

Commissioners

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Fish and Game Commission



Sonke Mastrup, Executive Director

1416 Ninth Street, Room 1320

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www.fgc.ca.gov

MEETING AGENDA

April 16, 2014, 8:30 a.m.

Crowne Plaza Ventura Beach Hotel
450 East Harbor Blvd., Ventura, CA

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

NOTE: Items may be heard in any order pursuant to the determination of the presiding commissioner. Also see important information about Commission procedures at the end of the agenda.

1. ADOPTION OF DRAFT POLICY AND PROCEDURES FOR WILDLIFE RESOURCES AND MARINE RESOURCES COMMITTEES
2. DECISION ON WHETHER OR NOT TO LIST GRAY WOLF (*Canis lupus*) AS A THREATENED OR ENDANGERED SPECIES (FISH AND GAME CODE SECTIONS 2075 and 2075.5)
Note: Findings will be adopted at a future meeting.
3. DISCUSSION AND POSSIBLE AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO ESTABLISH A PROHIBITION ON INDUCEMENTS FOR PREDATOR HUNTING CONTESTS, TOURNAMENTS, OR DERBIES
4. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND UPLAND GAME BIRD REGULATIONS (SECTION 300, TITLE 14, CCR)
5. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND WATERFOWL REGULATIONS (SECTION 502, TITLE 14, CCR)
6. ADOPTION OF PROPOSED CHANGES TO DEPARTMENT LANDS REGULATIONS (SECTIONS 550, 550.5, 551, 552, 553, 630, AND 703, TITLE 14, CCR)

7. ADOPTION OF PROPOSED CHANGES TO MAMMAL HUNTING REGULATIONS
(SECTIONS 360, 361, 362, 363, AND 364, TITLE 14, CCR)
8. ADOPTION OF PROPOSED CHANGES TO KLAMATH RIVER SALMON FISHING REGULATIONS
(SUBSECTION 7.50(b)(91.1), TITLE 14, CCR)
9. ADOPTION OF PROPOSED CHANGES TO OCEAN SALMON SPORT FISHING REGULATIONS, MAY – NOVEMBER 2014
(SUBSECTION 27.80(d), TITLE 14, CCR)
10. ADOPTION OF PROPOSED CHANGES TO MARINE PROTECTED AREAS REGULATIONS – CLEAN-UP PACKAGE
(SECTION 632, TITLE 14, CCR)
11. GUIDANCE ON PUBLIC RECOMMENDATIONS FOR POTENTIAL 2015 SPORT FISH REGULATORY CHANGES
12. DETERMINATION CONCERNING THE MIRAGE TRAIL MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF FISH AND WILDLIFE AND THE COACHELLA VALLEY CONSERVATION COMMISSION (CVCC)
(FISH AND GAME CODE, SECTION 1587)
13. DISCUSSION OF PROPOSED REGULATIONS TO ESTABLISH PACIFIC HALIBUT AUTO-CONFORMANCE REGULATIONS
(SECTION 28.20, TITLE 14, CCR)
14. DISCUSSION OF THE CHALLENGES SURROUNDING THE MANAGEMENT OF ABANDONED OR INJURED WILDLIFE
15. DISCUSSION OF REQUEST TO ALLOW TRANSFER OF NEARSHORE FISHERY BYCATCH PERMITS
(SECTION 150.05, TITLE 14, CCR)
16. RECEIPT OF THE DEPARTMENT'S ONE YEAR STATUS REPORT ON THE PETITION TO LIST WHITE SHARK (*Carcharodon carcharias*) AS A THREATENED OR ENDANGERED SPECIES
(FISH AND GAME CODE SECTION 2074.6)

CONSENT ITEMS

17. APPROVAL OF ANNUAL REPORTS AND 2014-15 PRIVATE LANDS WILDLIFE HABITAT ENHANCEMENT AND MANAGEMENT (PLM) AREA PLANS FOR:

- (A) 3D RANCH, TEHAMA COUNTY
- (B) BURROWS RANCH, TEHAMA COUNTY
- (C) CHRISTENSEN RANCH, MENDOCINO COUNTY
- (D) FULTON RANCH, HUMBOLDT COUNTY
- (E) HUNTER RANCH, HUMBOLDT COUNTY
- (F) LEWIS RANCH, SAN BENITO COUNTY
- (G) LONE RANCH, SAN BENITO COUNTY
- (H) MILLER-ERICKSEN RANCH, MENDOCINO COUNTY
- (I) MORISOLI RANCH (CAMP 5 OUTFITTERS), MONTEREY AND SAN BENITO COUNTIES
- (J) PEACHTREE RANCH, MONTEREY COUNTY
- (K) R WILD HORSE RANCH, TEHAMA COUNTY
- (L) RANCHO LA CUESTA, SAN BENITO COUNTY
- (M) ROBERTS RANCH, MODOC COUNTY
- (N) SALT CREEK RANCH, TEHAMA COUNTY
- (O) SANTA CATALINA ISLAND, LOS ANGELES COUNTY
- (P) STOVER RANCH, HUMBOLDT COUNTY
- (Q) TRAVIS RANCH, TRINITY COUNTY
- (R) WIGGINS RANCH, HUMBOLDT COUNTY

