

**Commissioners**  
**Eric Sklar**, President  
Saint Helena  
**Vacant**, Vice President  
**Jacque Hostler-Carmesin**, Member  
McKinleyville  
**Russell E. Burns**, Member  
Napa  
**Peter S. Silva**, Member  
Jamul

STATE OF CALIFORNIA  
Gavin Newsom, Governor

**Melissa Miller-Henson**  
**Acting Executive Director**  
P.O. Box 944209  
Sacramento, CA 94244-2090  
(916) 653-4899  
fgc@fgc.ca.gov  
www.fgc.ca.gov

## Fish and Game Commission



*Wildlife Heritage and Conservation*  
*Since 1870*

### TRIBAL COMMITTEE

Committee Co-Chairs: Commissioner Hostler-Carmesin and Commissioner Silva

### Meeting Agenda February 5, 2019, 1:30 p.m.

#### ***Participate in Person***

Natural Resources Building – 12<sup>th</sup> Floor Conference Room  
1416 Ninth Street, Room 1206, Sacramento, CA 95814

#### ***Participate Via Webinar***

<https://cawildlife.webex.com/cawildlife/j.php?MTID=m29e73868ecdb3c3ae132cde3c6df5542>

If you join the webinar using the **desktop** version of WebEx, you will be able to use your computer camera and speakers to participate in the meeting. If you use the **web-based** version of WebEx, you must also call into the meeting using the phone number below.

#### ***Participate Via Teleconference***

Call (877) 402-9753 or (636) 651-3141; access code 832 4310

This meeting may be audio-recorded.

**NOTE: Please see important meeting procedures and information at the end of the agenda. Unless otherwise indicated, the California Department of Fish and Wildlife is identified as Department.** All agenda items are informational and/or discussion only. The Committee develops recommendations to the Commission but does not have authority to make policy or regulatory decisions on behalf of the Commission.

Call to order

**1. Consider approving agenda and order of items**

**2. Public comment for items not on the agenda**

The Committee may not discuss or take action on any matter raised during this item, except to consider whether to recommend that the matter be added to the agenda of a future meeting. [Sections 11125, 11125.7(a), Government Code]

- 3. Staff and other committee updates**

Commission staff will highlight items of note since the last Committee meeting.

  - (A) Marine advisor for the Marine Resources Committee
  - (B) Wildlife advisor for the Wildlife Resources Committee
- 4. Agency updates**

Other state agencies will highlight items of note since the last Committee meeting.

  - (A) California Ocean Protection Council
  - (B) Department, including potential updates from Fisheries Branch, Wildlife Branch, Marine Region, and Law Enforcement Division
  - (C) Other
- 5. Annual Commission tribal planning meeting follow-up**

Receive an update on the annual tribal planning meeting held on February 5, 2019 in the morning.
- 6. Initial recommendations for Department lands regulations**

Identify and discuss initial recommendations for changes to public use on Department lands regulations.
- 7. Initial recommendations for kelp and algae harvest regulations**

Kelp and algae harvest: Identify and discuss initial recommendations for changes to commercial kelp and algae harvest regulations.
- 8. Committee recommendations for statewide inland sport fishing regulations**

Discuss and consider approving first recommendations for statewide inland sport fishing regulations revisions and simplification for 2020.
- 9. Committee recommendations for Commission meeting procedures**

Discuss and consider approving recommendations for changes to Commission meeting procedure regulations related to the Tribal Committee.
- 10. Co-Management Definition**

Discuss a co-management definition, as follow-up to the co-management vision statement adopted by the Commission in October 2018.
- 11. Future agenda items**
  - (A) Review work plan agenda topics and timeline
  - (B) Potential new agenda topics for Commission consideration

Adjourn

## California Fish and Game Commission 2019 Meeting Schedule

**Note:** As meeting dates and locations can change, please visit [www.fgc.ca.gov](http://www.fgc.ca.gov) for the most current list of meeting dates and locations. In 2019, wildlife and inland fisheries items will be heard on the first day of Commission meetings, and marine items will be heard on the second day; administrative items will be heard on either day.

