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Napa

Peter S. Silva, Member

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Samantha Murray, Member

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STATE OF CALIFORNIA

Gavin Newsom, Governor

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Fish and Game Commission



Wildlife Heritage and Conservation

Since 1870

TRIBAL COMMITTEE (TC)

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

ANNOTATED AGENDA

Revised* Meeting Agenda

October 8, 2019, 12:00 p.m.

*This agenda is revised to add information about and instructions for participating in the meeting via webinar or teleconference.

Participate in Person

Rincon Government Center, One Government Center Lane
Valley Center, CA 92082

Participate via Webinar

[Link Here to Join the Webinar](#)

Or, copy and paste this URL into your Internet browser:

<https://cawildlife.webex.com/cawildlife/j.php?MTID=m2a0707d04fc4b05c6468bcdeaa503891>

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 will only be able to listen to the meeting; in order to actively participate in the meeting conversations, 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 will 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. General 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]

- [Presentation from The Nature Conservancy regarding Poseidon \(online data tool\)](#)

3. Co-management definition

Discuss a co-management definition as follow-up to the co-management vision statement adopted by the Commission.

- [FGC Vision Statement on Co-Management](#), adopted Oct 17, 2018
- [Letter from Scott Sullivan, Tolowa Dee-ni' Nation](#), regarding a definition of co-management
- [Comment submitted by Briannon Fraley, Tolowa Dee-Ni' Nation](#), at the Feb 6, 2018 TC meeting regarding co-management

4. Kelp and algae commercial harvest regulations

Discuss tribal interests related to potential regulation changes for commercial kelp and algae harvest.

- [DFW memo and PowerPoint presentation from Feb 7, 2017 TC meeting](#)
- [Comment submitted by member tribes of the InterTribal Sinkyone Wilderness Council](#) at the Jun 11, 2019 TC meeting regarding concerns about kelp and seaweed

5. Committee recommendations for Commission meeting procedures

Discuss and consider approving recommendations for changes to Commission meeting procedure regulations related to the Committee.

- [Draft amendments to FGC meeting procedure regulations](#) as discussed at Jun 11, 2019 TC meeting

6. Department-managed lands regulations

Receive Department overview of proposed changes to public use on Department-managed lands regulations and potential Committee recommendation.

- [DFW presentation from May 16, 2019 WRC meeting](#)

7. Statewide inland fishing regulations

Receive Department update on efforts to develop simplified statewide inland fishing regulations.

- [DFW presentation from Sep 10, 2019 WRC meeting](#)

8. Annual tribal planning meeting

Discuss potential topics for 2020 Commission tribal planning meeting held annually pursuant to the Commission's Tribal Consultation Policy.

- [Agenda for 2018 annual tribal planning meeting](#)

9. Staff and other committee updates

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

(A) Executive director

(B) Marine Resources Committee (MRC)

(C) Wildlife Resources Committee (WRC)

- [News release: Governor Newsom Issues Apology to Native Americans for State's Historical Wrongoings, Establishes Truth and Healing Council](#)
- [FGC rulemaking timetable, dated Oct 3, 2019](#)
- [MRC work plan, dated Sep 30, 2019](#)
- [WRC work plan, dated Sep 30, 2019](#)

10. Agency updates

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

(A) Department, including potential updates from Law Enforcement Division, Fisheries Branch, Wildlife Branch, and Marine Region

(B) Other

11. Future agenda items

(A) Review work plan agenda topics and timeline

(B) Potential new agenda topics for Commission consideration

- [TC work plan, dated Sep 2019](#)

Adjourn

California Fish and Game Commission 2019 and 2020 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.

2019			
Meeting Date	Commission Meeting	Committee Meeting	Other Meetings
November 5		Marine Resources Natural Resources Building 12 th Floor Conference Room 1416 Ninth Street, Room 1206 Sacramento, CA 95814	
December 11-12	Natural Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		

2020			
Meeting Date	Commission Meeting	Committee Meeting	Other Meetings
January 16		Wildlife Resources Los Angeles area	
January 17		Tribal Los Angeles area	
February 5-6	Natural Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		
March 17		Marine Resources Justice Joseph A. Rattigan Building Conference Room 410 (4 th Floor) 50 D Street Santa Rosa, CA 95404	
March 18			Annual Tribal Planning
April 15-16	Natural Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		

2020			
Meeting Date	Commission Meeting	Committee Meeting	Other Meetings
May 14	Teleconference Santa Rosa, Sacramento, Arcata, and San Diego		
May 14		Wildlife Resources Justice Joseph A. Rattigan Building Conference Room 410 (4 th Floor) 50 D Street Santa Rosa, CA 95404	
June 24-25	Santa Ana area		
July 21		Marine Resources San Clemente area	
August 18		Tribal Fortuna area	
August 19-20	Fortuna area		
September 17		Wildlife Resources Natural Resources Building Redwood Room, 14 th Floor 1416 Ninth Street Sacramento, CA 95814	
October 14-15	Elihu M Harris Building Auditorium 1515 Clay Street Oakland, CA 94612		
November 9		Tribal Monterey area	
November 10		Marine Resources Monterey area	
December 9-10	San Diego area		

OTHER 2019 and 2020 MEETINGS OF INTEREST

Association of Fish and Wildlife Agencies

- March 8-13, 2020, Omaha, NE
- September 13-16, 2020, Sacramento, CA

Pacific Fishery Management Council

- November 13-20, 2019, Costa Mesa, CA
- March 3-9, 2020, Rohnert Park, CA
- April 3-10, 2020, Vancouver, WA
- June 11-18, 2020, San Diego, CA

- September 10-17, 2020, Spokane, WA
- November 13-20, 2020, Garden Grove, CA

Pacific Flyway Council

- March 10, 2020 (location TBD)
- August 2020 (date/location TBD)

Western Association of Fish and Wildlife Agencies

- January 9-12, 2020, Monterey, CA
- July 9-14, 2020, Park City, UT

Wildlife Conservation Board

- November 21, 2019, Sacramento, CA
- 2020 (dates/locations TBD)

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; **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 October 4, 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 chair or 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 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.
5. If speaking during general 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, general 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.



Tribal Committee
California Fish and Game Commission
October 8, 2019



Presentation by: Frank Hurd & Alexis Jackson

What is Poseidon?

- Web-based application to facilitate collection and analysis of length-frequency data of harvested species
- 3 key functions:
 - Collects and stores photos of harvested fish and invertebrates
 - Analyzes each photo to generate a length estimate
 - Aggregates data for analysis to inform decisions about the resource

How can Poseidon be helpful to Tribes and Tribal Communities?

- Generate length-frequency data to supplement traditional knowledge
- Simplify data collection
- Streamline data analysis



Empowering fishing communities to collect and analyze key data



How does it work?





GET STARTED →

Welcome to Poseidon: The Ocean Ruler!



Poseidon is a tool that is revolutionizing not just how we collect fisheries information, but what information is being collected.



[← BACK TO INTRO](#)

[SELECT FILE →](#)

Fishery/Species

Pen Shell Scallop, Atrina Maura 

Scale (U.S. Quarter, square, etc.)

Square 

Scale Size (cm)

5

Display units for results

Inches (in)

Centimeters (cm)

Location Code (optional)

No Location Code  

Photo Date (optional)

11/05/2019

Name (optional)

