

**State of California**  
**FISH AND GAME COMMISSION**  
**(916) 653-4899**  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

**Meeting of**  
**June 29, 2011 (Wednesday)**  
**10:00 a.m.<sup>2</sup>**

**University Plaza Waterfront Hotel**  
**110 W. Fremont Street**  
**Waterfront Ballroom<sup>1</sup>**  
**Stockton**

**AGENDA<sup>3</sup>**

**ALL MEETINGS OPEN TO THE PUBLIC**

**NOTE: Items may be heard on either day and in any order pursuant to the determination of the Commission President.**

1. PUBLIC FORUM— Any member of the public may address and/or ask questions of the Commission relating to 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. Submittal of 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 to the time allocated by the President.
2. PURSUANT TO FISH AND GAME CODE SECTION 2084, CONSIDERATION AND POSSIBLE EMERGENCY ACTION TO RE-ADOPT SECTION 749.6, TITLE 14, CCR, FOR AN ADDITIONAL 90 DAY PERIOD, RE: INCIDENTAL TAKE OF MOUNTAIN YELLOW-LEGGED FROG DURING CANDIDACY PERIOD.
3. DEPARTMENT OF FISH AND GAME UPDATE REGARDING ADDITIONAL INFORMATION SUBMITTED ON MARCH 24, 2011, BY PETITIONERS (CENTER FOR BIOLOGICAL DIVERSITY AND JOHN MUIR PROJECT) REGARDING THE PETITION TO LIST THE BLACK-BACKED WOODPECKER (*Picoides arcticus*) AS THREATENED OR ENDANGERED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT.
4. REVIEW, DISCUSSION, AND POSSIBLE ADOPTION OF STATE WATER BOTTOM LEASE TEMPLATE FOR AQUACULTURE, INCLUDING RENTAL RATE AND TERM CONDITIONS.

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<sup>1</sup> These facilities are accessible to persons with disabilities. To request reasonable accommodations for a disability, please contact California Relay Service at 1 (800) 735-2929 (TT) or 1 (800) 735-2922 (Voice) and ask them to contact the California Fish and Game Commission at (916) 653-4899.

<sup>2</sup> The Commission may break for lunch at approximately 12:00 noon.

<sup>3</sup> The public is encouraged to comment on any item on the agenda. In order for the Commission to adequately consider public comments, the public is requested to submit written comments no later than **ten** days prior to the meeting. Written comments received fewer than **ten** days preceding the meeting will be submitted to the Commission at the meeting; however, Commission staff is unable to deliver material received one day before and on the day of the meeting to the Commissioners when the meeting is not in Sacramento. Please send your comments to be received no later than two days before the meeting.

If you decide to speak at the Commission meeting, please begin by giving your name and affiliation (if any) and the number of people represented by your organization. Then tell the Commission your concerns. Time allotted for each agenda item depends upon the number of speakers for each item and the length of the agenda. The Commission is interested in your views; don't worry about how to say them. If several people have spoken, try not to be repetitious. If there are several with the same concerns, please try to appoint a spokesperson. The Commission is particularly interested in the specific reasons you are for or against a proposal because the Commission's decision needs to be based on specific reasons.

If you would like to present handouts/written material to the Commission at the meeting, please provide eleven (11) copies.

5. RECEIPT OF ALTERNATIVES/OPTIONS ON DEVELOPMENT OF THE INITIAL STATEMENT OF REASONS AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE CONCERNING MARINE PROTECTED AREAS IN THE NORTH COAST STUDY REGION. POSSIBLE IDENTIFICATION OF PROPOSED PROJECT FOR CEQA DOCUMENT AND AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO AMEND SECTION 632, TITLE 14, CCR. (Note: This item will begin at 1:30 p.m. following the Commission's lunch break and Executive Session.)
6. (A) STATUS OF REGULATORY PACKAGE AND REQUEST FOR COMMISSION GUIDANCE ON THE EFFECTIVE DATE OF THE REGULATIONS IMPLEMENTING THE SOUTH COAST STUDY REGION MARINE PROTECTED AREAS (MPAs).  
  
(B) RECEIPT OF THE SOUTH COAST MPA MONITORING PLAN. (Note: Possible Commission action is scheduled for August 3-4, 2011.)
7. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
8. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
9. NEW BUSINESS.

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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. LINDY O'LEARY vs. CALIFORNIA FISH AND GAME COMMISSION RE: R.R.S.A.C. AND R.R.S.S. PERMIT DENIALS.
- III. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
- IV. KERN COUNTY WATER AGENCY vs. CALIFORNIA FISH AND GAME COMMISSION, DEPARTMENT OF FISH AND GAME, DEPARTMENT OF WATER RESOURCES RE: STATE WATER PROJECT AND CALIFORNIA ENDANGERED SPECIES ACT.
- V. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION RE: AMERICAN PIKA.
- VI. TACY LEE vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: DENIAL OF TRANSFER OF LOBSTER OPERATOR PERMIT.
- VII. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.
- VIII. 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 PROTECTION ACT.
- IX. MARILLEY vs. FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: COMMERCIAL FISHING PERMIT FEES.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.