18. THE SCRIPPS INSTITUTE OF OCEANOGRAPHY PRESENTATION AND DISCUSSION OF CALIFORNIA COOPERATIVE OCEANIC FISHERIES INVESTIGATIONS (CalCOFI)

19. RECEIPT AND DISCUSSION OF DRAFT POLICY FOR NATIVE PLANTS

20. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION

21. COMMISSION STAFF REPORT FOR CONSIDERATION AND POSSIBLE ACTION

- (A) RECOMMENDATIONS ON ITEMS OF INTEREST FROM PRIOR MEETINGS
- (B) NEXT MEETING AGENDA ITEMS AND MEETING LOGISTICS
- (C) RULEMAKING CALENDAR UPDATES
- (D) LEGISLATIVE UPDATE
- (E) TRIBAL COMMITTEE
- (F) WILDLIFE RESOURCES COMMITTEE
 - I. APPROVAL OF MAY MEETING AGENDA
- (G) MARINE RESOURCES COMMITTEE

- I. MARCH MEETING SUMMARY
- (H) NEW BUSINESS
 - I. PROCESS FOR PUBLIC PETITIONS FOR REGULATION CHANGE

- 22. DEPARTMENT INFORMATIONAL ITEMS
 - (A) DIRECTOR'S REPORT
 - (B) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION DIVISION
 - I. STATUS UPDATE ON EMERGENCY ACTION TO CLOSE FISHING ON SELECT RIVERS AND STREAMS DUE TO DROUGHT CONDITIONS
 - (C) LAW ENFORCEMENT DIVISION
 - (D) MARINE
 - (E) OTHER

- 23. OTHER INFORMATIONAL ITEMS
 - (A) LEGAL COUNSEL
 - (B) FEDERAL AGENCIES

- 24. 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. vs. CALIFORNIA FISH AND GAME COMMISSION RE: COHO LISTING, SOUTH OF SAN FRANCISCO.
- II. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
- III. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.
- IV. 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 LIFE PROTECTION ACT.
- V. CENTER FOR BIOLOGICAL DIVERSITY AND EARTH ISLAND INSTITUTE vs. FISH AND GAME COMMISSION ADOPTING EMERGENCY REGULATION TO AUTHORIZE INCIDENTAL TAKE OF THE BLACK-BACKED WOODPECKER DURING CANDIDACY PERIOD.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION

C. STAFF PERFORMANCE AND COMPENSATION

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

- I. MR. JAMES ROBERTS – APPEAL OF DENIAL TO SWITCH TRANSFERABLE DUNGENESS CRAB VESSEL PERMITS
- II. MR. GARY PERKINS – APPEAL OF DENIAL TO REVIEW THE REQUEST FOR GUIDANCE FOR THE TRANSFER OF SALMON VESSEL PERMIT
- III. MR. JOHN VACA – APPEAL OF REVOCATION OF HUNTING LICENSE PRIVILEGES FOR THREE YEARS
- IV. JOSEPH CARVALHO, CARVALHO’S FRIENDS OF A FEATHER, INC. – APPEAL OF DENIAL TO AMEND RESIDENT RESTRICTED SPECIES EXHIBITING PERMIT

**2014 FISH AND GAME COMMISSION
MEETING SCHEDULE**

www.fgc.ca.gov

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
April 17		Tribal Committee Hotel Corque Harvest Room 400 Alisal Road Solvang, CA 93463
May 7		Wildlife Resources Hiram W. Johnson State Office Bldg. 455 Golden Gate Ave. San Diego Room A/B/C San Francisco, CA 94102
June 4	River Lodge Conference Center 1800 Riverwalk Drive Fortuna, CA 95540	
June 5		Tribal Committee River Lodge Conference Center 1800 Riverwalk Drive Fortuna, CA 95540
July 16		Marine Resources Moss Landing Marine Laboratories 8272 Moss Landing Rd. Moss Landing, CA 95039
August 6	San Diego	
September 17		Wildlife Resources Department of Consumer Affairs Hearing Room 1747 Market Blvd Sacramento, CA 95834
September 17		Tribal Committee Department of Consumer Affairs Hearing Room 1747 Market Blvd Sacramento, CA 95834
October 8	Mount Shasta Hatchery Museum 1 North Old Stage Road Mount Shasta, CA 96067	
October 9	Joint meeting with Oregon DFW Jackson County Fairgrounds & Exposition Park Mace Building 1 Peninger Road Central Point, OR 97502	

