discuss and approve new topics
4. Tribal Committee
 - (A) Discuss draft tribal consultation policy
 - (B) Work plan development
 - I. Update on current work plan and timeline
 - II. Discuss and approve new topics
5. Adoption of proposed regulations for petitioning the Commission to change regulations
(Add Section 662, Title 14, CCR)

6. Update on proposed regulations to govern Commission meeting procedures
7. Discussion of proposed changes to general and ocean salmon sport fishing regulations
 - (A) Season dates, size limits and daily bag limits for April 2015, recovering coded-wire tag from salmon heads, and ocean salmon fishery closures around river mouths
(Sections 1.73 and 27.75, and subsection 27.80(c), Title 14, CCR)
 - (B) Season dates, size limits, and daily bag limits for May-November 2015
(Subsection 27.80(d), Title 14, CCR)
8. Discussion of proposed changes to sport fishing fillet requirements for tunas and bag and possession limits for Pacific bluefin tuna for consistency with federal rules in 2015-2016
(Sections 27.65 and 28.38, Title 14, CCR)
9. Discussion of proposed changes to Pacific halibut sport fishing regulations for consistency with federal rules in 2015
(Section 28.20, Title 14, CCR)
10. Adoption of proposed changes to recreational groundfish regulations for consistency with federal rules in 2015-2016
(Sections 1.91, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 27.65, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58 and 28.90, Title 14, CCR)

CONSENT ITEMS	
11.	Receive Hog Island Oyster Company's request to renew state water bottom lease #M-430-15
12.	Receive Point Reyes Oyster Company's request to amend state water bottom leases M-430-13, M-430-14, and M-430-17, for use of various algal species
13.	Receive and approve The Cultured Abalone Farm, LLC, revised kelp harvesting plan required for mechanical harvest of kelp (Pursuant to Subsection 165(a)(6), Title 14, CCR)
14.	Receive and approve The Abalone Farm, Inc., revised kelp harvesting plan required for mechanical harvest of kelp (Pursuant to Subsection 165(a)(6), Title 14, CCR)
15.	Approve request from Mr. Connor B. Wishard to renew the salmon vessel permit for F/V <i>Sealoom</i> (FG34786)
16.	Receive Dungeness Crab Task Force recommendations regarding management measures described in Section 8276.5 pursuant to Section 8276.4 of the Fish and Game Code

17. Announce results from Executive Session
18. Review outstanding marine-related regulatory and non-regulatory requests from 2014

19. Items of interest from previous meetings
 - (A) Action on petitions for regulatory change received at the December 2014 meeting
 - (B) Action on non-regulatory requests received at the December 2014 meeting

20. Department of Fish and Wildlife (Department) informational items
 - (A) Director's report
 - (B) Marine
 - (C) Wildlife and Fisheries Division, and Ecosystem Conservation Division
 - (D) Law Enforcement Division
 - (E) Other

21. Other informational items
 - (A) Staff report
 - (B) Legislative update
 - (C) Federal agencies report
 - (D) Legal counsel report

22. 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.

DAY 2 – FEBRUARY 12, 2015, 8:00 A.M

23. Wildlife Resources Committee
 - (A) Meeting summary
 - I. Receive recommendations
 - (B) Work plan development
 - I. Update on current work plan and timeline
 - II. Discuss and approve new topics

24. Consideration of petition, Department's report, and comments received on whether listing the flat-tailed horned lizard (*Phrynosoma mcallii*) as an endangered species may be warranted
(Pursuant to Section 2074.2 of the Fish and Game Code)
Note: If the Commission determines that listing may be warranted, a one year status review will commence before a final decision on listing is made.