C. STAFF PERFORMANCE AND COMPENSATION.

- I. POSSIBLE SELECTION OF THE COMMISSION'S NEW EXECUTIVE DIRECTOR.

D. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS.

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**State of California  
FISH AND GAME COMMISSION  
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**Meeting of  
June 30, 2011 (Thursday)  
8:30 a.m.**

**University Plaza Waterfront Hotel  
110 W. Fremont Street  
Waterfront Ballroom  
Stockton**

**AGENDA**

**ALL MEETINGS OPEN TO THE PUBLIC**

**NOTE: Items may be heard on either day and in any order pursuant to the determination of the Commission President.**

10. CONTINUATION OF PUBLIC FORUM— Any member of the public may address and/or ask questions of the Commission relating to 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. Submittal of 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 to the time allocated by the President.

**CONSENT CALENDAR**

11. CONSIDERATION AND POSSIBLE APPROVAL OF 2011-2012 CALIFORNIA DUCK STAMP PROJECTS.
12. ADOPTION OF DEPARTMENT'S RECOMMENDATION FOR MODIFICATION OF THE COMMISSION'S POLICY ON "STOCKING FISH IN WATERS WHERE ANGLERS PAY ACCESS FEES."
13. (A) EXTENSION OF STATE WATER BOTTOM LEASE NO. M-430-12, MR. JOHN FINGER, HOG ISLAND OYSTER COMPANY, MARIN COUNTY.
- (B) EXTENSION OF STATE WATER BOTTOM LEASE NO. M-430-02, MR. MICHAEL TOUSSAINT, MARIN OYSTER COMPANY, MARIN COUNTY.
- (C) EXTENSION OF STATE WATER BOTTOM LEASE NO. M-430-14, MR. MARTIN STRAIN, POINT REYES OYSTER COMPANY, MARIN COUNTY.
- (D) EXTENSION OF STATE WATER BOTTOM LEASE NO. M-635-02, MR. BERNARD FRIEDMAN, SANTA BARBARA MARICULTURE COMPANY, SANTA BARBARA COUNTY.
- (E) EXTENSION OF STATE WATER BOTTOM LEASE NOS. M-614-01, PARCEL #1, AND M-614-02, MR. GEORGE TREVELYN, GRASSY BAR OYSTER COMPANY, SAN LUIS OBISPO COUNTY.

14. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SUBSECTIONS 551(G), (J) AND (Q), AND SECTIONS 700.4, 701, AND 705, AND REPEAL SECTION 407, TITLE 14, CCR, RE: WILDLIFE AREA PASSES AND ANNUAL FEE ADJUSTMENTS FOR SPORT AND COMMERCIAL FISHING. (Note: The discussion hearing is scheduled for the August 4, 2011, meeting in Sacramento and the adoption hearing is scheduled for the September 15, 2011, meeting in Redding.)
15. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 163 AND 164, TITLE 14, CCR, RE: HARVEST OF HERRING AND HERRING EGGS. (Note: The discussion hearing is scheduled for the August 4, 2011, meeting in Sacramento and the adoption hearing is scheduled for the September 15, 2011, meeting in Redding.)
16. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 29.15, TITLE 14, CCR, RE: ABALONE. (Note: The discussion hearing is scheduled for the August 4, 2011, meeting in Sacramento and the adoption hearing is scheduled for the September 15, 2011, meeting in Redding.)
17. REQUEST TO AMEND STATE WATER BOTTOM LEASE M-430-04, BROTHERS BERNAL OYSTER COMPANY, TOMALES BAY, MARIN COUNTY.
18. POSSIBLE APPROVAL OF ANNUAL REPORT AND 2011 PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA PLANS FOR:
  - (A) ABERNATHY RANCH, SHASTA COUNTY
  - (B) ALEXANDER RANCH, MONTEREY COUNTY
  - (C) BARDIN RANCH, MONTEREY COUNTY
  - (D) BIG BLUFF RANCH, TEHAMA COUNTY
  - (E) CORNING LAND AND CATTLE COMPANY, TEHAMA COUNTY
  - (F) EDEN VALLEY RANCH, MENDOCINO COUNTY
  - (G) FIVE DOT RANCH—AVILA UNIT, LASSEN COUNTY
  - (H) FOUR PINES RANCH, MENDOCINO COUNTY
  - (I) HARTNELL RANCH, MONTEREY COUNTY
  - (J) JS RANCH, SHASTA COUNTY
  - (K) LLANO SECO RANCHO, BUTTE COUNTY
  - (L) LOOKOUT RANCH, MODOC COUNTY
  - (M) MEISSNER RANCH, SHASTA COUNTY
  - (N) MENDIBOURE RANCH, LASSEN COUNTY
  - (O) ORDWAY RANCH, CALAVERAS COUNTY
  - (P) REDWOOD HOUSE RANCH, HUMBOLDT COUNTY
  - (Q) ROBERTS RANCH, MODOC COUNTY
  - (R) ROCK CREEK RANCH, BUTTE/TEHAMA COUNTIES
  - (S) SANTA CATALINA ISLAND, LOS ANGELES COUNTY
  - (T) SOPER-WHEELER RANCH, YUBA COUNTY
  - (U) SOUTH KNOB RANCH, LASSEN COUNTY
  - (V) SPURLOCK RANCH, GLENN COUNTY
  - (W) SUGARLOAF-BANGOR RANCH, YUBA COUNTY
  - (X) TEJON RANCH, KERN AND LOS ANGELES COUNTIES
  - (Y) WILLIAMS RANCH, SHASTA COUNTY

