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STATE OF CALIFORNIA
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Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

REVISED* MEETING AGENDA **June 21-22, 2017**

Howonquet Hall Community Center
101 Indian Court, Smith River 95567

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

* This agenda is revised to add a new agenda item 33, related to abalone, shown in ***bold, italicized*** font.

NOTE: See important meeting deadlines and procedures at the end of the agenda. Unless otherwise indicated, the California Department of Fish and Wildlife is identified as the Department.

Invitation: The Commission invites interested stakeholders to join a discussion on June 21 at 3:00 p.m. in Howonquet Hall to explore what may contribute to resiliency and long-term prosperity of fishing communities in northern California. The discussion is part of an ongoing dialogue to help clarify common concerns throughout the state and help inform future Commission action.

DAY 1 – JUNE 21, 2017, 9:00 AM

Call to order/roll call to establish quorum

1. Approve agenda and order of items
2. Public forum for items not on 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 the agenda of a future meeting. (Sections 11125, 11125.7(a), Government Code)

CONSENT ITEMS

3. Approve Department's request for a 30-day extension of time to complete its evaluation of the petition to list Cascades frog (*Rana cascadae*) as endangered or threatened under the California Endangered Species Act (CESA)
(Pursuant to Section 2073.5, Fish and Game Code)

4. Approve proposed Duck Stamp projects for fiscal year 2017-18
(Pursuant to Section 3702, Fish and Game Code)
5. Approve initial Private Lands Wildlife Habitat Enhancement and Management Area
(PLM) plan and 2017-2022 license for:
(Pursuant to Section 601, Title 14, CCR)
 - (A) Shasta County
 - I. Rickert Ranch
6. Approve annual PLM plans and 2017-2018 licenses for:
(Pursuant to Section 601, Title 14, CCR)
 - (A) Butte County
 - I. Llano Seco Rancho
 - II. Soper-Wheeler
 - III. Rock Creek
 - (B) Calaveras County
 - I. Ordway Ranch
 - (C) Glenn County
 - I. Bird Haven Ranch
 - II. Spurlock Ranch
 - (D) Kern County
 - I. Tejon Ranch
 - II. Temblor Ranch
 - (E) Lassen County
 - I. Clarks Valley Ranch
 - II. Dixie Valley Ranch
 - III. Five Dot Ranch-Avila
 - IV. Five Dot Ranch-Horse Lake
 - V. Five Dot Ranch-School Section
 - VI. Five Dot Ranch-Tunnel Springs
 - VII. Five Dot Ranch-Willow Creek
 - VIII. Kramer Ranch
 - IX. Mendiboure Cold Springs Ranch
 - X. Mendiboure Ranch
 - XI. Red Rock Ranch
 - (F) Los Angeles
 - I. Santa Catalina Island
 - II. Tejon Ranch
 - (G) Mendocino County
 - I. Ackerman-South Daugherty WMA
 - II. Capistran Ranch
 - III. R-R Ranch
 - IV. Schneider Ranch
 - V. Spring Valley Ranch
 - (H) Modoc County
 - I. Basin View Ranch
 - II. SL Ranch

- (I) Monterey County
 - I. Bardin Ranch
 - II. Sky Rose Ranch, LLC
- (J) San Luis Obispo County
 - I. Carnaza Ranch
 - II. Carrizo Ranch
 - III. Hearst Ranch
 - IV. Temblor Ranch
- (K) Shasta County
 - I. Black Ranch
 - II. Clover Creek Ranch
 - III. Hathaway Oak Run Ranch
 - IV. JS Ranch
 - V. Roaring River Ranch
 - VI. Triple B Ranch
- (L) Siskiyou County
 - I. Long Prairie Farms
 - II. Red Rock Valley Farms
 - III. Roseburg Resources-Pondosa
- (M) Tehama County
 - I. Big Bluff Ranch
 - II. Little Dry Creek Ranch
 - III. Rock Creek
 - IV. Salt Creek Ranch
- (N) Yuba County
 - I. Sugarloaf-Bangor Ranch