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
November 5		Marine Resources West Ed Building Ed Meyers Classroom 4655 Lampson Ave., Suite A Los Alamitos, CA 90720
December 3	Airtel Plaza Hotel 7277 Valjean Avenue Van Nuys, CA 94106	

OTHER MEETINGS OF INTEREST

- Pacific Fishery Management Council meeting, June 20-25, Garden Grove, CA
- Pacific Fishery Management Council meeting, September 12-17, Spokane, WA
- Pacific Fishery Management Council meeting, November 14-19, Costa Mesa, CA
- Pacific Flyway Council meeting, July 25, Provo, UT
- Western Association of Fish & Wildlife Agencies (WAFWA) meeting, July 17-23, San Antonio, TX
- Wildlife Conservation Board meeting, May 22, Sacramento, CA
- Wildlife Conservation Board meeting, August 28, Sacramento, CA
- Wildlife Conservation Board meeting, November 20, Sacramento, CA

IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION

PERSONS WITH DISABILITIES

These facilities are accessible to persons with disabilities.

1. To request reasonable accommodations for a disability, please contact the California Fish and Game Commission at (916) 653-4899 as soon as possible and no later than five (5) business days prior to the meeting.
2. For persons with a hearing or speech disability, please contact the California Relay Service as soon as possible and no later than five (5) business days prior to the meeting at 1-800-735-2929 (TTY) or 1-800-735-2922 (voice) and request your message be relayed to the California Fish and Game Commission.
3. If a request for an accommodation has been submitted but due to circumstances is no longer needed, please contact the California Fish and Game Commission at (916) 653-4899.

SUBMISSION OF WRITTEN MATERIALS

The public is encouraged to comment on any item on the agenda. You may submit your written comments by one of the following methods (only one is necessary): **E-mail to fgc@fgc.ca.gov; fax to (916) 653-5040; deliver to California 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 April 3, 2014, at 5:00 p.m. will be submitted to the Commission prior to the meeting. Written comments received between April 3, 2014, at 5:00 p.m. and April 11, 2014, will be submitted to the Commission at the meeting. After April 11, written comments must be delivered at the meeting if you would like the Commission to consider them at the meeting; otherwise they will be delivered to the Commission after the meeting.

SPEAKING AT THE MEETING

If you wish to speak on an agenda item, please fill out a "Speaker Card" and give it to the designated staff member before the agenda item is heard. Cards will be available near the entrance of the meeting room.

1. Speakers will be called in groups; please line up when your name is called.
2. Please provide your name, affiliation, and the number of people you represent.
3. Each speaker typically has three minutes to speak to the Commission. However, the time allotted for each agenda item may be adjusted by the Commission, which may decrease the time each speaker receives.
4. If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetitive testimony.
5. Ceding time to other speakers - The presiding commissioner may allow attendees to cede time to a spokesperson, but only under the following conditions: A) each individual ceding time is forfeiting his/her right to speak to the agenda item, B) the person speaking must attach to his/her card the speaker cards of each individual ceding time, and C) the presiding commissioner will determine the total amount of time allotted to the person speaking.

6. If speaking about a specific proposal, the Commission is particularly interested in the reasons you are speaking about that proposal and any recommendations you have for how it can be improved.
7. If speaking during public forum, the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Commission members discuss that item). As a general rule, the Commission may not take action on issues not listed on the agenda; public forum is an opportunity to bring matters to the attention of the Commission, but you may also do so via email, standard mail, and fax. At the discretion of the Commission, staff may be requested to follow up on the subject you raise.
8. If you would like to present handouts/written material to the Commission at the meeting, please provide 12 copies to the designated staff member just prior to speaking.

WHEN WILL MY AGENDA ITEM BE HEARD?

The Commission begins each session at the time listed on the agenda and generally considers each agenda item in the sequence listed, except in extraordinary circumstances.

VISUAL PRESENTATIONS/MATERIALS

PowerPoint presentations must be provided on a USB flash drive, flash memory card, DVD or CD.

1. All electronic formats must be Windows PC compatible.
2. Files created on a Mac are not supported.
3. It is recommended that a hard copy of any electronic presentation be submitted in case of technical difficulties.
4. A data projector, laptop and presentation mouse will be available.

CONSENT CALENDAR

Any item may be removed from the consent calendar by the Commission or upon the request of the Department or someone in the audience who would like 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.