

Commissioners
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STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission



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MEETING AGENDA August 6, 2014, 8:30 a.m.

DoubleTree by Hilton Golf Resort San Diego
14455 Penasquitos Drive, San Diego, 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. REMAINING BUSINESS FROM PREVIOUSLY ADJOURNED MEETING:
DISCUSSION OF COMMISSION'S POLICY ON SALMON
2. POSSIBLE RATIFICATION OF COMMISSION'S FINDINGS ON THE PETITION TO LIST THE GRAY WOLF (*Canis lupus*) AS A THREATENED OR ENDANGERED SPECIES (PURSUANT TO SECTION 2075.5, FISH AND GAME CODE)
3. POSSIBLE RATIFICATION OF COMMISSION'S FINDINGS ON THE PETITION TO LIST THE WHITE SHARK (*Carcharodon carcharias*) AS A THREATENED OR ENDANGERED SPECIES (PURSUANT TO SECTION 2075.5, FISH AND GAME CODE)
4. DECISION ON WHETHER TO LIST CLEAR LAKE HITCH (*Lavinia exilicauda chi*) AS A THREATENED OR ENDANGERED SPECIES (PURSUANT TO SECTIONS 2075 and 2075.5, FISH AND GAME CODE)
Note: Findings will be adopted at a future meeting.
5. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO UPLAND GAME BIRD REGULATIONS (SECTION 300, TITLE 14, CCR)
6. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO WATERFOWL REGULATIONS (SECTION 502, TITLE 14, CCR)
7. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO COMMERCIAL HERRING REGULATIONS (SECTIONS 163 AND 164, TITLE 14, CCR)

8. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SPORT FISH REGULATIONS FOR 2015 (SECTIONS 1.45, ET AL., TITLE 14, CCR)
9. POSSIBLE EMERGENCY ACTION TO CLOSE FISHING IN THE MERCED RIVER TO PROTECT STEELHEAD DUE TO DROUGHT (SUBSECTION 7.50(b)(118), TITLE 14 CCR)
10. DISCUSSION AND POSSIBLE ACTION REGARDING OFFERING INDUCEMENTS FOR HUNTING CONTESTS
 - (A) REQUEST TO SET ASIDE AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO ESTABLISH A PROHIBITION ON INDUCEMENTS FOR PREDATOR HUNTING CONTESTS, TOURNAMENTS OR DERBIES (ADD SECTION 250.1, TITLE 14, CCR)
 - (B) REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND REGULATIONS REGARDING THE PROHIBITION ON INDUCEMENTS FOR NONGAME AND FURBEARER HUNTING CONTESTS (SECTIONS 465 AND 472, TITLE 14, CCR)
11. POSSIBLE ADOPTION OF EMERGENCY REGULATION TO ADD TRICOLORED BLACKBIRD (*Agelaius tricolor*) TO THE LIST OF ENDANGERED SPECIES (PURSUANT TO SECTION 2076.5, FISH AND GAME CODE)

CONSENT ITEMS	
12.	RECEIPT OF REVISED CENTRAL COAST MARINE PROTECTED AREAS MONITORING PLAN AND ADOPTION AS AN APPENDIX TO THE DRAFT MASTER PLAN FOR MARINE PROTECTED AREAS
13.	REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND RECREATIONAL GROUND FISH REGULATIONS FOR 2015-2016 FOR CONSISTENCY WITH FEDERAL RULES (SECTIONS 1.91, ET AL., TITLE 14, CCR)
14.	POSSIBLE DISCUSSION AND ADOPTION OF REGULATIONS CONCERNING THE USE OF TIGER SALAMANDER AS BAIT (SECTIONS 200.12, 200.29, AND 200.31, TITLE 14, CCR)
15.	POSSIBLE DISCUSSION AND ADOPTION OF PROPOSED REGULATIONS FOR COMMERCIAL HAGFISH (ADD SECTION 180.6, TITLE 14, CCR)
16.	POSSIBLE DISCUSSION AND ADOPTION OF PROPOSED REGULATIONS FOR THE TAKE OF RARE PLANTS (ADD SECTION 786.9, TITLE 14, CCR)

CONSENT ITEMS (cont.)