← SELECT FISHERY

GET SIZE! →

SINGLE PHOTO

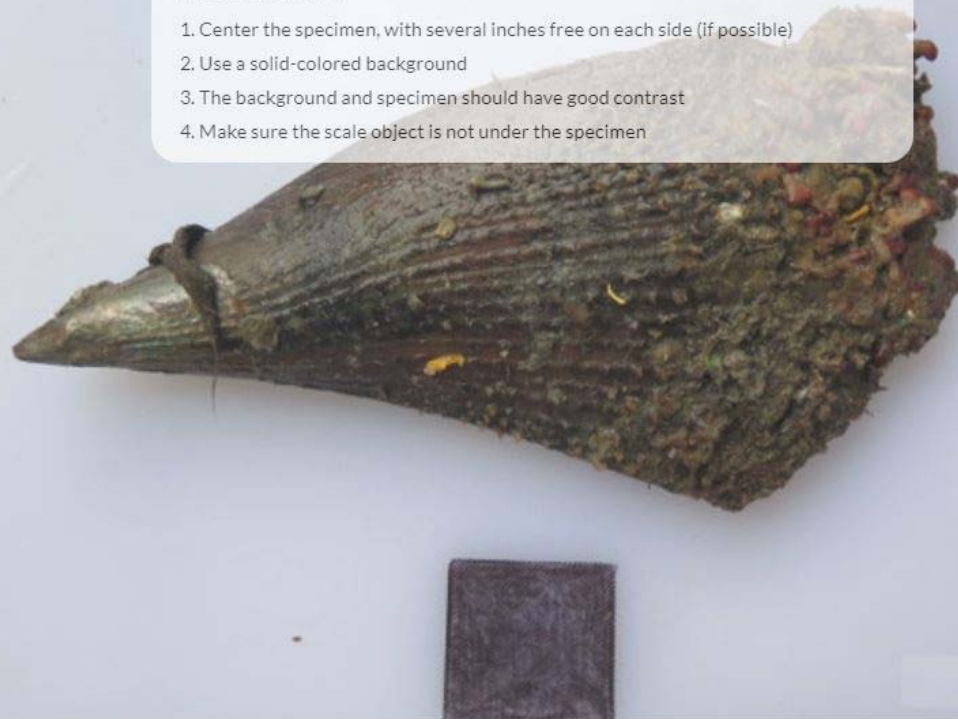
MULTIPLE PHOTOS

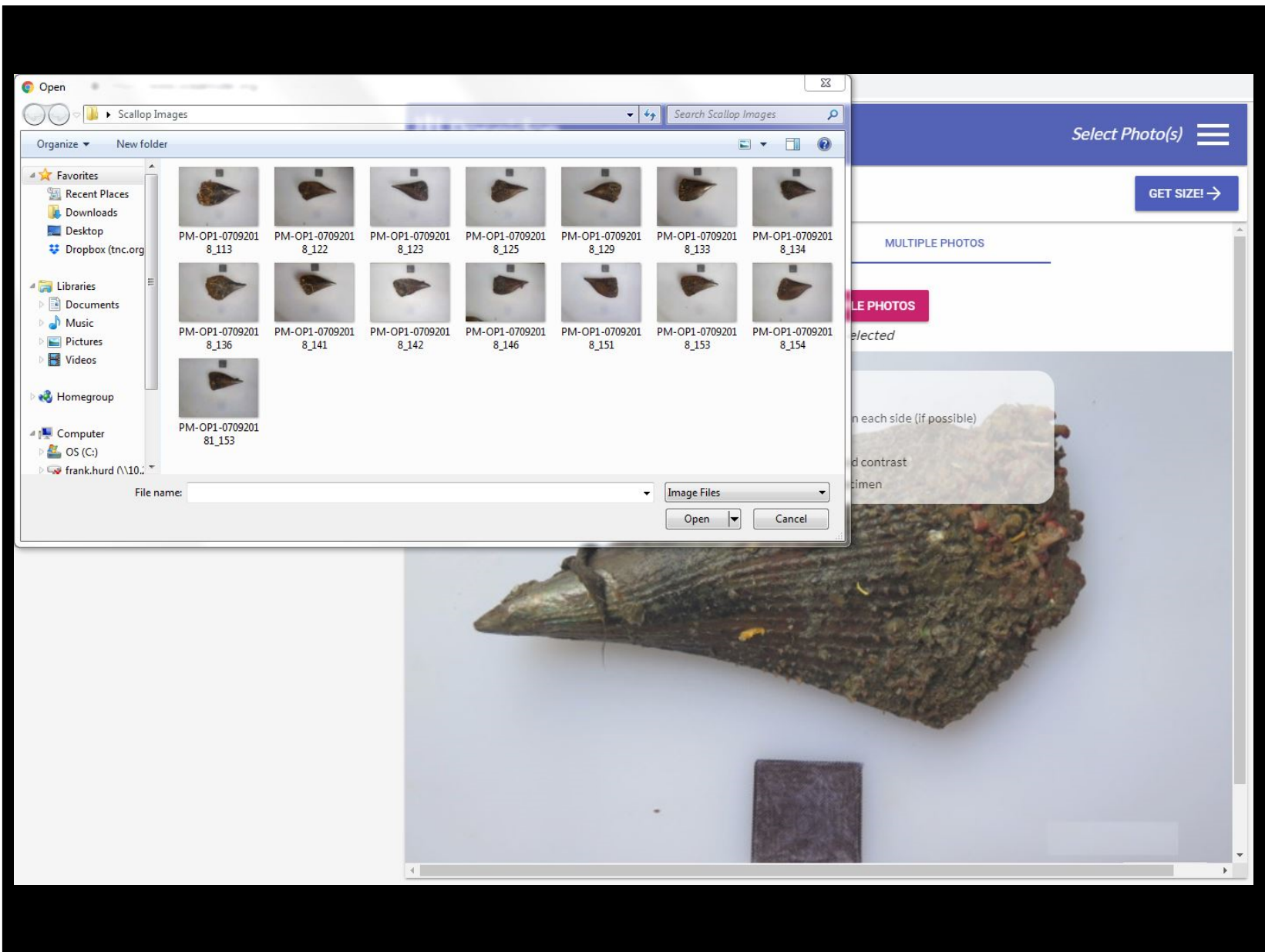
SELECT MULTIPLE PHOTOS

15 files selected

Tips for best results:

1. Center the specimen, with several inches free on each side (if possible)
2. Use a solid-colored background
3. The background and specimen should have good contrast
4. Make sure the scale object is not under the specimen





← PREVIOUS IMAGE

CANCEL QA ANALYSIS 



Include this image?

