REVISED* MEETING AGENDA
February 8-9, 2017
DoubleTree by Hilton Hotel Sonoma Wine Country
One DoubleTree Drive, Rohnert Park

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

* The start time for February 8 and Executive Session, Item D, have been revised; revisions are 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 Department.

DAY 1 – FEBRUARY 8, 2017, 8:30 A.M.

Call to order/roll call to establish quorum

1. Approve agenda and order of items

2. Election of Commission President and Vice President

3. Committee Assignments
   (A) Marine Resources Committee
   (B) Wildlife Resources Committee
   (C) Tribal Committee

4. 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

5. Adopt proposed changes to regulations to add Livermore tarplant (*Deinandra bacigalupii*) to the list of plants of California declared to be endangered
   (Section 670.2, Title 14, CCR)
6. Receive Department’s request for a six month extension of time to submit its status review report on the petition to list Humboldt marten (*Martes caurina humboldtensis*) as an endangered species (Pursuant to Section 2074.6, Fish and Game Code)

7. Receive petition from the Center for Biological Diversity to list foothill yellow-legged frog (*Rana boylii*) as endangered under the California Endangered Species Act (CESA) (Pursuant to Section 2073.3, Fish and Game Code, and Section 670.1(c), Title 14, CCR)

8. 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)

9. Ratify findings on the petition to list flat-tailed horned lizard (*Phrynosoma mcallii*) as an endangered species under CESA (Pursuant to Section 2075.5, Fish and Game Code)

10. Wildlife Resources Committee

(A) January 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

11. Tribal Committee

(A) February 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

12. Adopt emergency regulation concerning special order relating to incidental take of tricolored blackbird (*Agelaius tricolor*) during candidacy period as an endangered species (Pursuant to Section 2084, Fish and Game Code)

13. Consider the petition, Department’s evaluation report, and comments received to determine whether listing Lassics lupine (*Lupinus constancei*) as a threatened or endangered species 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. Authorize publication of notice of intent to amend upland game bird hunting regulations (Section 300, Title 14, CCR)
15. Discuss proposed changes to waterfowl hunting regulations
   (Section 502, Title 14, CCR)

16. Discuss proposed changes to Klamath River Basin salmon sport fishing regulations
   (Subsection 7.50(b)(91.1), Title 14, CCR)

17. Discuss proposed changes to Central Valley salmon sport fishing regulations
   (Subsections 7.50(b)(5), 7.50(b)(68) and 7.50(b)(156.5), Title 14, CCR)

18. Discuss proposed changes to mammal hunting regulations
   (Subsections 360(b) and 360(c) and Sections 361, 362, 363, 364 and 364.1, Title 14,
   CCR)

19. Discuss proposed changes to regulations concerning deer tagging and reporting
    requirements
   (Section 708.5, Title 14, CCR)

20. Adopt proposed changes to regulations concerning the use of dogs for the pursuit
    and take of mammals
   (Section 265, Title 14, CCR)

21. Announce results from Executive Session

22. Non-marine items of interest from previous meetings

   (A) Importation of American bullfrogs and non-native turtles
   (B) Other

23. Non-marine petitions for regulation change and non-regulatory requests from previous
    meetings

   (A) Action on petitions for regulation change
      i. Petition #2016-026 to permit use of jacketed frangible bullets
      ii. Petition #2016-028 to clarify which fire service members may validate
          hunting tags
   (B) Action on non-regulatory requests
   (C) Update on pending regulation petitions and non-regulatory requests referred to
       staff and the Department for review

24. Department informational items

   (A) Director’s report
   (B) Wildlife and Fisheries Division, and Ecosystem Conservation Division
   (C) Law Enforcement Division
   (D) Other
      i. Receive annual mountain lion necropsy report

Recess
DAY 2 – FEBRUARY 9, 2017, 8:00 A.M.

Call to order/roll call to establish quorum

25. 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
26. Receive Dungeness Crab Task Force report
   (Pursuant to Section 8276.4, Fish and Game Code)

27. Receive application from Robert Brodsky, San Andreas Shellfish, for lease of State water bottoms for aquaculture in Tomales Bay

28. Marine Resources Committee
   (A) Work plan development
      i. Update on work plan and draft timeline
      ii. Discuss and approve new topics

29. Approve Department request for extension of Charles Friend Oyster Company State Water Bottom Lease No. M-430-04 for a period of one year

30. Authorize publication of notice of intent to amend Dungeness crab and lobster recreational gear, and commercial lobster harbor restricted fishing area regulations (Sections 29.80 and 122, Title 14, CCR)

31. Discuss proposed changes to recreational ocean salmon fishing regulations in conformance with federal regulations
   (A) Season dates, size limits, and daily bag limits for April 2017 (Subsection 27.80(c), Title 14, CCR)
   (B) Season dates, size limits, and daily bag limits for May-November 2017 (Subsection 27.80(d), Title 14, CCR)

32. Discuss proposed changes to recreational Pacific halibut fishing regulations in conformance with federal regulations (Subsection 28.20, Title 14, CCR)

33. Discussion of recent action by Department Director to continue closure of the recreational razor clam fishery in Humboldt and Del Norte counties due to elevated levels of domoic acid (Pursuant to Subsection 5523(a)(2), Fish and Game Code)