17. APPROVAL OF REQUEST BY THE CULTURED ABALONE, INC., FOR THE COMMISSION TO TRANSFER THE COMPANY'S KELP BED LEASES 26 AND 208 TO THE LESSEE'S LIMITED LIABILITY CORPORATION, THE CULTURED ABALONE FARM, LLC
18. RECEIPT OF PETITION FROM THE CENTER FOR BIOLOGICAL DIVERSITY TO LIST THE FLAT-TAILED HORNED LIZARD (*Phrynosoma mcallii*) AS ENDANGERED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT
19. APPROVAL OF ANNUAL REPORTS AND 2014-15 PRIVATE LANDS WILDLIFE HABITAT ENHANCEMENT AND MANAGEMENT (PLM) AREA PLANS FOR:
 - (A) ABERNATHY RANCH (SHASTA)
 - (B) BARDIN RANCH (MONTEREY)
 - (C) BASIN VIEW RANCH (MODOC)
 - (D) DESERET FARMS – BALLARD UNIT (BUTTE)
 - (E) DESERET FARMS – WILSON UNIT (BUTTE)
 - (F) HATHAWAY OAK RUN RANCH (SHASTA)
 - (G) LITTLE DRY CREEK RANCH (TEHAMA)
 - (H) M&T CHICO RANCH (BUTTE)
 - (I) MENDIBOURE RANCH (LASSEN)
 - (J) PBM FARMS (SISKIYOU)
 - (K) R-R RANCH (MENDOCINO)
 - (L) ROARING RIVER RANCH (SHASTA)
 - (M) SPURLOCK RANCH (GLENN)
 - (N) SUGARLOAF-BANGOR RANCH (YUBA)
20. APPROVAL OF 5-YEAR WILDLIFE HABITAT ENHANCEMENT AND MANAGEMENT (PLM) AREA PLANS AND LICENSES FOR:
 - (A) CLARKS VALLEY RANCH (LASSEN)
 - (B) FIVE DOT RANCH – AVILA UNIT (LASSEN)
 - (C) ORDWAY RANCH (CALAVERAS)
 - (D) RED ROCK RANCH (LASSEN)
 - (E) SOPER-WHEELER (BUTTE)

CONSENT ITEMS (cont.)

21. APPROVAL OF INITIAL WILDLIFE HABITATAT ENHANCEMENT AND MANAGEMENT (PLM) AREA PLANS AND LICENSES FOR:
 - (A) BIRD HAVEN RANCH (GLENN)
 - (B) DUNCAN CREEK RANCH (SHASTA)
 - (C) HEARST RANCH (SAN LUIS OBISPO)
 22. APPROVAL OF CORRECTIONS TO AUTHORIZED SPECIES AND HARVEST DATES FOR PREVIOUSLY APPROVED PLM AREA PLANS FOR:
 - (A) BIG MORONGO SPRINGS RANCH (SAN BERNARDINO)
 - (B) CHIMNEY ROCK RANCH (SAN LUIS OBISPO)
 23. CORRECTION TO CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE'S CALIFORNIA DUCK STAMP PROJECTS FOR FISCAL YEAR 2014-2015
24. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION
25. COMMISSION STAFF REPORT FOR CONSIDERATION AND POSSIBLE ACTION
- (A) ITEMS OF INTEREST FROM PRIOR MEETINGS
 - I. POSSIBLE ACTION ON SPORT DUNGENESS CRAB PETITION
 - II. POSSIBLE ACTION ON PETITIONS FOR REGULATORY CHANGE
 - III. POSSIBLE ACTION ON NON-REGULATORY REQUESTS
 - IV. OUTCOMES OF LITIGATION
 - (B) NEXT MEETING AGENDA ITEMS AND MEETING LOGISTICS
 - I. OCTOBER 8, 2014, IN MOUNT SHASTA, CA
 - II. OCTOBER 9, 2014, JOINT MEETING WITH OREGON DEPARTMENT OF FISH AND WILDLIFE COMMISSION IN CENTRAL POINT, OR
 - (C) DISCUSSION OF 2015 MEETING DATES AND LOCATIONS
 - (D) RULEMAKING CALENDAR UPDATES
 - I. BOBCAT
 - II. NON-LEAD AMMUNITION
 - III. DUNGENESS CRAB
 - IV. OCEAN SALMON AUTO-CONFORMANCE
 - (E) LEGISLATIVE UPDATE
 - (F) TRIBAL COMMITTEE
 - (G) WILDLIFE RESOURCES COMMITTEE
 - I. MEETING SUMMARY – JULY 28
 - II. APPROVAL OF DRAFT AGENDA – SEPTEMBER 17
 - III. POSSIBLE DESIGNATION OF COMMITTEE ALTERNATES
 - (H) MARINE RESOURCES COMMITTEE
 - I. MEETING SUMMARY AND RECOMMENDATIONS – AUGUST 5

