

**Commissioners**  
**Vacant**, President  
**Vacant**, Vice President  
**Jacque Hostler-Carmesin**, Member  
McKinleyville  
**Eric Sklar**, Member  
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**Anthony C. Williams**, Member  
Huntington Beach

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

**Vacant, 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** **February 10-11, 2016**

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

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

**NOTE: \* Item 38 and the September 21 Wildlife Resources Committee meeting location have been revised. See important meeting deadlines and procedures information at the end of the agenda.**

#### **DAY 1 – FEBRUARY 10, 2016, 8:30 A.M.**

1. Call to order/roll call to establish quorum
2. Approve agenda and order of items
3. Commission recognition of former Commissioners and staff
4. Election of Commission President and Vice President
5. Committee Assignments
  - (A) Marine Resources Committee
  - (B) Wildlife Resources Committee
  - (C) Tribal Committee
6. Public forum for items not on the agenda  
The Commission **may not** discuss or take action on any matter raised during this item, except to decide whether to place the matter on a future meeting agenda. (Pursuant to Sections 11125 and 11125.7(a), Government Code)
7. Receive and approve addition to lease template for state water bottom leases, related to best management practices

**CONSENT ITEMS**

- 8. Authorize publication of notice of intent to amend fishing activity records and logbook regulations  
(Sections 190, et al., Title 14, CCR)
- 9. Authorize publication of notice of intent to amend commercial sea urchin fishing regulations  
(Section 120.7, Title 14, CCR)
- 10. Receive request from Grassy Bar Oyster Company to transfer State water bottom lease Nos. M-614-10-Parcel 1 and M-614-02 to the lessee's incorporated business, Grassy Bar Oyster Company, Inc.
- 11. Point Reyes Oyster Company, Inc. State water bottom leases for aquaculture
  - (A) Approve request to renew State Water Bottom Lease No. M-430-13  
(Pursuant to Section 15406, Fish and Game Code)
  - (B) Approve request to renew State Water Bottom Lease No. M-430-17  
(Pursuant to Section 15406, Fish and Game Code)

12. Marine Resources Committee

- (A) Work plan development
  - I. Update on work plan and draft timeline
  - II. Discuss and approve new topics

13. Tribal Committee

- (A) Work plan development
  - I. Update on work plan and draft timeline
  - II. Discuss and approve new topics

14. Charles Friend Oyster Company request to renew State Water Bottom Lease No. M-430-04 for aquaculture  
(Pursuant to Section 15406, Fish and Game Code)

15. California spiny lobster

- (A) Discuss draft fishery management plan
- (B) Request for authorization to publish notice of intent to amend regulations  
(Sections 29.80, 29.90, 121, 121.5, 122, 705, and Appendix A, Title 14, CCR)

16. Discuss proposed changes to ocean salmon sport fishing regulations

- (A) Season dates, size limits, and daily bag limits for April 2016  
(Subsection 27.80(c), Title 14, CCR)

- (B) Season dates, size limits, and daily bag limits for May-November 2016  
(Subsection 27.80(d), Title 14, CCR)
- 17. Discuss proposed changes to Pacific halibut sport fishing regulations  
(Section 28.20, Title 14, CCR)
- 18. Discuss proposed final Master Plan for Marine Protected Areas pursuant to the  
Marine Life Protection Act
- 19. Announce results from Executive Session
- 20. Discussion and update regarding Executive Director and Deputy Executive  
Director positions
- 21. Marine items of interest from previous meetings
  - (A) Action on petitions for regulation change received at previous meetings
  - (B) Action on non-regulatory requests received at previous meetings
  - (C) Review outstanding regulatory and non-regulatory requests from 2015
- 22. 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
- 23. Other informational items
  - (A) Staff report
  - (B) Legislative update and possible action
  - (C) Federal agencies report
  - (D) Other
- 24. Recess

**DAY 2 – FEBRUARY 11, 2016, 8:00 A.M.**

- 25. Call to order
- 26. Public forum for items not on the agenda  
The Commission **may not** discuss or take action on any matter raised during this item,  
except to decide whether to place the matter on a future meeting agenda. (Pursuant to  
Sections 11125 and 11125.7(a), Government Code)

**CONSENT ITEMS**

- 27. Adopt proposed changes to endangered or threatened animals regulations to add Clear Lake hitch to the list of threatened species  
(Section 670.5, Title 14, CCR)
  - 28. Approve the Department's request for a six month extension to complete the status report and peer review process for the petition to list the flat-tailed horned lizard as an endangered species  
(Pursuant to Section 2074.6, Fish and Game Code)
29. Non-marine items of interest from previous meetings
- (A) Action on petitions for regulation change received at previous meetings
  - (B) Action on non-regulatory requests received at previous meetings
  - (C) Review outstanding regulatory and non-regulatory requests from 2015
30. Wildlife Resources Committee
- (A) Work plan development
    - I. Update on work plan and draft timeline
    - II. Discuss and approve new topics
    - III. Update on Predator Policy Workgroup
31. Receive the Department's status review report on the petition to list northern spotted owl as a threatened or endangered species  
(Pursuant to Section 2074.6, Fish and Game Code)
32. Possible adoption of emergency action regarding special order relating to incidental take of tricolored blackbird during candidacy period, pursuant to Fish and Game Code Section 2084  
(Add Section 749.8, Title 14, CCR)
33. Consider the petition, Department's evaluation report, and comments received to determine whether listing the Humboldt marten as a threatened or endangered species may be warranted  
(Pursuant to 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.
34. Request for authorization to publish notice of intent to amend waterfowl hunting regulations  
(Sections 502 and 507, Title 14, CCR)
35. Adopt proposed emergency regulation to close to fishing 5.5 miles of the Sacramento River (excluding tributaries) from the Highway 44 bridge in Redding upstream to Keswick Dam  
(Subsection 7.50(b)(156.5)(B), Title 14, CCR)