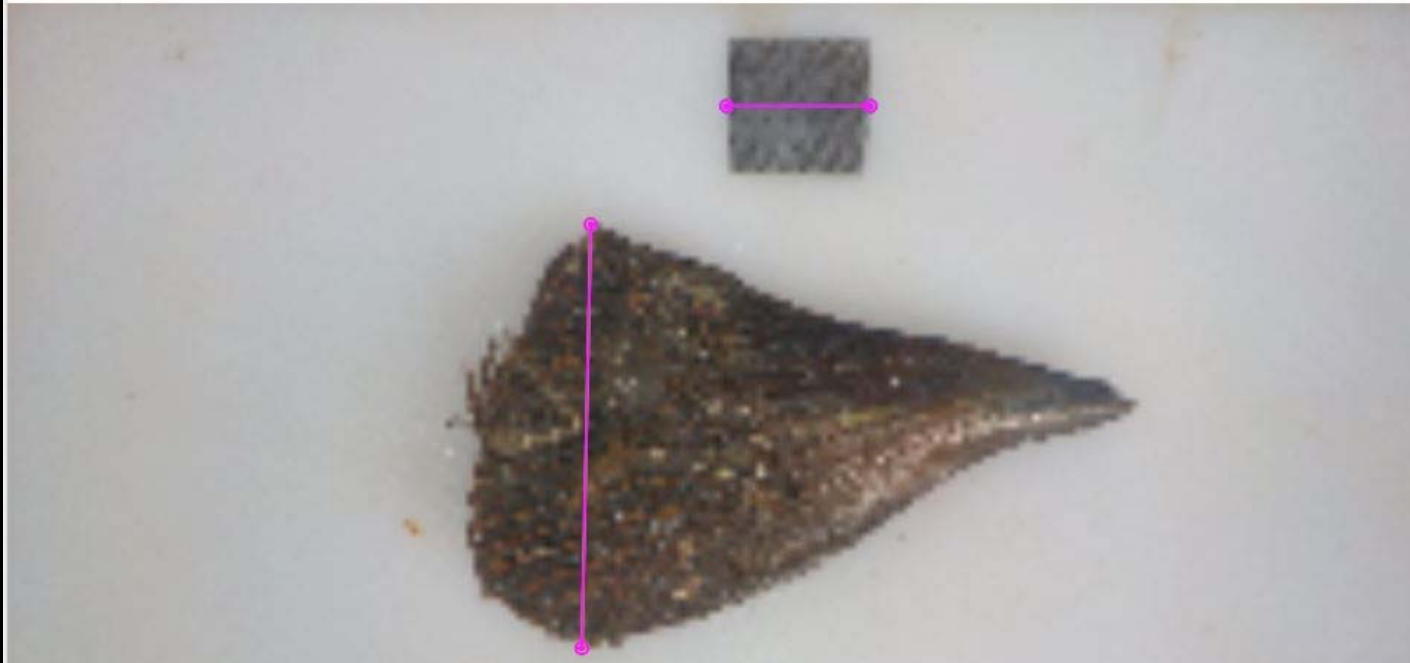
NO 

YES 

Yes: 0/17 No: 0/17 Remaining: 17/17

 SAVE RESPONSES AS .CSV

 Calculated Width: 14.73 cm  Adjusted Width: 14.73 cm Real Size: 125.00 cm



uuid	Included	Calculated Length	Adjusted Length	Calculated Width	Adjusted Width	Real Size	Fishery Type			
c6253111-	no	19	19	11.69	11.69	142	pen_shell_scallop_atrina_maura			
c380e0b9-	no	21.9	21.9	15.82	15.82	136	pen_shell_scallop_atrina_maura			
63ccb36d-	no	25.26	25.26	12.26	12.26	50.39	pen_shell_scallop_atrina_maura			
e00c8110-	no	27.73	27.73	15.68	15.68	113	pen_shell_scallop_atrina_maura			
a2220973-	no	10.95	10.95	15.13	15.19	0	pen_shell_scallop_atrina_maura			
36034ac5-	no	25.2	25.2	19.81	19.81	122	pen_shell_scallop_atrina_maura			
bcbbbe06	yes	18.89	18.89	14.73	14.73	125	pen_shell_scallop_atrina_maura			
fa3615e5-	yes	22.89	22.89	14.34	14.34	154	pen_shell_scallop_atrina_maura			
f29cb97e-	yes	22.96	22.96	13.87	13.87	133	pen_shell_scallop_atrina_maura			
f52db120-	yes	16.81	16.81	12.8	12.8	134	pen_shell_scallop_atrina_maura			
3ba2e812-	yes	27.73	27.73	15.68	15.68	113	pen_shell_scallop_atrina_maura			
69d62d49-	yes	21	21	12.92	12.92	141	pen_shell_scallop_atrina_maura			
b63ec8da-	yes	21.79	21.79	12.86	12.86	151	pen_shell_scallop_atrina_maura			
97764cb7-	yes	25.33	25.33	22.14	22.14	129	pen_shell_scallop_atrina_maura			
e9306be1-	yes	20.96	20.96	12.06	12.06	146	pen_shell_scallop_atrina_maura			
f4c18663-	yes	16.45	16.45	11.95	11.95	153	pen_shell_scallop_atrina_maura			
b84d95a3-	yes	23.41	23.41	12.73	12.73	123	pen_shell_scallop_atrina_maura			
Statistics	---	---	---	---	---	---				
Calculated	Calculated	Adjusted Accuracy Mean	Adjusted Accuracy StdDev	Calculated Precision	Adjusted Precision					
550.0716	86.45746	550.0716364	86.45745656	0.157174904	0.157174904					
Totals	---	---	---	---	---	---	---			
Yes	No									
11	6									

Some other things Poseidon will do in the future...

Analyze, Visualize, and Interpret Data



Fishery for Pen Shell *Atrina maura*

Ensenada de La Paz, Baja California Sur

Instructions

This application is currently for demonstration purposes. Our aim is to refine this application so that it can support the complete implementation of a management strategy.

This application has the potential to automate the following tasks:

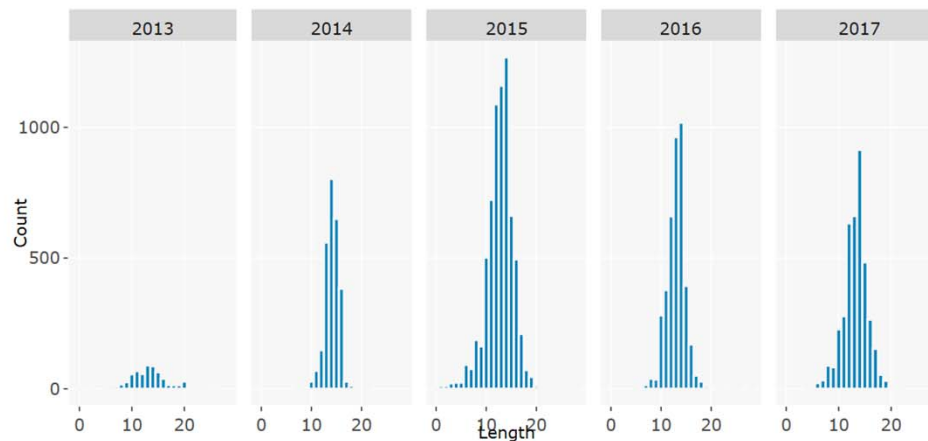
- Data import directly from Poseidon

Length data **Density data** Decision support Documentation

OPRE length data

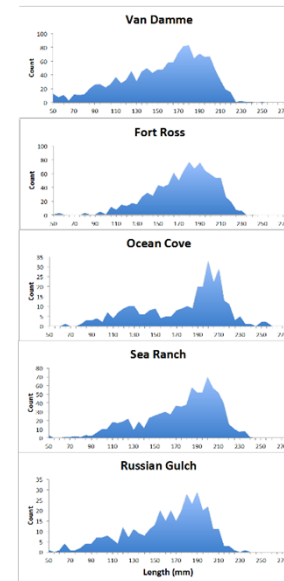
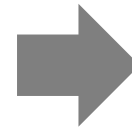
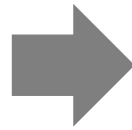
Plot: length frequency distributions (cm)

Summary of all sampled sizes



Coastal fishing communities rarely have access to experts who can turn raw data into actionable information. We are currently working to expand Poseidon's basic output (via csv file) to include helpful analyses and visuals that tell a story about a resource in a way that is accessible to resource users and scientists alike.

Upload and Process of Manually-Measured Length Frequency Data



In some cases, a fishery may choose to rely completely or partially on measurements collected by hand. In those instances, Poseidon will allow the user to include data collected by hand in the analysis and visualization.

What's Next?

- When will Poseidon be available for use?
 - Development status
 - Incorporating user feedback
 - Adding new analysis tools
 - Future Pilots

Thanks!

For additional questions email:
frank.hurd@tnc.org



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.



Tolowa Dee-ni' Nation

140 Rowdy Creek Rd, Smith River, CA 95567-9525
Ph: (707) 487-9255 Fax: (707) 487-0930

Scott D. Sullivan
Chairperson

December 21, 2017

Denise Richards-Padgett
Vice Chairperson

Fish and Game Commission
State of California
Sacramento, CA 95814

Jeri Lynn Thompson
Council Secretary

Re: Support draft vision statement and definition of co-management

Leann McCallum
Treasurer

Dv-laa-ha~ Commission President Sklar:

Dr. Joseph Giovannetti
Council Member

The Tolowa Dee-ni' Nation, a federally recognized Indian tribe headquartered in Smith River, and organized pursuant to the duly adopted Constitution of the Tolowa Dee-ni' Nation, submits this letter of support for the Fish and Game Commission's draft vision statement,

The vision of the Commission is to engage in a collaborative effort between sovereigns to achieve mutually agreed upon and compatible management objectives to govern, protect, conserve, enhance, restore and to provide access to healthy fish and wildlife.

Marvin Richards Sr.
Council Member

and definition of co-management,

Kara Brundin-Miller
Council Member

A collaborative effort to develop an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of the management functions, entitlements and responsibilities for a given territory, area or set of natural resources.

Ted Wright
Executive Director

The Tribe commends the efforts of you, the Commission and your staff to put your best foot forward to commit to the discussion and development of a path forward to engage in co-management. We appreciate your commitment to the stewardship of the shared resources of the State of California, and look forward to institutionalizing government to government relationships through partnerships afforded through co-management. Please contact our Chief Governance Officer, Briannon Fraley at briannon.fraley@tolowa.com for questions related to co-management.

Shu' shaa nin-la,

A handwritten signature in black ink, appearing to read "Denise Padgett", is written over a horizontal line.

Scott D. Sullivan
Chairperson, on behalf of Tribal Council

Waa-saa-ghitlh-'a~ Wee-ni Naa-ch'aa-ghitlh-ni
Our Heritage Is Why We Are Strong

Co-Management: Forging New Partnerships Between the State of California and Tribal Nations

Executive Summary:

In recent years, the topic of co-management has been discussed at large amongst California agencies and California Indian tribes due to the need for new management practices within the State of California and for the meaningful execution of government-to-government stewardship agreements of shared resources.

The State of California's governing model for natural resources management has generally discluded tribal interests. Since the establishment of Executive Order B-10-11, State agencies have been directed to develop Tribal Consultation Policies that ensure meaningful government-to-government consultations with California's Indian tribes. In the past, poorly coordinated consultation and co-management has resulted in reactionary positions from tribes rather than a collaborative and coordinated approach. The solution to these reactionary positions is for active communication and collaboration with tribes prior to initiation of meaningful consultation. The Tolowa Dee-ni' Nation has been working with the State's Fish and Game Commission and key staff to create a space to discuss the development of co-management.

The State and Tribe share equal responsibility when it comes to the stewardship and management of resources found within the overlapping portions of the Tribe's aboriginal lands and territory and the State of California. Despite shared responsibility, sustainability and best use practices involving the allocation and use of resources has not been shared with California's Indian tribes.

