

Valerie Termini, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
www.fgc.ca.gov

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Commissioners
Eric Sklar, President
Saint Helena
Jacque Hostler-Carmesin, Vice President
McKinleyville
Anthony C. Williams, Member
Huntington Beach
Russell E. Burns, Member
Napa
Peter S. Silva, Member
El Cajon

Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

REVISED* MEETING AGENDA **August 16, 2017, 8:00 AM**

Resources Building – Auditorium
1416 Ninth Street, Sacramento, CA 95814

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

* Item 25 is revised to include two potential actions.

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 “Department.”

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. Receive Department’s evaluation of the petition to list Cascades frog (*Rana cascadae*) as endangered or threatened under the California Endangered Species Act (Pursuant to Section 2073.5, Fish and Game Code)
4. Receive and approve request to transfer California Halibut Trawl Vessel Permit No. BT0043 from Frank Cardinale to Robert T. Burchell

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

6. Wildlife Resources Committee
 - (A) Work plan development
 - I. Update on work plan and draft timeline
 - II. Discuss and approve new topics
7. Authorize publication of notice of intent to amend sport fishing regulations (Sections 1.05, 1.11, 1.18, 1.61, 1.74, 2.10, 2.25, 5.35, 5.41, 5.88, 7.00, 7.50 and 8.00; repeal Section 1.60; and add Section 2.05; Title 14, CCR)
8. Approve meeting dates and locations for January through December of 2018
9. Commission recognition of newly-inducted members of California Waterfowler's Hall of Fame
10. Non-marine items of interest from previous meetings
11. Non-marine petitions for regulation change from previous meetings
 - (A) Action on petitions for regulation change
 - I. 2017-003 to eliminate the 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
12. 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 – none scheduled at this time
13. 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
14. Other informational items
 - (A) Staff report
 - (B) Legislative update and possible action
 - (C) Other
15. Announce results from Executive Session
16. Marine Resources Committee
 - (A) July 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

17. Adopt proposed regulations for a process to automatically conform state recreational fishing regulations to federal regulations
(Add Section 1.95, Title 14, CCR)
18. Re-adopt emergency regulations regarding abalone
(Section 29.15, Title 14, CCR)
19. Authorize publication of notice of intent to amend recreational abalone regulations
(Section 29.15, Title 14, CCR)
20. Discuss proposed changes to commercial nearshore and deeper nearshore fishing permit and appeal regulations
(Sections 150, 150.02, 150.03 and 705, Title 14, CCR)
21. Discuss proposed commercial sea cucumber regulations
(Add Section 128, Title 14, CCR)
22. Authorize publication of notice of intent to amend commercial sea urchin regulations
(Section 120.7, Title 14, CCR)
23. Department annual report on marine protected areas management for 2016
24. Discuss California drift gillnet swordfish fishery
25. Marine items of interest from previous meetings
 - (A) Approve signature to a memorandum of understanding among members of the Marine Protected Area Statewide Leadership Team and the Marine Protected Area Collaborative Network related to advancing the management of California's marine protected area network
 - (B) Approve letter to the California State Lands Commission regarding proposed Huntington Beach desalination project
 - (C) Other
26. Marine petitions for regulation change from previous meetings
 - (A) Action on petitions for regulation change
 - I. Petition #2017-004 to authorize commercial access fishing opportunity for market squid in northern California
 - II. Petition #2017-005 to create twenty northern pink shrimp permits
 - (B) Action on pending regulation petitions referred to staff and the Department for review
 - I. Petition #2016-018 to open Santa Cruz Harbor to salmon fishing
 - II. Petition #2016-020 to disallow bow and arrow and harpoon gear for recreational take of sharks and rays
27. 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 – none scheduled at this time

28. Discuss and act on Commission administrative items
- (A) Next meetings
 - (B) Rulemaking timetable updates
 - (C) New business
 - (D) 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
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, 2017, Snowbird, UT

Pacific Fishery Management Council

- September 11-18, 2017, Boise, ID
- November 14-20, 2017, Costa Mesa, CA
- March 8-14, 2018, Rohnert Park, CA
- April 4-11, 2018, Portland, OR

Pacific Flyway Council

- August 25, 2017, Spokane, WA

Western Association of Fish and Wildlife Agencies

- January 3-8, 2018, San Diego, CA

Wildlife Conservation Board

- August 24, 2017, Sacramento
- November 30, 2017, 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 August 3, 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 August 11, 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.