

**Commissioners**  
**Jack Baylis**, President  
Los Angeles  
**Jim Kellogg**, Vice President  
Discovery Bay  
**Jacque Hostler-Carmesin**, Member  
McKinleyville  
**Eric Sklar**, Member  
Saint Helena  
**Anthony C. Williams**, Member  
Huntington Beach

STATE OF CALIFORNIA  
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



*Wildlife Heritage and Conservation*  
*Since 1870*

### REVISED\* MEETING AGENDA October 7-8, 2015

**Embassy Suites – LAX North**  
**9801 Airport Blvd., Los Angeles**

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

**NOTE:** \* *Item 21 is new and items 22(A) and 27(C) have been revised. See important Commission meeting deadlines and procedures at the end of the agenda.*

#### **DAY 1 – OCTOBER 7, 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.

#### **CONSENT ITEMS**

2. Receive and approve request from Mr. Francesco Licata to transfer his California Halibut Trawl Vessel Permit No. BT0050 to Mr. Thomas Nguyen
3. Approve settlement agreement between the Department of Fish and Wildlife (Department) and Mr. Craig Yerkins, et al. regarding appeal of the Department's denial to reinstate Transferable Dungeness Crab Vessel Permit No. CT0068-T7 for F/V Terry S (FG03513)
4. Approve settlement agreement between the Department and Mr. Robert Jackson regarding his appeal of the Department's denial to reinstate Transferable Dungeness Crab Vessel Permit No. CT0215-T7 , for F/V Brooke Michelle (FG70433)
5. Approve settlement agreement between the Department and Mr. John Reid regarding his appeal of the Department's denial to reinstate Transferable Dungeness Crab Vessel Permit No. CT0108-T7 for F/V Huson (FG06579)

**CONSENT (continued)**

6. Approve Neushul Mariculture, Inc.'s request to renew state water bottom lease M-654-03 for aquaculture
7. Tribal 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
8. Marine Resources Committee
  - (A) Work plan development
    - I. Update on current work plan and timeline
    - II. Discuss and approve new topics
9. Adopt proposed changes to commercial squid logbook and regulations (Section 149 and Appendix A, Title 14, CCR)
10. Adopt proposed changes to commercial hagfish regulations (Section 180.6, Title 14, CCR)
11. Adopt proposed changes to commercial herring regulations and certify the final supplemental environmental document (Sections 163 and 164, Title 14, CCR)
12. Adopt proposed changes to Dungeness crab and crab trap sport fishing regulations and negative declaration (Sections 29.80 and 29.85, Title 14, CCR)
13. Discuss proposed changes to marine protected area regulations (Section 632, Title 14, CCR)
14. Update and direction on petition for changes to sea urchin regulations
15. Climate change adaptation presentations and discussion
  - (A) Charlton Bonham, Director, Department of Fish and Wildlife
  - (B) Dr. Mark Gold, Associate Vice Chancellor, UCLA Institute of the Environment and Sustainability
16. Announce results from Executive Session
17. Department informational items
  - (A) Director's report
  - (B) Wildlife and Fisheries Division, and Ecosystem Conservation Division

- (C) Law Enforcement Division
- (D) Marine Region
- (E) Overview of aquaculture in California
- (F) Other

18. Other items

- (A) Staff report
- (B) Legislative update and possible action
- (C) Federal agencies report

**DAY 2 – OCTOBER 8, 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.

**CONSENT ITEMS**

- 20. Receive and approve initial Private Lands Wildlife Habitat Enhancement and Management Area (PLM) plans and 2015-2020 licenses for:  
(Pursuant to Section 601, Title 14, CCR)
  - (A) Pacheco Ranch (Santa Clara County)
  - (B) Camp 5 Outfitters Roth Ranch (Monterey and San Luis Obispo Counties)
- 21. Approve the Department's request for a 30-day extension to complete its evaluation of the petition to list the Humboldt marten (*Martes caurina humboldtensis*) as an endangered species under the California Endangered Species Act  
(Pursuant to Section 2073.5, Fish and Game Code)