25. Discussion of proposed changes to Klamath River salmon sport fishing regulations
(Subsections 7.50(b)(91.1) and (b)(195), Title 14, CCR)

26. Discussion of proposed changes to Central Valley river salmon sport fishing regulations
(Subsections 7.50(b)(5), (b)(68) and (b)(156.5), Title 14, CCR)
27. Discussion of proposed regulations regarding authorized methods of take for wildlife using lead ammunition – phasing out the use of lead ammunition
(Add Section 251.1; amend subdivision heading and Sections 311, 353, 464, 465, 475, 485; repeal Section 355, Title 14, CCR)
28. Discussion of proposed changes to mammal hunting regulations
(Sections 360, 361, 362, 363, 364, 364.1, 702, 708.5, 708.11, and 713, Title 14, CCR)
29. Update regarding proposed changes to bobcat trapping regulations
(Pursuant to Section 4255, Fish and Game Code)

CONSENT ITEM

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| <ol style="list-style-type: none"> 30. Receipt of the Department’s 90-day evaluation report on the petition to list Livermore tarplant (<i>Deinandra bacigalupii</i>) as an endangered species
(Pursuant to 2073.5, Fish and Game Code) |
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31. Department presentation on the 2015 State Wildlife Action Plan update process
 32. Department presentation on the implications of importing American bullfrogs
 33. Review outstanding non-marine-related regulatory and non-regulatory requests from 2014
 34. New business
 - (A) Invitation to the meeting of the Western Association of Fish and Wildlife Agencies (WAFWA), July 16-22, in Reno, Nevada.
 35. Discussion and possible action on future meeting items
 - (A) Next meetings – March 16 via teleconference, April 8-9 in Santa Rosa, and April 17 via teleconference
 - (B) Rulemaking calendar updates
 36. 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.

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)
- (B) Possible litigation involving the Commission
- (C) Staff performance and compensation
- (D) Receipt of hearing officer recommendations on license and permit items

**2015 FISH AND GAME COMMISSION
MEETING SCHEDULE**

www.fgc.ca.gov

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
March 4		Marine Resources Monterey County Library Marina Branch 190 Seaside Circle Marina, CA 93933
March 16	Special Meeting (teleconference)-- <i>Location and Time TBD</i>	
April 7		Tribal Committee Flamingo Conference Resort and Spa 2777 Fourth Street Santa Rosa, CA 95405
April 8-9	Flamingo Conference Resort and Spa 2777 Fourth Street Santa Rosa, CA 95405	
April 17	Special Meeting (teleconference)- <i>Location and Time TBD</i>	
May 6		Wildlife Resources California Department of Transportation (CalTrans) Conference Room 01.037 100 South Main Street Los Angeles, CA 90012
June 9		Tribal Committee Mountainside Conference Center 1 Minaret Road Mammoth Lakes, CA 93456
June 10-11	Mountainside Conference Center 1 Minaret Road Mammoth Lakes, CA 93456	
July 8		Marine Resources Trinidad Town Hall 409 Trinity Street Trinidad, CA 95570
August 4-5	River Lodge Conference Center 1800 Riverwalk Drive Fortuna, CA 95540	
September 9		Wildlife Resources Central California
October 6		Tribal Committee Van Nuys
October 7-8	Van Nuys	

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
November 4		Marine Resources Southern California
December 9-10	Town and Country Resort and Convention Center 500 Hotel Circle, North San Diego, CA 92108	

OTHER MEETINGS OF INTEREST

Wildlife Conservation Board

- February 25, Sacramento, CA
- May 21, Sacramento, CA
- September 3, Sacramento, CA
- November 19, Sacramento, CA

Pacific Fishery Management Council

- March 7-12, Vancouver, WA
- April 11-16, Rohnert Park, CA
- June 12-17, Spokane, WA
- September 11-16, Sacramento, CA
- November 14-19, Garden Grove, CA

Pacific Flyway Council

- March 10, Omaha, NE
- July 24, TBD

Western Association of Fish and Wildlife Agencies

- July 16-22, Reno, NV

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; fax to (916) 653-5040; delivery to 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 **5:00 p.m. on January 29** will be made available to Commissioners prior to the meeting. Comments received by **12 noon on February 6** 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 February 6** (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 visual 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 **5:00 p.m. on January 29**. 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
 - 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.