7. Approve five-year PLM plans and 2017-2022 licenses for:
(Pursuant to Section 601, Title 14, CCR)

- (A) Butte County
 - I. Deseret Farms-Ballard Unit
 - II. Deseret Farms-Wilson Unit
- (B) Lassen County
 - I. Ash Valley Ranch
 - II. Walton Homestead Family, LLC
- (C) Modoc County
 - I. Lookout Ranch
- (D) Shasta County
 - I. Jerusalem Creek Ranch
- (E) Tehama County
 - I. El Rancho Rio Frio

8. Tribal Committee

- (A) June 2017 meeting summary
 - I. Receive and adopt recommendations
- (B) Work plan development
 - I. Update on work plan and draft timeline
 - II. Discuss and approve new topics

9. Wildlife Resources Committee
 - (A) May 2017 meeting summary
 - I. Receive and adopt recommendations
 - (B) Work plan development
 - I. Update on work plan and draft timeline
 - II. Discuss and approve new topics
10. Adopt proposed changes to upland game bird hunting regulations (Section 300, Title 14, CCR)
11. Authorize publication of notice of intent to adopt regulations concerning the commercial use and possession of native rattlesnakes for biomedical and therapeutic purposes (Add Section 42 and amend sections 43, 651 and 703, Title 14, CCR)
12. Ratify findings on the petition to list northern spotted owl (*Strix occidentalis caurina*) as a threatened or endangered species under CESA (Pursuant to Section 2075.5, Fish and Game Code)
13. Consider the petition, Department's evaluation report, and comments received to determine whether listing foothill yellow-legged frog (*Rana boylii*) as a threatened species under CESA may be warranted (Pursuant to Section 2074.2, Fish and Game Code)
Note: If the Commission determines listing may be warranted, a one-year status review will commence before the final decision on listing is made.
14. Non-marine items of interest from previous meetings
15. Non-marine petitions for regulation change from previous meetings
 - (A) Action on petitions for regulation change
 - I. 2017-002 to eliminate parking use exemption for Los Angeles County at Ballona Wetlands Ecological Reserve
 - (B) Action on pending regulation petitions referred to staff and the Department for review – none scheduled at this time
16. Non-marine, non-regulatory requests from previous meetings
 - (A) Action on non-regulatory requests
 - (B) Action on pending non-regulatory requests referred to staff and the Department for review
17. Department informational items
 - (A) Director's report
 - (B) Wildlife and Fisheries Division, and Ecosystem Conservation Division
 - (C) Law Enforcement Division
 - (D) Other
18. Announce recipient of the annual Wildlife Prosecutor of the Year award
19. Receive and discuss proposed meeting dates and locations for 2018

- 20. Other informational items
 - (A) Staff report
 - (B) Legislative update and possible action
 - (C) Federal agencies report
 - (D) Other

21. Announce results from Executive Session

Recess

DAY 2 – JUNE 22, 2017, 9:00 AM

Call to order/roll call to establish quorum

- 22. Public forum for items not on 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 the agenda of a future meeting. (Sections 11125, 11125.7(a), Government Code)

CONSENT ITEMS

- 23. Receive Department's White Seabass Fishery Management Plan 2015-2016 Annual Review report
(Pursuant to Section 5.9, Fishery Management Plan)
- 24. Receive and approve request to transfer California Halibut Trawl Vessel Permit No. BT0006 from Robert J. Drewisch to Justin M. Drewisch