In other States, co-management agreements allow state departments and tribes to discuss and resolve wildlife and hunting management issues. Some tribes have established fish and wildlife committees to develop regulations and management strategies for tribal stewardship best practices and have built their capacity to be active in resource management through the development of departments and programs. Other tribes have access to resource management consultants that advise them on the development of management approaches or rely on tribal consortia to work on natural resource issues.

Both tribal and non-tribal use impacts all resources, it is important that the Department work cooperatively with California Indian tribes to develop management strategies that meet the needs of all management objectives. This process is complicated because tribal customary uses such as ceremonial and subsistence hunting and fishing and State recreational hunting and fishing are two different philosophies steeped in different traditions and cultural heritages.

Co-Management Opportunity

The updating of the Statewide Elk Conservation and Management Plan has been an opportunity to include the benefits of co-management into an already defined State process at the Department level. The Plan allows for the Department to work cooperatively with tribes on a project-by project and competitive-contractual based relationship to rebuild or augment populations that are below desired levels. The collaborative approach used for the Plan is the beginning of the tribally desired relationship although the Plan does not provide for the desired equality of sharing management responsibilities.

What is the vision for co-management?

The ability to engage in a collaborative effort between sovereigns to achieve mutually agreed upon and compatible management objectives to govern, protect, conserve, enhance, restore and to provide access to healthy fish and wildlife.

What is co-management?

A collaborative effort to develop an agreement in which two or more sovereigns negotiate, define, and allocate amongst themselves the sharing of the management functions entitlements and responsibilities for a given territory, area or set of natural resources.

What is the need for co-management?

An inclusion of tribally operated management programs for the benefit of natural resource populations and the respect and incorporation of tribal sovereign rights of resource management and use. The State has struggled to adequately monitor resource populations due to a number of reasons including lack of infrastructure and regular access to resource populations. The burden placed on the State to solely monitor natural resources necessitates the introduction of co-management with California Indian tribes.

As the State does not have a place in determining ceremonial and subsistence quota, co-management recognizes tribal discretion and cultivation of subsistence and ceremonial use allocations.

What does co-management achieve?

Culturally significant management of natural and cultural resources and meaningful collaboration and partnership between State agencies and California Indian tribes. Through co-management, natural resource populations are sustained at healthy populations that allow for beneficial use by tribal and non-tribal users.

How can co-management be implemented?

1. Determine common understanding of legal rights.
2. Establish inter-governmental relationships and share knowledge systems used for natural resources management.
3. Share management priorities, as well as related capacity assets and deficiencies for natural resources management.
4. Identify common management priorities and opportunities to leverage assets to address deficiencies.
5. Formalize partnership between sovereigns through a co-management agreement.
6. Implement terms articulated in the co-management agreement.
7. Routinely evaluate and, if needed, renegotiate terms of co-management agreement.

Can co-management be implemented without federally-defined tribal rights?

The State of California may enter into government-to-government agreements with any sovereign Indian tribe as recognized by the Governor. Federally defined tribal rights are not required for the management of natural and cultural resources.

State of California
Department of Fish and Wildlife

Memorandum

Date: January 25, 2017

To: Valerie Termini
Executive Director
Fish and Game Commission

From: Craig Shuman, D. Env. 
Marine Region Manager

Subject: **Submission of Presentation to be Included in the Tribal Committee's Briefing Binder**

On December 7, 2016, the Fish and Game Commission (Commission) requested the Department of Fish and Wildlife (Department) provide a presentation to the Tribal Committee on the process to review and amend regulations for the commercial harvest of marine algae. Attached please find the Department presentation to be included in the Tribal Committee's February 7, 2017 meeting briefing binder.

If you have questions or need additional information, please contact Dr. Craig Shuman, Marine Region Manager, by telephone at (805) 568-1246 or by email at Craig.Shuman@wildlife.ca.gov.

Attachment

cc: Department of Fish and Wildlife

Tom Barnes, Environmental Program Manager
Marine Region
Tom.Barnes@wildlife.ca.gov

Kirsten Ramey, Senior Environmental Scientist
Marine Region
Kirsten.Ramey@wildlife.ca.gov

Rebecca Flores Miller, Environmental Scientist
Marine Region
Rebecca.FloresMiller@wildlife.ca.gov

Nathan Voegeli, Attorney and Tribal Liaison
Office of General Council
Nathan.Voegeli@wildlife.ca.gov



Process to Review and Amend Regulations for the Commercial Harvest of Marine Algae



Tribal Committee Meeting
February 7, 2017

Rebecca Flores Miller
California Department of Fish and Wildlife

Photo Credit: R. Flores Miller



Outline

- Background
- Pathway supported by Commission
- Challenges
- Outreach to Tribal Governments
- Closing



bladderwrack

Photo Credit: R. Flores Miller



Background

Phase One: *Kelp – Adopted April 1, 2014*

- Administrative kelp bed boundaries
- Harvest plans
- Editorial changes

Phase Two: *Edible seaweed, agar-bearing, and kelp*

- Management policies
- Harvest methods and seasons

Phase Three: *Edible seaweed, agar-bearing, and kelp*

- License fees
- Royalty rates



Commercial Regulation Overhaul

Regulation language

- Correct inaccurate references
- Update language

Harvest methods

Licenses

- List individuals harvesting under license
- List species to be collected
- Use of harvest
- Move license reference in Title 14



Commercial Regulation Overhaul and Challenges

Edible species (sea palm and bull kelp)

- Consideration of life history
- Ecosystem needs
- Potential harvest seasons
- Harvest methods
- Sea palm and bull kelp
 - Harvest limits

Bull kelp closures

Challenges

- CEQA costs
- Time



Outreach to Tribal Governments



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Marine Region
1933 Cliff Drive, Suite 9
Santa Barbara, CA 93109
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



January 10, 2017

SUBJECT: NOTIFICATION OF CONSIDERATION TO RECOMMEND AMENDING TITLE 14 CALIFORNIA CODE OF REGULATIONS, SECTIONS 165 AND 165.5 FOR THE COMMERCIAL HARVEST OF MARINE ALGAE

Dear Honorable Tribal Representative:

The California Department of Fish and Wildlife (CDFW) would like to inform you that its Marine Region is proposing to recommend to the California Fish and Game Commission (Commission) amendments to Title 14, California Code of Regulations Sections 165 and 165.5 for the commercial harvest of kelp and other marine algae (Project). CDFW welcomes direct communication and consultation prior to the public review process to discuss the Project and identify any Project impacts to Tribal interests or cultural resources.

The Project is a result of CDFW and the Commission's awareness of an increased interest in the commercial harvest of marine algae. To prepare for a potential harvest increase, the Commission approved a three-phase approach to review and update the regulations during their June 2012 meeting. The Phase One amendments became effective in 2014. These amendments addressed regulations for the commercial harvest of kelp and included: updating kelp bed boundaries, requiring a kelp harvest plan for all leases and for all mechanical harvest, and editorial changes to improve clarity and consistency of the regulations.

The current phase of the Project, Phase Two, will focus on management policies which may include edible and agar-bearing algae harvest methods and seasons as well as a clean-up of the regulation language to enhance regulation clarity. Phase Three of the Project will follow Phase Two and will address license fees and royalty rates.

The area of interest for Phase Two of the Project is coastwide and includes the offshore islands. Phase Two is anticipated to impact the commercial harvest of kelp and other marine algae, which may be of interest to your Tribe.

CDFW's goal is to understand Tribal interests and concerns early in the Phase Two review process and to work collaboratively to resolve any concerns. CDFW is committed to open communication with your Tribe under its Tribal Communication and Consultation Policy, which is available through CDFW's Tribal Affairs webpage at <https://www.wildlife.ca.gov/General-Counsel/Tribal-Affairs>. A brief update on the status of the Phase Two review is expected to be an item during the Fish and Game Commission's Tribal Committee meeting on February 7, 2017.

CDFW respectfully requests your preliminary input regarding the Phase Two review by February 23, 2017. If you would like more information, please contact Rebecca Flores Miller, Environmental Scientist at Rebecca.Floresmiller@wildlife.ca.gov, 831-649-2835, or write to Rebecca Flores Miller, California Department of Fish and Wildlife, 20 Lower Ragsdale Drive, Suite 100, Monterey, CA 93940.

- Mailed January 10, 2017
- Requested comments by February 23, 2017
- Received comments
 - Elk Valley Rancheria
 - Kashia Band of Pomo Indians of the Stewarts Point Rancheria
- Guidance on further outreach



Closing

- Background
- Overhaul
- Challenges
- Outreach



bull kelp

Photo Credit: R. Flores Miller



Thank You  **Questions?**

**Rebecca Flores Miller
Environmental Scientist
Marine Region
831-649-2835**

**Statement by the Member Tribes of InterTribal Sinkyone Wilderness Council for
Meeting of the Tribal Committee of California Fish & Game Commission
June 11, 2019**

This statement is from the Tribes that comprise InterTribal Sinkyone Wilderness Council: Cahto Tribe of Laytonville Rancheria; Coyote Valley Band of Pomo Indians; Hopland Band of Pomo Indians; Pinoleville Pomo Nation; Potter Valley Tribe; Redwood Valley Band of Pomo Indians; Robinson Rancheria of Pomo Indians; Round Valley Indian Tribes; Scotts Valley Band of Pomo Indians; and Sherwood Valley Rancheria of Pomo Indians.