19. CONSIDERATION AND POSSIBLE APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2011-2016) AND 2011-2012 MANAGEMENT PLAN FOR:
  - (A) BORELLO RANCH, MARIN COUNTY
  - (B) COON CAMP SPRINGS, LASSEN COUNTY
  - (C) PINE RANCH, YOLO COUNTY
  - (D) R-R RANCH, MENDOCINO COUNTY
  - (E) TRIPLE B RANCH, SHASTA COUNTY
20. POSSIBLE APPROVAL OF MODIFICATION OF AUTHORIZED HARVESTS AND SEASONS FOR POTTER VALLEY RANCH.

### **DISCUSSION ITEMS**

21. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.
22. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
  - (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.
  - (B) UPDATE ON FINDINGS ON THE PETITION TO LIST THE CEDARS WILD BUCKWHEAT (*Eriogonum cedrorum*) AS AN ENDANGERED SPECIES.
  - (C) UPDATE ON STATUS OF DRAFT ENVIRONMENTAL DOCUMENT REGARDING BEAR HUNTING.
  - (D) WILDLIFE AND FISHERIES DIVISION UPDATE: STURGEON RESCUE.
  - (E) OFFICE OF COMMUNICATIONS, EDUCATION AND OUTREACH: EDUCATION PRESENTATION.
  - (F) LAW ENFORCEMENT DIVISION UPDATE.
  - (G) OTHER.
23. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
24. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
  - (A) MARINE RESOURCES COMMITTEE.
  - (B) AL TAUCHER'S PRESERVING HUNTING AND SPORT FISHING OPPORTUNITIES ADVISORY COMMITTEE.
  - (C) OTHER.

25. RECEIPT OF LEGISLATIVE REPORTS.
  - (A) DEPARTMENT OF FISH AND GAME REPORT.
  - (B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.
    - I. AB 1046 (BILL BERRYHILL) HUNTING OR TAKING GAME. SUPPORTED BY TAUCHER COMMITTEE.
    - II. AB 337 (MONNING) OCEAN RESOURCES: OCEAN PROTECTION COUNCIL: SUSTAINABLE SEAFOOD. SUPPORTED BY MARINE RESOURCES COMMITTEE.
    - III. AB 376 (FONG AND HUFFMAN) SHARK FINS. SUPPORTED BY MARINE RESOURCES COMMITTEE.
26. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTIONS 300, 311 AND 472, TITLE 14, CCR, RE: RESIDENT AND MIGRATORY UPLAND GAME HUNTING. (Note: Additional discussion and possible adoption of the regulations are scheduled for August 4, 2011.)
27. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO THE MIGRATORY GAME BIRD (WATERFOWL) REGULATIONS FOR 2011-2012, SECTION 502, TITLE 14, CCR. (Note: Additional discussion and possible adoption of the regulations are scheduled for August 4, 2011.)
28. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTIONS 2.10, 7.50(b)(1), 27.65, AND 29.80, TITLE 14, CCR, RE: SPORT FISHING REGULATIONS FOR 2011-2012. (Note: Additional discussion and possible adoption of the proposed regulations are scheduled for August 4, 2011.)
29. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTIONS 671.1 AND 703, AND ADDITION OF SECTION 671.8, TITLE 14, CCR, RE: INSPECTION OF FACILITIES FOR RESTRICTED SPECIES. (Note: The adoption hearing is scheduled for August 4, 2011.)

**OTHER**

30. COMMISSION FOLLOW-UP, MEETING REVIEW, AND STAFF DIRECTION.
31. ANNOUNCEMENT OF FUTURE MEETINGS.

**2011 FISH AND GAME COMMISSION  
MEETING SCHEDULE  
www.fgc.ca.gov**

<b>August 3</b> (Wed.) <b>August 4</b> (Thurs.)	State of California Resources Agency Building Auditorium 1416 Ninth Street <b>Sacramento</b>
<b>September 15</b> (Thurs.)	Red Lion Hotel 1830 Hilltop Drive <b>Redding</b>
<b>October 19</b> (Wed.) <b>October 20</b> (Thurs.)	Beach Resort Monterey 2600 Sand Dunes Drive <b>Monterey</b>
<b>November 16</b> (Wed.) <b>November 17</b> (Thurs.)*	<b>Santa Barbara</b>
<b>December 14</b> (Wed.) <b>December 15</b> (Thurs.)	<b>San Diego</b>