Meeting Date	Commission Meeting	Committee Meeting
February 6	Natural Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
March 20		<b>Marine Resources</b> Natural Resources Building Redwood Room, 14th Floor 1416 Ninth Street Sacramento, CA 95814
April 17-18	City of Santa Monica Civic Auditorium East Wing 1855 Main Street Santa Monica, CA 90403	
May 16		<b>Wildlife Resources</b> Natural Resources Building Redwood Room, 14th Floor 1416 Ninth Street Sacramento, CA 95814
May 16	Teleconference	
June 11		<b>Tribal</b> Redding
June 12-13	Redding	
July 11		<b>Marine Resources</b> California Department of Parks and Recreation Orange Coast District Office Training Room 3030 Avenida del Presidente San Clemente, CA 92672
August 7-8	Natural Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
September 5		<b>Wildlife Resources</b> Justice Joseph A. Rattigan State Building Conference Room 410 (4 <sup>th</sup> Floor) 50 D Street Santa Rosa, CA 95404

<b>Meeting Date</b>	<b>Commission Meeting</b>	<b>Committee Meeting</b>
October 8		<b>Tribal</b> San Diego
October 9-10	San Diego	
November 5		<b>Marine Resources</b> Sacramento
December 11-12	Natural Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	

### **OTHER MEETINGS OF INTEREST**

#### **Association of Fish and Wildlife Agencies**

- September 22-25, Saint Paul, MN

#### **Pacific Fishery Management Council**

- March 5-12, Vancouver, WA
- April 9-16, Rohnert Park, CA
- June 18-25, San Diego, CA
- September 11-18, Boise, ID
- November 13-20, Costa Mesa, CA

#### **Pacific Flyway Council**

- March 5, Denver, CO
- August 23, TBD

#### **Western Association of Fish and Wildlife Agencies**

- July 11-16, Manhattan, KS

#### **Wildlife Conservation Board**

- March 7, Sacramento, CA
- April 4, Sacramento, CA
- May 22, Sacramento, CA
- August 28, Sacramento, CA
- November 21, Sacramento, CA

## **IMPORTANT COMMITTEE MEETING PROCEDURES INFORMATION**

Welcome to a meeting of the California Fish and Game Commission's Tribal Committee. The Committee is chaired by up to two Commissioners; these assignments are made by the Commission.

The goal of the Committee is to allow greater time to investigate issues before the Commission than would otherwise be possible. Committee meetings are less formal in nature and provide for additional access to the Commission. The Committee follows the noticing requirements of the Bagley-Keene Open Meeting Act. It is important to note that the Committee chairs cannot take action independent of the full Commission; instead, the chairs make recommendations to the full Commission at regularly scheduled meetings.

The Commission's goal is the preservation of our heritage and conservation of our natural resources through informed decision-making; Committee meetings are vital in developing recommendations to help the Commission achieve 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.

### **SUBMITTING WRITTEN MATERIALS**

The public is encouraged to attend Committee meetings and engage in the discussion about items on the agenda; the public is also welcome to comment on agenda items in writing. You may submit your written comments by one of the following methods (only one is necessary): **Email** to [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov); **mail** to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090; **deliver** to California Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or **hand-deliver to a Committee meeting**.

### **COMMENT DEADLINES:**

The **Comment Deadline** for this meeting is **noon on February 1, 2019**. Comments received by this deadline will be made available to Commissioners. After this deadline, written comments may be delivered in person to the meeting – please bring five (5) copies of written comments to the meeting.

The Committee **will not** consider comments regarding proposed changes to regulations that have been noticed by the Commission. If you wish to provide comment on a noticed item, please provide your comments during Commission business meetings, via email, or deliver to the Commission office.

**Note:** Materials provided to the Committee may be made available to the general public.

### **REGULATION CHANGE PETITIONS**

As a general rule, requests for regulatory change need to be redirected to the full

Commission and submitted on the required petition form, FGC 1, titled "Petition to the California Fish and Game Commission for Regulation Change" (Section 662, Title 14, CCR). However, at the Committee's discretion, the Committee may request that staff follow up on items of potential interest to the Committee and possible recommendation to the Commission.