We are sovereign Tribes that retain inherent powers of self-government. We are the original and longstanding stewards of the lands and waters situated within our traditional territories of the north coast. For many thousands of years, we have maintained our vital connections to marine and coastal ecosystems. We are committed to the protection and revitalization of our traditional lifeways, and the kelp and seaweed species that remain vitally important to those ways of life.

We are in government-to-government consultation with the Department of Fish and Wildlife regarding our concerns about kelp and seaweed. Our engagement on these issues is based on our responsibility to care for these species for the sake of all life on this planet.

The Tribes' marine and coastal connections and relationships with the natural world are based upon our spiritual responsibility to help keep these ecosystems in balance. Our peoples' inter-generational cultural identity and wellbeing depend upon the wellbeing of our environment.

Respect for nature's many inter-connections, and the responsibility for maintaining its intricate balance are central to our traditional ways of life. Our cultural teachings and ceremonial ways emphasize the importance of kelp and seaweed to this planet. We understand and honor the role of kelp and seaweed, which are essential to healthy ecosystems, and provide habitat for keystone species. Our traditional marine practices are a necessary part of maintaining ecosystem health and abundance.

Healthy and abundant kelp forests and seaweed beds are required for ocean health, Tribal lifeways, dependent marine and terrestrial species, carbon sinking, and clean water and air.

We are extremely concerned about the current condition of kelp and seaweed. We know they suffer from the increasing pressures of overharvesting, climate change, warmer waters, pollution, purple urchins, and other impacts.

Regulatory and management solutions are needed that respect the inherent rights of nature, and facilitate protection and revitalization of kelp and seaweed. We ask that the Commission put an end to the over-harvesting of these species. We also ask that the Commission address the Tribes' inherent traditional right to gather seaweed and kelp. Implementing these actions will help lead to ecosystem balance and environmental justice.

We look forward to collaborating with the Commission toward solutions that will help bring healing and wellness to the ocean and our communities, for the sake of this and future generations of all forms of life.

AGENDA ITEM
6
MTG

California Code of Regulations
Title 14, Section 665, Meeting Procedures – Current as of
September 30, 2019 with Draft Amendments

§ 665. Meeting Procedures.

- (a) Commission quorum, agendas, and meeting procedures.
- (1) Quorum. Commission and committee meetings may not be conducted without a quorum present.
 - (A) Commission meetings require a quorum of at least three commissioners be present to conduct a meeting. A commission meeting must be immediately recessed or adjourned if at least three commissioners are no longer present.
 - (B) Committee meetings require a quorum of at least one appointed member be present to conduct a meeting. A committee meeting must be immediately recessed or adjourned if at least one appointed member is no longer present.
 - (2) Commissioner participation at committee meeting.
 - (A) No more than two commissioners may attend a committee meeting.
 - (3) Meeting agendas.
 - (A) Public requests for items to be added to an agenda must be received no later than the commission meeting immediately prior to the desired meeting.
 - (B) Contents of meeting agendas.
 1. Except for emergency meetings of the commission, contents of commission and committee meeting agendas are established by a majority vote of the commission.
 2. Contents of agendas for emergency meetings of the commission are established by the president or the president's designee.
 3. Committee agendas may not contain items that have been placed on commission meeting agendas, unless otherwise directed by a majority vote of the commission.
 4. Notwithstanding subsection (a)(3)(B)1., the president or the president's designee may add an item to the agenda.
 - (C) Agenda distribution.
 1. Except for emergency meetings of the commission, commission and committee meeting agendas shall be distributed and posted to the commission website at least 10 days prior to the first day of the meeting.
 2. Agendas for emergency meetings of the commission shall be distributed and posted to the commission website pursuant to the provisions of the Bagley-Keene Open Meeting Act (Government Code Sections 11120-11132).
 - (4) Marine resources committee and wildlife resources committee recommendations. Pursuant to Sections 105 and 106 of the Fish and Game Code, the marine resources committee and wildlife resources committee shall report on their activities from time to time and make recommendations on resource matters before the commission.
 - (A) Committees may meet to make recommendations no later than 15 days prior to the first day of the commission meeting at which the commission may consider taking action on the subject of the recommendation.
 - (B) Committee recommendations shall be posted to the commission website at least five days prior to the first day of the meeting.

- (5) Tribal committee recommendations. Pursuant to Section 106.5 of the Fish and Game Code, the tribal committee shall report on its activities from time to time and make recommendations on resource matters before the commission.
(A) The tribal committee may meet to make recommendations up to the day prior to the first day of the commission meeting at which the commission may consider taking action on the subject of the recommendation.
(B) Tribal committee recommendations may be acted upon at the commission meeting at which the recommendations are presented.

(6) Commission Meeting Voting

(A) A motion shall pass or fail only upon a majority vote of the membership present and voting.

1. The commission may make and vote on more than one motion related to an agenda item. If no motion receives a majority vote of the membership present and voting, the agenda item shall be continued to a subsequent commission meeting.

(b) Public participation. Except for the department, every person or agency participating in commission and/or committee meetings is subject to the provisions in this subsection.

(1) Public comment on agenda items. The public may comment on an agenda item before any decision is made regarding the agenda item.

(A) Public requests to provide comments on a commission agenda item must be submitted to commission staff prior to when the agenda item is announced.

1. A person may voluntarily complete a speaker card furnished by commission staff.
2. A person not completing a speaker card must inform commission staff, orally or in writing, of his desire to comment on the item.

(B) A person may request to provide comments on a committee agenda item by raising his hand during the discussion of that item.

(2) Public forum. During the general public ~~comment~~forum agenda item, any member of the public may address the commission or committee regarding commission policies or any other matter within the commission's jurisdiction so long as the subject is not related to any other item on the current agenda.

(3) Allotted time for comments and presentations at commission meetings.

(A) The time allotted for each person wishing to address an agenda item shall be set by the presiding commissioner at between one and three minutes per person per agenda item, except as provided in subsections (b)(3)(A)1., (b)(3)(A)2., (b)(3)(A)3 and (b)(3)(A)4.

1. Ceding time. The presiding commissioner may allot up to five minutes for a person to comment on an agenda item if at least three other persons are present when the agenda item is called and forgo their opportunity to speak to that agenda item.
2. Advanced approval for extended time. The public may request extended time to comment longer than three minutes. The president or designee of the president shall approve or deny the requested time based on relevance to the agenda topic and time available.
 - a. Except for emergency meetings of the commission, requests for extended time must be received in writing no later than 12:00 noon five days prior to the first day of the meeting and must be sent by email to fgc@fgc.ca.gov or delivered by mail, by courier or in person to California Fish and Game Commission,

1416 Ninth Street, Suite 1320, Sacramento, CA 95814. Only one method of delivery is necessary.

- i. The president or designee shall approve or deny the request no later than 5:00 p.m. two days prior to the first day of the meeting.
- b. Requests for extended time for an emergency meeting of the commission must be received no later than 5:00 p.m. the day prior to the first day of the meeting and must be sent by email to fgc@fgc.ca.gov or delivered in person at the meeting location between one and two hours prior to the start of the meeting.
 - i. The president or designee shall approve or deny the request prior to the start of the meeting.
3. At the request of any commissioner, a person may receive additional time to comment on an agenda item.
4. Extra time for translation. An individual requiring an interpreter is entitled to at least twice the allotted time pursuant to Government Code section 11125.7(c).
- (B) The total amount of time allocated for public comments on a particular issue may be limited by publishing the time limit on the meeting agenda.
- (4) Allotted time for comments at committee meetings. The time allotted for each person wishing to address an agenda item shall be at the discretion of the committee chair(s).
- (5) Written comments. All written comments are available to commissioners upon request.
 - (A) Except for an emergency meeting of the commission, written comments intended for a commission or committee meeting must be delivered to the commission office via email or by mail, by courier or in person no later than 12:00 noon five days prior to the first day of the meeting, or in person at the meeting.
 1. Written comments received by 5:00 p.m. 13 days prior to the first day of the meeting may be posted to the commission website and may be included in the meeting materials provided to commissioners prior to the first day of the meeting.
 2. Written comments received after 5:00 p.m. 13 days prior to the first day of the meeting and before 12:00 noon 5 days prior to the first day of the meeting may be made available to commissioners at the meeting, but are not posted to the commission's website for that meeting.
 3. Written comments received in the commission office after 12:00 noon five days prior to the first day of the meeting are only delivered to the meeting if required by the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, and are not posted to the commission's website for that meeting.
 4. Written comments received in the commission office after 12:00 noon five days prior to the first day of the meeting that are not required to be delivered to the meeting pursuant to the Administrative Procedure Act are held for a future meeting if related to a future agenda item.
 5. Number of copies of written comments delivered in person at a meeting.
 - a. Ten copies of written comments are requested if delivered in person at a commission meeting, except two copies of written comments are requested if delivered in person at a teleconference meeting.
 - b. Five copies of written comments are requested if delivered in person at a committee meeting.
 6. Any writings, when distributed to all, or a majority of all, commissioners in connection with a matter subject to discussion or consideration at a meeting shall be made available to the public upon request without delay. However, this

subsection does not apply to any writing exempt from public disclosure under Sections 6253.5, 6254, or 6254.7 of the Government Code.