- 25. Marine Resources Committee
 - (A) Work plan development
 - I. Update on work plan and draft timeline
 - II. Discuss and approve new topics
- 26. Santa Barbara Mariculture
 - (A) Update on application for new state water bottom lease for aquaculture adjacent to existing State Water Bottom Lease No. M-653-02
 - (B) Approve Department request for extension of State Water Bottom Lease No. M-653-02 for six months
- 27. Adopt proposed changes to crab and lobster recreational gear marking, and commercial lobster harbor restricted fishing area regulations
(Sections 29.80 and 122, Title 14, CCR)
- 28. Discuss proposed regulations for a process to automatically conform state recreational fishing regulations to federal regulations
(Add Section 1.95, Title 14, CCR)

29. Authorize publication of notice of intent to adopt commercial sea cucumber regulations (Add Section 128, Title 14, CCR)
30. Authorize publication of notice of intent to amend nearshore and deeper nearshore fishing permit and appeal regulations (Sections 150, 150.02, 150.03 and 705, Title 14, CCR)
31. Authorize publication of notice of intent to adopt commercial fisheries landing requirements regulations (Add Section 197, Title 14, CCR)
32. Discuss recent action by the Department director to continue closure of the commercial rock crab fishery north of Bodega Bay due to elevated levels of domoic acid (Pursuant to subsection 5523(a)(2), Fish and Game Code)
33. ***Department update on the status of the recreational abalone fishery and development of a red abalone fishery management plan***
34. Marine items of interest from previous meetings
35. Marine petitions for regulation change from previous meetings
 - (A) Action on petitions for regulation change – none scheduled at this time
 - (B) Action on pending regulation petitions referred to staff and Department for review
 - I. August 6, 2014 petition from Mike McCorkle to reinstate incidental take allowance for ridgeback prawn in state trawl fisheries
 - II. Petition #2015-006 to remove special closure regulations for Rockport Rocks
 - III. Petition #2016-013 to permit use of cast nets south of Point Conception for consistency in all state marine waters
36. Marine non-regulatory requests from previous meetings
 - (A) Action on non-regulatory requests
 - (B) Action on pending non-regulatory requests referred to staff and the Department for review
37. Department informational items
 - (A) Director's report
 - (B) Marine Region
38. Discuss and act on Commission administrative items
 - (A) Delegation of authority to executive director to provide comments on California Law Review Commission recommendations
 - (B) Next meetings
 - (C) Rulemaking timetable updates
 - (D) New business
 - (E) Other

Adjourn

EXECUTIVE SESSION

(Not Open to Public)

Pursuant to the authority of Government Code Section 11126(a)(1), (c)(3), 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. California Fish and Game Commission v. Central Coast Forest Assoc. and Big Creek Lumber Company (Coho listing, south of San Francisco)
 - II. Tri-State Crab Producers Assoc v. California Department of Fish and Wildlife; California Fish and Game Commission (Dungeness Crab “Fair Start” provision in section 8279.1 of the Fish and Game Code).
 - III. 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)
 - IV. Kele Young v. California Fish and Game Commission, et al. (restricted species inspection fee waiver)
 - V. Public Interest Coalition v. California Fish and Game Commission (California Environmental Quality Act)
 - VI. California Cattlemen’s Association and California Farm Bureau Federation v. California Fish and Game Commission (gray wolf listing)
- (B) Possible litigation involving the Commission
- (C) Staffing
- (D) Deliberation and action on license and permit items

**CALIFORNIA FISH AND GAME COMMISSION
2017 MEETING SCHEDULE**

Note: As meeting dates and locations can change, please visit www.fgc.ca.gov for the most current list of meeting dates and locations.