### **SPEAKING AT THE MEETING**

Committee meetings operate informally and provide opportunity for everyone to comment on agenda items. If you wish to speak on an agenda item, please follow these guidelines:

1. Raise your hand and wait to be recognized by the Committee co-chair(s).
2. Once recognized, please begin by giving your name and affiliation (if any) and the number of people you represent.
3. Time is limited; please keep your comments concise so that everyone has an opportunity to speak.
4. If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetitive comments.
5. If you would like to present handouts or written materials to the Committee, please provide five copies to the designated staff member just prior to speaking.
6. If speaking during public comment, 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 Committee members discuss that item). As a general rule, public comment is an opportunity to bring matters to the attention of the Committee, but you may also do so via email or standard mail. At the discretion of the Committee, staff may be requested to follow up on the subject you raise.

### **VISUAL PRESENTATIONS/MATERIALS**

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

1. Electronic presentations must be provided by email or delivered to the Commission on a USB flash drive by the 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.

**LASER POINTERS** may only be used by a speaker during a presentation.

**California Fish and Game Commission  
Tribal Committee (TC) Work Plan  
Topics and Timeline for Items Referred to TC from the California Fish and Game Commission**

*Updated January 2019*

Topic	Type	Goal(s)	2018	2019		
			Oct	Feb	Jun	Oct
			Fresno	Sacramento	Redding	San Diego
<b>Special Projects</b>						
Co-management	TC Workgroup	Develop a vision statement	X/R			
Co-management	TC Workgroup	Develop a definition		X	X	X
<b>Regulatory/Legislative</b>						
Kelp and algae harvest management	DFW Project and Regulation Change	Updates; then recommendation and guidance	X	X	X	X/R
Statewide inland sport fishing revisions and simplification for 2020	DFW Project and Regulation Change	Updates; then recommendation and guidance		X/R	X/R	
Discuss operating principles/practices and add TC to FCG meeting procedures	Regulation Change	Amend Section 665, Title 14, California Code of Regulations	X	X	X/R	
<b>Emerging Management Issues</b>						
FGC climate policy	FGC Policy	During development of a policy for FGC, make recommendations and provide guidance				
Fishing communities	MRC Project	Updates and guidance	X	X	X	X
<b>Management Plans</b>						
Elk, sheep, deer, antelope, trout, abalone	DFW Projects	Updates and guidance	X	X	X	X
<b>Informational Topics</b>						
Cross-pollination with MRC and WRC	FGC Committee Coordination	Identification of tribal concerns and common themes that overlap between WRC and MRC	X	X	X	X
Annual tribal planning meeting for coordination and consultation, pursuant to Commission's tribal consultation policy	FGC Policy	(1) Share anticipated regulatory and policy topics to be considered this year, (2) identify tribal priorities from within topics, (3) develop collaborative interests, and (4) contribute to planning logistics for annual meeting.		X	X	X
Marine Protected Areas Statewide Leadership Team	OPC Project	Update on tribal participation in the Marine Protected Areas Statewide Leadership Team and implementation of the leadership team work plan		X	X	X
Safeguarding California and Sea Level Rise	OPC Project	Update			X	
Proposition 64 (cannabis)	DFW/LED Project	Update on implementation	X			
FGC regulatory calendar	FGC	Update	X	X	X	X

FGC = California Fish and Game Commission    MRC = FGC's Marine Resources Committee    WRC = FGC's Wildlife Resources Committee  
DFW = California Department of Fish and Wildlife    LED = DFW's Law Enforcement Division    OPC = California Ocean Protection Council  
Recommendation developed and moved to FGC

**Marine Resources Committee (MRC) 2018-2019 Work Plan**  
**Scheduled Topics and Timeline for**  
**Items Referred to MRC from California Fish and Game Commission**  
 Updated January 29, 2019