7. Writings that are public records under subsection (b)(5)(A)6., and that are distributed to members of the commission prior to a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting.
8. Writings that are public records under subsection (b)(5)(A)6., and that are distributed to members of the commission during a meeting, pertaining to any item to be considered during the meeting shall be made available for public inspection at the meeting if prepared by department or commission staff, or after the meeting if prepared by some other person.

(B) Written comments intended for an emergency meeting of the commission must be received no later than 5:00 p.m. the day prior to the first day of the meeting or in person at the meeting location.

(C) In the event multiple written comments expressing similar views are received, an example or a summary of the comments may be posted to the commission website and/or included in the meeting materials for commissioners.

(D) Written comments delivered to the commission office must be sent by email to fgc@fgc.ca.gov or delivered by mail, by courier or in person to California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814. Only one copy and only one method of delivery are necessary.

(E) Written comments are not accepted if sent to the meeting facility.

(6) Audio or visual materials for commission and committee presentations must be approved by the executive director.

(A) Except for emergency meetings of the commission, consideration for approval requires that materials be submitted via email to fgc@fgc.ca.gov no later than 12:00 noon five days prior to the first day of the meeting.

(B) For emergency meetings of the commission, consideration for approval requires that materials be submitted via email to fgc@fgc.ca.gov no later than 5:00 p.m. the day prior to the first day of the meeting or delivered in person at the meeting location between one and two hours prior to the start of the meeting.

(C) A request for an audio or visual presentation for a commission or committee meeting may be denied if the material is deemed not relevant to the agenda item, contains inappropriate material, or contains unauthorized copyrighted materials.

(D) A request for an audio or visual presentation for Commission meetings may be denied if the material cannot be presented in three minutes or less.

(E) All electronic formats must be Windows PC compatible.

(7) Prohibited behavior. A person willfully disrupting the orderly conduct of the meeting may be removed from the meeting.

(c) Concurrence with Government Code Sections 6707 and 6800. The deadlines and due dates in this Section shall conform to Sections 6707 and 6800 of the Government Code pertaining to deadlines that fall on Saturdays or holidays.

Note: Authority cited: Section 108, Fish and Game Code. Reference: Section 108, Fish and Game Code; and Sections 11125.1 and 11125.7, Government Code.



CDFW Land Regulations

May 2019

Joel Trumbo

Lands Program

Wildlife Branch

Wildlife Areas

110 wildlife areas

712, 123 acres

Purposes:

- **Conserve wildlife and habitats**
- **Hunting, fishing, wildlife viewing, photography, conservation education and research activities**
- **Fish & Game Code Sections 1526, 1528 and 1745**

Ecological Reserves

135 Ecological Reserves

229,953 acres

Purposes:

- **Conserve rare species and specialized habitat types**
- **Conservation education and research**
- **Other uses may be authorized if compatible**
- **Fish & Game Code Sections: 1580, 1584, 1585**



Fish and Game Commission Authority to :

- **Designate land as wildlife areas or ecological reserves**
- **Authorize compatible public uses**

Fish and Game Code
Sections 1525, 1526, 1580, 1584

Sections of Title 14, CA Code of Regulations (regs)

550	Public use regs that apply to all CDFW lands
550.5	Restricted entry (reservations, permits, etc.)
551	List of wildlife areas, site-specific regs
552	Site-specific regs for nine federal refuges under agreement with CDFW
630	List of ecological reserves, site-specific regs

Recommended Changes Overview

- **Designate 9 relatively new properties as ecological reserves or wildlife areas.**
- **“Un-designate” 3 wildlife areas, plus 2 units of Grizzly Island WA where CDFW no longer has management authority.**
- **Site-specific changes for 11 existing wildlife areas and ecological reserves.**
- **Minor clarification/clean-up changes.**

Lands to be Designated

➤ Kern

- Indian Wells ER

➤ Riverside

- Santa Margarita River ER

➤ San Diego

- Cañada de San Vicente ER
- San Vicente Highlands ER

➤ San Luis Obispo

- North Carrizo ER

➤ Santa Barbara

- Cienega Springs ER

➤ Inyo

- Deep Springs ER
- Round Valley WA
- Tecopa ER



Lands to be Un-designated

➤ **Lake Berryessa WA**

- Napa County
- Owned by the Bureau of Reclamation

➤ **South Fork WA**

- Kern County
- Owned by U.S. Forest Service

➤ **White Slough WA**

- San Joaquin County
- Owned by Department of Water Resources

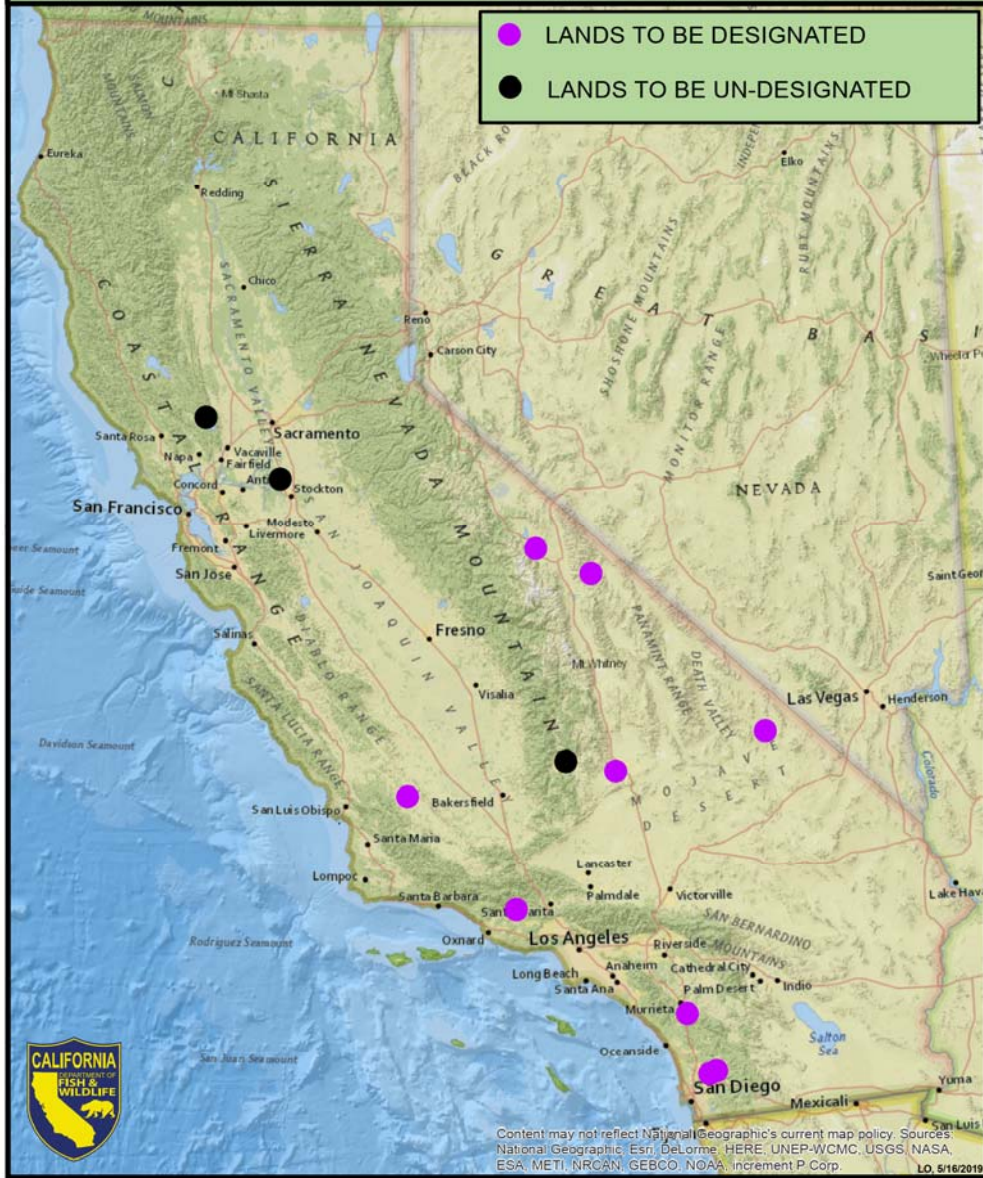
➤ **Gold Hills and Garibaldi Units, Grizzly Island WA**