- A. RED ABALONE FISHERY MANAGEMENT PLAN DEVELOPMENT
 - B. RED SEA URCHIN FISHERY CAPACITY REDUCTION PROPOSAL
 - II. POSSIBLE DESIGNATION OF COMMITTEE ALTERNATES
 - (I) NEW BUSINESS
26. DEPARTMENT INFORMATIONAL ITEMS
- (A) DIRECTOR'S REPORT
 - (B) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION DIVISION
 - (C) LAW ENFORCEMENT DIVISION
 - (D) MARINE
 - (E) OTHER
27. OTHER INFORMATIONAL ITEMS
- (A) LEGAL COUNSEL
 - (B) FEDERAL AGENCIES
28. COMMISSION RECOGNITION OF NEWLY INDUCTED MEMBERS TO CALIFORNIA WATERFOWLER'S HALL OF FAME
29. PRESENTATION ON THE HISTORY OF LEAD AMMUNITION CONCERNS
30. 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.

(B) POSSIBLE LITIGATION INVOLVING THE COMMISSION

(C) STAFF PERFORMANCE AND COMPENSATION

(D) RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS

- I. MR. JOSEPH LOGRANDE – APPEAL OF DENIAL TO RENEW AND TRANSFER THE NON-TRANSFERABLE MARKET SQUID VESSEL PERMIT FOR THE *LISA MARIE* TO ANOTHER VESSEL
- II. MR. TUCKER MICHAEL OTTERSON – PERMANENT REVOCATION OF SPORT HUNTING PRIVILEGES

**2014 FISH AND GAME COMMISSION
MEETING SCHEDULE**
www.fgc.ca.gov

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
Sept. 17		Wildlife Resources Department of Consumer Affairs Hearing Room 1747 Market Blvd. Sacramento, CA 95834
Sept. 17		Tribal Committee Department of Consumer Affairs Hearing Room 1747 Market Blvd. Sacramento, CA 95834
Oct. 8	Mount Shasta Hatchery Museum 1 North Old Stage Rd. Mount Shasta, CA 96067	
Oct. 9	Joint meeting with Oregon DFW Jackson County Fairgrounds & Exposition Park Mace Building 1 Peninger Rd. Central Point, OR 97502	
Nov. 5		Marine Resources West Ed Building Ed Meyers Classroom 4655 Lampson Ave., Suite A Los Alamitos, CA 90720
Dec. 3	Airtel Plaza Hotel 7277 Valjean Ave. Van Nuys, CA 94106	

OTHER MEETINGS OF INTEREST

- Pacific Fishery Management Council meeting, September 12-17, Spokane, WA
- Pacific Fishery Management Council meeting, November 14-19, Costa Mesa, 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.

SUBMITTING 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 July 24, 2014, at 5:00 p.m. will be made available to Commissioners prior to the meeting. Written comments received between 5:00 p.m. on July 24, 2014, and 12:00 noon on August 1, 2014 will be made available to Commissioners at the meeting. After 12:00 noon on August 1, 12 copies of written comments must be delivered at the meeting; otherwise they will not be made available to Commissioners until after the meeting.

NOTE: Materials provided to the Commission may be made available to the general public.

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 are presenting 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.

LASER POINTERS may only be used by a speaker during a presentation; use at any other time may result in arrest.

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.