Topic	Category	2018	2019		
		NOV	MAR	JUL	NOV
		Sacramento	Sacramento	San Clemente	Sacramento
<b>Planning Documents</b>					
MLMA Master Plan for Fisheries - Implementation Updates	Master Plan Implementation	X	X	X	X
Abalone FMP / ARMP Update	FMP	X	X	X	X
Aquaculture Programmatic Environmental Impact Report (PEIR)	Programmatic Plan	X	X/R		
<b>Regulations</b>					
Sport Fishing	Annual Rulemaking		X		
Aquaculture Lease Best Management Practices (BMP) Plan Requirements	DFW-FGC Project/ Rulemaking	X/R	X/R		
Kelp & Algae Commercial Harvest	DFW Project/ Rulemaking			X	
<b>Emerging/Developing Management Issues</b>					
Aquaculture State Water Bottom Leases: Existing and future lease considerations	Lease Management Review				
<b>Special Projects</b>					
California's Coastal Fishing Communities	MRC project	X	X/R		
<b>Informational / External Topics of Interest</b>					
Marine Debris and Plastic Pollution (updates upon request)	Informational				
BOEM Offshore Wind Energy Project (updates upon request)	Informational				
Lobster Advisory Committee lessons learned report - presentation by Heal the Bay	Informational	X			

**KEY: X Discussion scheduled X/R Recommendation developed and moved to FGC**



**Wildlife Resources Committee (WRC) Work Plan**  
**Scheduled Topics and Timeline for Items Referred to WRC by the**  
**California Fish and Game Commission**

*Updated January 2, 2019*

Topic	Category	2018	2019		
		SEP	JAN	MAY	SEP
		Sacramento	Ontario	Sacramento	Santa Rosa
<b>Annual Regulations</b>					
Upland (Resident) Game Birds	Annual	X	X/R		X
Sport Fishing	Annual	X/R			
Mammal Hunting	Annual	X/R			
Waterfowl (Migratory)	Annual	X/R			X/R
Central Valley Salmon Sport Fishing	Annual	X/R			X/R
Klamath River Basin Sport Fishing	Annual	X/R			X/R
<b>Regulations &amp; Legislative Mandates</b>					
Falconry	Referral for Review				
Department Lands Regulations	Informational		X	X/R	
Statewide Sport Fishing Revisions and Simplification for 2020	Informational		X/R	X/R	
<b>Special Projects</b>					
Bullfrogs and Non-native Turtles	Referral for Review	X		X	X
<b>Emerging Management Issues</b>					
Wild Pig Management	Referral for Review				
<b>Policies</b>					
Delta Fisheries Forum Recommendations and Delta Fisheries Management Policy	Referral for Review	X	X	X	

**KEY: X Discussion scheduled X/R Recommendation developed and moved to the Commission**

# California Fish and Game Commission – Perpetual Timetable for Anticipated Regulatory Actions

(dates shown reflect the date intended for the subject regulatory action)