- Solano County
- Owned by Pacific Flyway Center

DRAFT

California Department of Fish and Wildlife Lands to Be Designated or Un-Designated May 2019

- LANDS TO BE DESIGNATED
- LANDS TO BE UN-DESIGNATED



Content may not reflect National Geographic's current map policy. Sources: National Geographic, Esri, DeLorme, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp. LO, 5/16/2019

Site-Specific Changes

- **Early season pheasant hunt days.**
- **Biking on a regional trail at Green Island Unit of Napa Sonoma Marsh WA (NSMWA)**
- **Opening the Southern Crossing Unit, NSMWA**
- **Extend crow hunting at Hollenbeck Canyon WA**
- **Prohibit firearms/archery at Truckee River WA**
- **Closure of Del Mar Mesa/Lopez Ridge ER, San Diego**

Minor Clean Up Examples

- **550.5(c)(7): Junior hunters who are under the age of 16, issued an entry permit to hunt only when accompanied by an adult.**
- **Remove references to specific properties proposed for removal from Title 14.**
- **Lake Sonoma Wildlife Area is listed in Section 551(b) and 551(c). Since it is entirely on federal land, it should only be listed in Section 551(c).**
- **Update language for consistency with federal regulations on federal refuges on which hunting is managed by CDFW under an agreement with the USFWS.**

Recommended Changes Review

- **Designate 9 relatively new properties**
- **“Un-designate” 3 wildlife areas, plus 2 units of Grizzly Island WA.**
- **Site-specific changes for 11 existing wildlife areas and ecological reserves**
- **Minor clarification/clean-up changes.**

Any Questions?



Sport Fishing Regulations Revision and Simplification Project



Photo by Mike Mamola

Wildlife Resources Committee Meeting
September 10, 2019
Karen Mitchell
Fisheries Branch



Project Status

- Developed Trout Menu
- Menu was vetted through WRC /TC
- Menu was applied to waters statewide by Regional/HQ staff
- Proposed changes were vetted through public input

Public Outreach

- Townhalls/online surveys (2018)
- Press release
- Social Media
- Released draft regulatory changes
- Created Interactive Webpage
- Held 6 townhalls throughout the state between March 20th and April 23rd
- HQ and Regional staff attended Mono County Board of Supervisors meeting

Next Steps

- Review public input
- Coordinate with Regional Biologists
- Revise bins in Trout Menu based on public input and new information
- Discuss proposed changes via the WRC
- Submit reg package to FGC
- Move regs through FGC process and respond to comments

Project Timeline

- Wildlife Resources Committee meetings
 - January 2020 (Discuss proposed changes)
 - March 2020 (DFW recommendation)
 - May 2020 (Update)
- Commission meetings
 - June 2020 (Request to go to Notice)
 - August 2020 (Discussion)
 - October 2020 (Adoption)
- March 1, 2021 – Regulations go into effect

Thank You



Photo by Roger Bloom

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
Jamul

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

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

Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

Annual Tribal Planning

Meeting Agenda
February 6, 2018, 9:00 a.m.

Bonderson Hearing Room
901 P St, Sacramento, CA 95814

This meeting may be audio-recorded

Commission President Sklar and Vice President Hostler-Carmesin are expected to attend this meeting.

NOTE: See important information at the end of the agenda. All agenda items are informational and/or discussion only.

1. Welcome and introductions
2. Public forum for items not on the agenda
No action can be taken 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. Context and goal of meeting
4. Commission overview and its committees
5. Commission 2018 regulatory calendar overview
6. Commission advisor updates
 - (A) Updates on activities of committees and regulatory matters of interest
7. Agency updates
 - (A) California Department of Fish and Wildlife
 - (B) California Ocean Protection Council
 - (C) California State Lands Commission
 - (D) Others
8. Questions and discussion
9. Wrap up

California Fish and Game Commission 2018 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
February 6		Tribal Bonderson Building Hearing Room 901 P Street Sacramento, CA 95814	
February 7-8	Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		
February 22 (Strategic planning meeting)	Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		
March 6		Marine Resources Justice A. Rattigan State Building 50 D Street Conf. Room 410 (4th Floor) Santa Rosa, CA 95404	
March 15	Teleconference — Arcata, Napa, Sacramento, Los Alamitos, and San Diego		
April 12	Teleconference — Arcata, Napa, Sacramento, Los Alamitos and San Diego		
April 18-19	Four Points by Sheraton Ventura Harbor Resort 1050 Schooner Drive Ventura, CA 93001		
May 17		Wildlife Resources WestEd Building- Edwin C. Myers Classroom 4665 Lampson Ave. Los Alamitos, CA 90720	
June 19		Tribal Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
June 20-21	Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		

Meeting Date	Commission Meeting	Committee Meeting	Other Meetings
July 17		Marine Resources California Department of Parks and Recreation Orange Coast District Office Training Room 3030 Avenida del Presidente San Clemente, CA 92672	
August 22-23	River Lodge Conference Center 1800 Riverwalk Drive Fortuna, CA 95540		
September 20		Wildlife Resources Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
October 16		Tribal Radisson Fresno Conference Center 1055 Van Ness Avenue Fresno, CA 93721	
October 17-18	Radisson Fresno Conference Center 1055 Van Ness Avenue Fresno, CA 93721		
November 14		Marine Resources Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
December 12-13	QLN Conference Center 1938 Avenida del Oro Oceanside, CA 92056		

OTHER 2018 MEETINGS OF INTEREST

Association of Fish and Wildlife Agencies

- September 9-12, Tampa, FL

Pacific Fishery Management Council

- March 8-14, Rohnert Park, CA
- April 5-11, Portland, OR
- June 6-14, Spokane, WA
- September 5-12, Seattle, WA
- November 1-8, San Diego, CA

Pacific Flyway Council

- March 27, Norfolk, VA
- September, TBD

Western Association of Fish and Wildlife Agencies

- January 3-8, San Diego, CA
- July 12-17, Eugene, OR

Wildlife Conservation Board

- February 22, Sacramento, CA
- March 22, Sacramento, CA (special meeting)
- May 24, Sacramento, CA
- August 30, Sacramento, CA
- November 15, Sacramento, CA

IMPORTANT MEETING PROCEDURES INFORMATION

Welcome to the annual tribal planning meeting of the California Fish and Game Commission. The goal of the annual meeting is to allow for tribes to learn about the Commission's regulatory process and to identify how the state can better work with tribes to encourage participation in issues of mutual concern. It is important to note that no action can be taken at this meeting independent of the full Commission; rather, any recommendations from the meeting will be made to the full Commission at a regularly scheduled meeting.

A goal of the Commission is informed decision making; the annual tribal planning meeting is vital in developing recommendations to help the Commission achieve that goal and, 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.

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, Commissioners may request that staff follow up on items of potential interest to the Commission.

SPEAKING AT THE MEETING

This meeting will 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 presiding commissioner.
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, please provide five copies to the designated staff member just prior to speaking.
6. 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 that item is discussed). As a general rule, public forum is an opportunity to bring matters to the attention of Commissioners, but you may also do so via email or standard mail. At the discretion of the Commissioners in attendance, staff may be requested to follow up on the subject you raise.

Governor Newsom Issues Apology to Native Americans for State's Historical Wrongdoings, Establishes Truth and Healing Council

Governor signs executive order formally apologizing to California's Native Americans for historical mistreatment, violence and neglect

Governor establishes Truth and Healing Council to provide Native Americans a platform to clarify the historical record and work collaboratively with the state to begin the healing process

SACRAMENTO – Governor Gavin Newsom today [issued an apology](#) through executive order on behalf of California to California Native American Peoples for the many instances of violence, mistreatment and neglect inflicted upon California Native Americans throughout the state's history. The Governor also announced the creation of a Truth and Healing Council to provide an avenue for California Native Americans to clarify the record – and provide their historical perspective – on the troubled relationship between tribes and the state. This is the first time a state has taken dual action to correct the historical record and acknowledge wrongdoing through executive order mandate and a tribally-led, consultation-informed council.