22. Wildlife Resources Committee

- (A) Meeting summary
  - I. Receive and adopt recommendations
  - II. Update and direction concerning definition of frangible bullet
  - III. Update and direction concerning take of sambar deer
- (B) Work plan development
  - I. Update on current work plan and timeline
  - II. Discuss and approve new topics
  - III. Appointments to predator workgroup

23. Items of interest from previous meetings
  - (A) Action on petitions for regulatory change received at the August 2015 meeting
  - (B) Action on petitions for non-regulatory changed received at the August 2015 meeting
  - (C) Commission budget review
  - (D) Update on bobcat trapping prohibition effective date
  - (E) Update on at-risk fisheries rulemaking
  - (F) Other
24. Adopt proposed changes to the transgenic definition, application and fee regulations  
(Sections 1.92 and 703, Title 14, CCR)
25. Discuss proposed changes to sport fishing regulations  
(Sections 1.05, et al., Title 14, CCR)
26. Request for authorization to publish notice of intent to amend commission meeting procedures regulations  
(Section 665, Title 14, CCR)
27. Tricolored blackbird (*Agelaius tricolor*)
  - (A) Acknowledge receipt of petition from the Center for Biological Diversity to list as endangered via emergency regulation and via the listing process set forth under the California Endangered Species Act (Pursuant to Sections 2073.3 and 2076.5, Fish and Game Code)
  - (B) Receive the Department's evaluation of the petition to list as an endangered species  
(Pursuant to 2073.5, Fish and Game Code)
  - (C) Receive and act on requests from the Center for Biological Diversity to reconsider the Commission's June 2015 decision on whether listing as a threatened or endangered species may be warranted and to move consideration to the Commission's December 2015 meeting.
28. Department report on the status of Coho salmon  
(Pursuant to Section 2113, Fish and Game Code)
29. Discussion and action on future meeting items
  - (A) Next meeting – December 9-10 in San Diego
  - (B) Perpetual timetable for regulatory action updates (including changes to timing of DFW Lands Pass, falconry clean-up, spiny lobster, and commercial logbooks)
  - (C) New business
    - I. Commission name
    - II. Timing of officer elections

## **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
  - II. Bobcat trapping prohibition
- (C) Staff performance and compensation
- (D) Update on hearing officer recommendations for license and permit items
  - I. Mr. Fred Todd

**FISH AND GAME COMMISSION  
2015 MEETING SCHEDULE**  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
November 4		<b>Marine Resources</b> 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**

- November 19, 2015, Sacramento, CA

**Pacific Fishery Management Council**

- November 14-19, 2015, Garden Grove, CA
- March 9-14, 2016, Sacramento, CA
- April 9-14, 2016, Vancouver, WA
- June 23-28, 2016, Tacoma, WA
- September 15-20, 2016 Boise, ID
- November 16-21, 2016, Garden Grove, CA

**Western Association of Fish and Wildlife Agencies**

- January 7-10, 2016, San Diego, CA
- July, 2016, Cody, WY

## **IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION**

### **WELCOME TO A MEETING OF THE CALIFORNIA FISH AND GAME COMMISSION**

This is the 145<sup>th</sup> 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](mailto: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. September 24** will be made available to Commissioners prior to the meeting. Comments received by **12 noon on October 2** will be marked late and made available to Commissioners at the meeting. Otherwise, 10 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 October 2** (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.

Beginning October 1, 2015, all petitions for regulation change must be submitted in writing on the authorized petition form, FGC 1 Petition to the California Fish and Game Commission for Regulation Change, available at <http://www.fgc.ca.gov/public/information/petitionforregulatorychange.aspx>.

### **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 October 2**. 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 10 copies to the designated staff member just prior to speaking.