Updated: 01/24/19

ITEMS PROPOSED FOR CHANGE ARE SHOWN IN BLUE FONT

For FGC Staff Use				REGULATORY CHANGE CATEGORY	ACTION DATE, TYPE AND LOCATION	2019													2020							
QUARTERLY EFFECTIVE	DFW/RU ANALYST	FGC ANALYST	LEAD			FEB 5	FEB 6	MAR 20	APR 17	APR 18	MAY 16	MAY 16	JUN 11	JUN 12	JUN 13	JUL 11	AUG 7	AUG 8	SEP 5	OCT 8	OCT 9	OCT 10	NOV 5	DEC 11	DEC 12	JAN TBD
						TC SACRAMENTO	FGC SACRAMENTO 12/11/18 12/21/18	MRC SACRAMENTO	FGC LOS ANGELES 02/19/19 03/01/19	WRC SACRAMENTO	TELECONFERENCE SACRAMENTO, FAIRFIELD, ARCATATA, SAN DIEGO	TC REDDING	FGC REDDING 04/16/19 04/26/19	MRC SAN CLEMENTE	FGC SACRAMENTO 06/11/19 06/21/19	WRC SANTA ROSA	TC SAN DIEGO	FGC SAN DIEGO 08/15/19 08/23/19	MRC SACRAMENTO	FGC SACRAMENTO 10/15/19 10/25/19	WRC TBD					
				<b>Title 14 Section(s)</b>																						
*	MR	ST	HC	Coast Yellow Leptosiphon and Lassics Lupine	670.2																					
	MS	ST	MR	Recreational Take of Red Abalone	29.15																					
*	MR	ST	MR	Commercial Logbooks	107, 174 and 176																					
	OA	JS	FB	Sport Fishing (Annual)	1.53, 1.74, 5.00																					
	MR	DT	MR	Recreational Purple Sea Urchin (Emergency) (1st 90-day extension)	29.11																					
	MR	DT	MR	Recreational Purple Sea Urchin (Regular Rulemaking)	29.06																					
	OA	SF/CC	MR	Sheephead Fillet	27.65(b)																					
	MR	JS	WLB	Mammal Hunting, including deer/elk tag validation	362, 364, 364.1, 708.6																					
	MR	JS	LED	Archery Equipment and Crossbow	354(f)																					
	MR	JS	WLB	Waterfowl (Annual)	502, 509																					
	OA	SF/CC	FB	Klamath River Basin Sport Fishing (Annual)	7.50(b)(91.1)																					
	OA	SF/CC	FB	Central Valley Salmon Sport Fishing (Annual)	7.50(b)(5), (68), <a href="#">1241</a> , (156.5)																					
	<a href="#">TBD</a>	<a href="#">CC</a>	<a href="#">MR</a>	<a href="#">Haqfish traps permitted on single vessel</a>	<a href="#">180.6</a>																					
			<a href="#">WLB</a>	<a href="#">Upland (Resident) Game Bird (Annual)</a>	<a href="#">300</a>																					
*	MR	ST	MR	Recreational and Commercial Pacific Herring (fishery management plan implementation)	27.60, 28.60, 28.62, 163, 163.1, 163.5, 164																					
	OA	JS	FB	Statewide Sport Fishing Revisions and Simplification for 2020	TBD																					
	<a href="#">TBD</a>	<a href="#">TBD</a>	<a href="#">WLB</a>	<a href="#">Wildlife Areas/Public Lands and Ecological Reserves</a>	<a href="#">550, 550.5, 551 AND 630</a>																					

**RULEMAKING SCHEDULE TO BE DETERMINED**

*			MR	Commercial Kelp and Algae Harvest Management	165, 165.5, 704																				
*				Possess Game / Process Into Food	TBD																				
*			OGC	American Zoological Association / Zoo and Aquarium Association	671.1																				
				Night Hunting in Gray Wolf Range	474																				
				Shellfish Aquaculture Best Management Practices	TBD																				
*			ST	Fisher	670.5																				
*			ST	Humboldt Marten	670.5																				
*			ST	Northern Spotted Owl	670.5																				
*			ST	Tricolored Blackbird	670.5																				
*				Ban of Neonicotinoid Pesticides on Department Lands	TBD																				
*			MR	Commercial Pink Shrimp Trawl	120, 120.1, 120.2																				
*			MR	Ridgeback Prawn Incidental Take Allowance	120(e)																				

EM = Emergency, EE = Emergency Expires, E = Anticipated Effective Date (RED "X" = expedited OAL review), N = Notice Hearing, D = Discussion Hearing, A = Adoption Hearing, V=Vetting, R = Committee Recommendation, WRC = Wildlife Resources Committee, MRC = Marine Resources Committee, TC = Tribal Committee

**California Fish and Game Commission**  
**Vision Statement on Co-Management**  
*Adopted October 17, 2018*

The vision of tribes, the California Fish and Game Commission, and the California Department of Fish and Wildlife is to engage in a collaborative effort between sovereigns to jointly achieve and implement mutually agreed upon and compatible governance and management objectives to ensure the health and sustainable use of fish and wildlife.