34. Marine items of interest from previous meetings
35. Marine petitions for regulation change and non-regulatory requests from previous meetings

(A) Action on petitions for regulation change
   i. Petition # 2016-029 to provide a tribal take exemption for Big Lagoon Rancheria at Reading Rock State Marine Conservation Area

(B) Action on non-regulatory requests

(C) Update on pending regulation petitions and non-regulatory requests referred to staff and the Department for review

36. Other informational items

(A) Staff report

(B) Legislative update and possible action

(C) Federal agencies report

(D) Other
   i. Update on Commissioner attendance at the International Pacific Halibut Commission meeting in January 2017

37. Discuss and act on Commission administrative items

(A) Next meetings

(B) Rulemaking calendar updates

(C) New business

(D) Other

Adjournment
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. Big Creek Lumber Company and Central Coast Forest Assoc. v. California Fish and Game Commission (Coho listing, south of San Francisco)

II. Center for Biological Diversity and Earth Island Institute v. California Fish and Game Commission (black-backed woodpecker)

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)

(B) **Possible litigation involving the Commission**

(C) **Staffing**

(D) **Deliberation and action on license and permit items**

I. *Take action on the Office of Administrative Hearing’s proposed decision in the Matter of the Accusation against Troy Tecklenburg (OAH Matter No. 2016060664).*
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.

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<th>COMMITTEE MEETING</th>
<th>OTHER MEETINGS</th>
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| February 21  |                    |                   | Predator Policy Workgroup  
California Department of Water Resources  
Conference Room #1131  
1416 Ninth Street, 11th Floor  
Sacramento, CA 95814 |
| March 15     | Teleconference — Arcata, Napa, Sacramento and Los Alamitos |                   |                |
| March 23     |                    | Marine Resources  
Holiday Inn Express  
35 Via Pico Plaza  
San Clemente, CA 92672 |                |
| April 13     | Teleconference — Arcata, Napa, Sacramento and Los Alamitos |                   |                |
| April 26-27  | Airtel Plaza Hotel  
7277 Valjean Avenue  
Van Nuys, CA 91406 |                   |                |
| May 24       |                    | Wildlife Resources  
Resources Building  
Auditorium, First Floor  
1416 Ninth Street  
Sacramento, CA 95814 |                |
| June 20      |                    | Tribal  
Crescent City/Fortuna |                |
| June 21-22   |                    | Marine Resources  
Petaluma |                |
| July 20      |                    |                  |                |
| August 16-17 | Resources Building  
Auditorium, First Floor  
1416 Ninth Street  
Sacramento, CA 95814 | Wildlife Resources  
California Tower  
3737 Main Street  
Highgrove Room 200  
Riverside, CA 92501 |                |
| September 13 |                    | Wildlife Resources  
California Tower  
3737 Main Street  
Highgrove Room 200  
Riverside, CA 92501 |                |
| October 10   |                    | Tribal  
Morro Bay/San Luis Obispo |                |
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<td>October 11-12</td>
<td>Morro Bay/San Luis Obispo</td>
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<td>November 9</td>
<td>Marine Resources Marina</td>
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<td>December 6-7</td>
<td>Handlery Hotel</td>
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**OTHER MEETINGS OF INTEREST**

**Association of Fish and Wildlife Agencies**
- September 11-14, Philadelphia, PA

**Pacific Fishery Management Council**
- March 7-14, Vancouver, WA
- April 6-12, Sacramento, CA
- June 7-14, Spokane, WA
- September 11-18, Boise, ID
- November 13-20, Costa Mesa, CA

**Pacific Flyway Council**
- March 7, Spokane, WA
- September, TBD

**Western Association of Fish and Wildlife Agencies**
- July 6-11, Vail, CO

**Wildlife Conservation Board**
- February 23, Sacramento, CA
- May 25, Sacramento, CA
- August 24, Sacramento, CA
- November 30, Sacramento, CA
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, please 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.

COMMENT DEADLINES
The Written Comment Deadline for this meeting is 5:00 p.m. on January 26, 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 12:00 p.m. on February 3, 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. All materials provided to the Commission may be made available to the general public.

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 REGULATORY 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 of
petition 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 by the written materials deadline.
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. Each speaker has up to three minutes to address the Commission as determined by the
   presiding commissioner. If there are several speakers with the same concerns, please
   appoint a spokesperson and avoid repetitive testimony.
4. The presiding commissioner may allot up to five minutes to an individual speaker under the
   following conditions:
   a. A minimum of three individuals who are present when the agenda item is called
      have ceded their time to the designated spokesperson; and
   b. Individuals ceding time forfeit their right to speak to the agenda item.
5. Individuals may receive advance approval for additional time to speak under the following
   conditions:
   a. Requests for additional time to speak must be received by email or delivery to the
      Commission office by the Late Comment Deadline;
   b. The president or designee will approve or deny the request no later than 5:00 p.m.
      two days prior to the meeting.
6. An individual requiring an interpreter is entitled to at least twice the allotted time pursuant to Government Code Section 11125.7(c).

7. An individual may receive additional time to speak to an agenda item at the request of any commissioner.

8. 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.