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING	OTHER MEETINGS
July 13			Predator Policy Workgroup California Department of Parks and Recreation Redwood Conference Room, 14 th Floor 1416 Ninth Street Sacramento, CA 95814
July 20		Marine Resources Flamingo Conference Resort & Spa 2777 Fourth Street Santa Rosa, CA 95405	
August 16-17	Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		
September 13		Wildlife Resources California Tower 3737 Main Street Highgrove Room 200 Riverside, CA 92501	
October 10		Tribal SpringHill Suites by Marriott 900 El Camino Real Atascadero, CA 93422	
October 11-12	SpringHill Suites by Marriott 900 El Camino Real Atascadero, CA 93422		
November 9		Marine Resources Marina	
December 6-7	Handlery Hotel 950 Hotel Circle North San Diego, CA 92108		

OTHER MEETINGS OF INTEREST

Association of Fish and Wildlife Agencies

- September 10-13, Snowbird, UT

Pacific Fishery Management Council

- September 12-18, Boise, ID
- November 14-20, Costa Mesa, CA

Pacific Flyway Council

- August 25, Spokane, WA

Western Association of Fish and Wildlife Agencies

- July 6-11, Vail, CO

Wildlife Conservation Board

- August 24, Sacramento
- November 30, Sacramento

IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION

WELCOME TO A MEETING OF THE CALIFORNIA FISH AND GAME COMMISSION

This is the 147th 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, visit the Commission's website, www.fgc.ca.gov, and sign up for our electronic mailing lists.

SUBMITTING WRITTEN COMMENTS

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; **delivery** to Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or **hand-deliver to a Commission meeting**. Materials provided to the Commission may be made available to the general public.

COMMENT DEADLINES

The **Written Comment Deadline** for this meeting is **5:00 p.m. on June 8, 2017**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The **Late Comment Deadline** for this meeting is **noon on June 16, 2017**. Comments received by this deadline will be marked "late" and made available to Commissioners at the meeting.

After these deadlines, written comments may be delivered in person to the meeting – Please bring ten (10) copies of written comments to the meeting.

NON-REGULATORY REQUESTS

All non-regulatory requests will follow a two-meeting cycle to ensure proper review and thorough consideration of each item. All requests submitted by the **Late Comment Deadline** (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.

PETITIONS FOR REGULATION CHANGE

Any person requesting that the Commission adopt, amend, or repeal a regulation must complete and submit form FGC 1, titled, "Petition to the California Fish and Game Commission for Regulation Change" (as required by Section 662, Title 14, CCR). The form is available at

<http://www.fgc.ca.gov/public/information/petitionforregulatorychange.aspx>. To be received by the Commission at this meeting, petition forms must have been delivered by the **Late Comment Deadline** (or delivered during public forum at the meeting) and will be scheduled for consideration at the next business meeting, unless the petition is rejected under staff review pursuant to subsection 662(b), Title 14, CCR.

VISUAL PRESENTATIONS/MATERIALS

All electronic presentations must be submitted by the **Late Comment Deadline** and approved by the Commission executive director before the meeting.

1. Electronic presentations must be provided by email to fgc@fgc.ca.gov.
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. Items on the consent calendar are generally non-controversial items for which no opposition has been received and will be voted upon under single action without discussion. Any item may be removed from the consent calendar by the Commission upon request of a Commissioner, the Department, or member of the public who wishes to speak to that item, to allow for discussion and separate action.

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. If there are several speakers with the same concerns, please appoint a spokesperson and avoid repetitive testimony.
4. The presiding commissioner will allot between one and three minutes per speaker per agenda item, subject to the following exceptions:
 - a. The presiding commissioner may allow up to five minutes to an individual speaker if a minimum of three individuals who are present when the agenda item is called have ceded their time to the designated spokesperson, and the individuals ceding time forfeit their right to speak to the agenda item.
 - b. Individuals may receive advance approval for additional time to speak if requests for additional time to speak are received by email or delivery to the Commission office by the **Late Comment Deadline**. The president or designee will approve or deny the request no later than 5:00 p.m. two days prior to the meeting.

- c. An individual requiring an interpreter is entitled to at least twice the allotted time pursuant to Government Code Section 11125.7(c).
 - d. An individual may receive additional time to speak to an agenda item at the request of any commissioner.
5. If you are presenting handouts/written material to the Commission at the meeting, please provide ten (10) copies to the designated staff member just prior to speaking.