36. Request for authorization to publish notice of intent to amend regulations regarding definitions for tidal waters and finfish gear restrictions in San Francisco and San Pablo bays  
(Sections 1.53 and 27.00, and subsection 28.65(a), Title 14, CCR)
37. Request for authorization to publish notice of intent to amend Klamath River sport fishing regulations  
(Subsection 7.50(b)(91.1), Title 14, CCR)
38. Discuss proposed changes to mammal hunting regulations and take action regarding draft environmental document  
(Sections 265, et al., Title 14, CCR)
39. Discuss proposed changes to Central Valley salmon sport fishing regulations  
(Subsections 7.50(b)(5), (68) and (156.5), Title 14, CCR)
40. Discuss proposed regulations regarding special measures for fisheries at risk  
(Section 8.01, Title 14, CCR)
41. Discuss and act on future Commission meeting items
  - (A) Next meetings – March 15, 2016, teleconference; April 13-14, 2016, Santa Rosa; April 18, 2016, teleconference
  - (B) Rulemaking calendar updates
  - (C) New business
  - (D) Other
42. Adjournment

**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. 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 Young v. California Fish and Game Commission, et al. (restricted species inspection fee waiver and Administrative Procedure Act)
- (B) Possible litigation involving the Commission
- (C) Staff performance
- (D) Receive hearing officer recommendations on license and permit items

**FISH AND GAME COMMISSION  
2016 MEETING SCHEDULE**

[www.fgc.ca.gov](http://www.fgc.ca.gov)

| MEETING DATE  | COMMISSION MEETING   | COMMITTEE MEETING  |
|---------------|--|--|
| March 15      | <b>Teleconference — Arcata, Sacramento, Los Alamitos and Yountville</b>              |  |
| March 21      |  | <b>Marine Resources</b><br>West Ed Building – Ed Meyers Classroom<br>4665 Lampson Avenue, Suite A<br>Los Alamitos, CA 90720                              |
| April 12      |  | <b>Tribal Meeting</b><br>River Rock Casino<br>Quail Run Buffet<br>3250 Highway, 128 East<br>Geyserville, CA 95441  |
| April 13-14   | Flamingo Conference Resort & Spa<br>2777 Fourth Street<br>Santa Rosa, CA 95405       |  |
| April 18      | <b>Teleconference — Arcata, Sacramento, Los Alamitos and Yountville</b>              |  |
| May 18        |  | <b>Wildlife Resources</b><br>Department of General Services<br>Ziggurat Building – Auditorium<br>707 3 <sup>rd</sup> Street<br>West Sacramento, CA 95605 |
| June 21       |  | <b>Tribal</b><br>Huntington Beach, CA  |
| June 22-23    | Huntington Beach, CA   |  |
| July 21       |  | <b>Marine Resources</b><br>Petaluma Regional Library<br>100 Fairgrounds Drive<br>Petaluma, CA 94952  |
| August 24-25  | Lake Natoma Inn Hotel & Conference Center<br>702 Gold Lake Drive<br>Folsom, CA 95630 |  |
| September 21  |  | <b>Wildlife Resources</b><br>Woodland Public Library<br>Leake Center Community Room<br>250 First Street<br>Woodland, CA 95695                            |
| October 18    |  | <b>Tribal</b><br>Crescent City, CA   |
| October 19-20 | Crescent City, CA  |  |

| MEETING DATE | COMMISSION MEETING | COMMITTEE MEETING              |
|--------------|--------------------|--------------------------------|
| November 17  |                    | Marine Resources<br>Irvine, CA |
| December 7-8 | San Diego          |                                |

**OTHER MEETINGS OF INTEREST**

**Wildlife Conservation Board**

- February 24, Sacramento
- May 26, Sacramento
- August 30, Sacramento
- November 16, Sacramento

**Pacific Fishery Management Council**

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

**Pacific Flyway Council** – Dates unknown at this time

**Western Association of Fish and Wildlife Agencies**

- July 2016, Cody, WY

## **IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION**

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

This is the 146<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.

### **STAY INFORMED**

To receive meeting agendas and regulatory notices about those subjects of interest to you, please visit the Commission's website, [www.fgc.ca.gov](http://www.fgc.ca.gov), and sign up for our electronic mailing lists.

### **SUBMITTING WRITTEN MATERIALS**

The public is encouraged to comment on any agenda item. Submit written comments by one of the following methods: **Email to [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov); delivery 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 regulations changes via facsimile; please submit written comments by email, mail service or in person. Submit requests for regulation change following the instructions on the form located at <http://www.fgc.ca.gov/public/FGC1.docx>.***

Written comments received at the Commission office by **5:00 p.m. on January 28** will be made available to Commissioners prior to the meeting. Comments received by **12 noon on February 5** 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 February 5** (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.

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 submitted by **February 5 at 12 noon** and approved by the Commission executive director before the meeting.

1. Electronic presentations must be provided by email or delivered to the Commission on a USB flash drive by the written materials deadline.
2. All electronic formats must be Windows PC compatible.
3. It is recommended that a print copy of any electronic presentation be submitted in case of technical difficulties.
4. 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.

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 up to three minutes to address the Commission as determined by 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 must be present during discussion of the agenda item;
  - b. Individuals ceding time forfeit their right to speak to the agenda item; and
  - c. 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.