“California must reckon with our dark history,” said Governor Gavin Newsom. “California Native American peoples suffered violence, discrimination and exploitation sanctioned by state government throughout its history. We can never undo the wrongs inflicted on the peoples who have lived on this land that we now call California since time immemorial, but we can work together to build bridges, tell the truth about our past and begin to heal deep wounds.”

“As the first California Indian elected to the State Legislature, I applaud the executive order signed by Governor Newsom today to issue a formal apology from the state for past cruel treatment of Native Americans. This action will go a long way to start the healing process between the state and Native American communities throughout California,” said Assemblymember James Ramos. “This historic acknowledgment by the Governor marks the beginning of a new relationship between the state and the more than 700,000 Native Americans who make the State of California their home.”

In the early decades of California's statehood, the relationship between the state and California Native Americans was fraught with violence, exploitation, dispossession and the attempted destruction of tribal communities. In 1850, California passed a law called the “Act for the Government and Protection of Indians,” which facilitated removing California Native Americans from their traditional lands, separating children and adults from their families, languages and culture, and creating a system of indentured servitude as punishment for minor crimes such as loitering.

Between 1850 and 1859, governors of California called for private and militia campaigns against Native peoples in the state. In his 1851 State of the State Address, California's first Governor declared “[t]hat a war of extermination will continue to be waged between the two races until the Indian race becomes extinct must be expected.” Subsequently, the state authorized \$1.29 million in 1850's dollars to subsidize these militia campaigns.

Despite these wrongs, California Native Americans resisted, survived and carried on cultural and linguistic traditions defying all odds. Now, at the direction of Governor Newsom and working in collaboration with California tribes, the state seeks to more closely explore the historical

relationship between the State of California and California Native Americans in the spirit of truth and healing through the establishment of a Truth and Healing Council. The Council will be led and convened by the Governor's Tribal Advisor and will include representatives or delegates from California Native American tribes, relevant state and local agencies and other relevant non-governmental stakeholders. The Council will report draft findings to the Governor's Tribal Advisor on an annual basis beginning January 1, 2020 and produce a final written report of findings regarding the historical relationship between the state and Native Americans on or before January 1, 2025.

The State of California and California Native Americans have never jointly or formally examined or documented their relationship for the express purpose of acknowledging and accounting for historical wrongs committed by the State of California against California Native Americans – and the state has never formally apologized for these atrocious actions.

A copy of the Governor's executive order can be found [here](#).

###

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

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

10/3/2019

ITEMS PROPOSED FOR CHANGE ARE SHOWN IN BLUE FONT

For FGC Staff Use				REGULATORY CHANGE CATEGORY		ACTION DATE, TYPE AND LOCATION		2019												2020									
								OCT 8	OCT 9	OCT 10	NOV 5	DEC 11	DEC 12	JAN 16	JAN 17	FEB 5	FEB 6	MAR 17	MAR 17	APR 15	APR 16	MAY 14	MAY 14	JUN 24	JUN 25	JUL 21	AUG 18	AUG 19	AUG 20
QUARTERLY EFFECTIVE	DFW/RU ANALYST	FGC ANALYST	LEAD	REGULATORY CHANGE CATEGORY		ACTION DATE, TYPE AND LOCATION		TC	FGC	MRC	FGC	WRC	TC	FGC	WRC	MRC	FGC	TELECONFERENCE	WRC	FGC	MRC	TC	FGC	WRC					
								VALLEY CENTER	VALLEY CENTER	SACRAMENTO	SACRAMENTO	LOS ANGELES AREA	LOS ANGELES AREA	SACRAMENTO	SANTA ROSA	SACRAMENTO	SANTA ROSA	SANTA ROSA	SANTA ROSA	SANTA ROSA	SANTA ROSA	SANTA ROSA	SANTA ROSA	SANTA ROSA	SANTA ROSA	SANTA ROSA	SANTA ROSA	SANTA ROSA	
				File Notice w/OAL by		Notice Published		08/13/19		10/15/19		12/10/19		02/18/20		04/28/20		05/08/20		6/30/20		07/03/20							
				Title 14 Section(s)																									
*	OA	CC	MR	Hagfish Traps	180.6	E 10/1																							
*	MR	ST	MR	Recreational and Commercial Pacific Herring (Fishery Management Plan Implementation)	26.50, 28.50, 28.60, 28.62, 55.00, 55.01, 55.02, 163, 163.1, 163.5, 164 and 705			A				E 1/1																	
*	MR	CC	MR	Experimental Fishing Permit (EFP) Program (Phase I)	90 and 704			D/A				E 1/1																	
*	MR	JS	WLB	Possession of Nongame Animals (Nutria)	473			D																					
	OA	SF	FB	Klamath River Basin 2084 (Emergency)	7.50(b)(91.2)																								
	OA	SF	FB	<u>Klamath River Basin 2084 (Emergency) (First 90-day Extension)</u>	<u>7.50(b)(91.2)</u>																								
	OA	SF	FB	<u>Klamath River Basin 2084 (Emergency) (Second 90-day Extension)</u>	<u>7.50(b)(91.2)</u>																								
	OA	SF	FB	<u>Klamath River Basin 2084 (Implementing Certificate of Compliance)</u>	<u>7.50(b)(91.2)</u>																								
	MR	ST	WLB	Wildlife Areas/Public Lands and Ecological Reserves	550, 550.5, 551, 552, 630 and 702																								
	MR	JS	WLB	Mammal Hunting	360, 361, 362, 363, 364 and 364.1																								
	MR	JS	WLB	Waterfowl (Annual)	502, 507																								
	OA	CC	FB	Central Valley Sport Fishing (Annual)	7.50(b)(5), (68), (124), (156.5)																								
	OA	CC	FB	Klamath River Basin Sport Fishing (Annual)	7.50(b)(91.1)																								
	MR	JS	WLB	<u>Upland Game Bird</u>	<u>300</u>																								
	OA	JS	FB	<u>Simplification of Statewide Inland Fishing Regulations²</u>	<u>5.00, 7.00, 7.50, 8.10</u>																								

RULEMAKING SCHEDULE TO BE DETERMINED

			MR	<u>Santa Cruz Harbor Salmon Fishing (FGC Petition #2016-018)</u>	<u>TBD</u>																					
			MR	<u>European Green Crab (FGC Petition #2017-006)</u>	<u>TBD</u>																					
			WLB	<u>Wildlife Areas/Public Lands¹</u>	<u>TBD</u>																					
	OA	JS	FB	<u>Simplification of Statewide Inland Fishing Regulations</u>	<u>5.00, 7.00, 7.50, 8.10</u>																					
*	MR	CC	MR	Experimental Fishing Permit (EFP) Program (Phase II)	TBD																					
	OA	SF	FB	<u>Klamath River Basin 2084 (Emergency) (90-day Extension - Phase I)</u>	<u>7.50(b)(91.2)</u>																					
	OA	SF	FB	<u>Klamath River Basin 2084 (Emergency) (90-day Extension - Phase II)</u>	<u>7.50(b)(91.2)</u>																					
	OA	SF	FB	<u>Klamath River Basin 2084 (Implementing Certificate of Compliance)</u>	<u>7.50(b)(91.2)</u>																					
*			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 (FGC Petition #2015-010)	474																					
				Shellfish Aquaculture Best Management Practices	TBD																					
*				ban of neonicotinoid pesticides on Department Lands (FGC Petition #2017-000)	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

1: Includes FGC Petition #2018-003 & FGC Petition #2018-005; 2: Includes FGC Petition #2018-008

**Marine Resources Committee (MRC) 2019 Work Plan
Scheduled Topics and Timeline for
Items Referred to MRC from California Fish and Game Commission
Updated September 30, 2019**

Topic	Category	2019		2020
		JUL	NOV	MAR
		San Clemente	Sacramento	Monterey Area
Planning Documents				
MLMA Master Plan for Fisheries - Implementation Updates	Master Plan Implementation	X	X	X
Abalone FMP / ARMP Update	FMP	X	X	X
Aquaculture Programmatic Environmental Impact Report (PEIR)	Programmatic Plan			X
Regulations				
Aquaculture Lease Best Management Practices (BMP) Plan Requirements	DFW-FGC Project/ Rulemaking			X
Kelp & Algae Commercial Harvest	DFW Project/ Rulemaking	X	X	
Emerging/Developing Management Issues				
Aquaculture State Water Bottom Leases: Existing and future lease considerations	Lease Management Review			X
Special Projects				
California's Coastal Fishing Communities	MRC project	X	X	
Informational / External Topics of Interest				
Whale and Turtle Protections in the Management of the Dungeness Crab Fisheries		X	X	
Stakeholder informational presentation on aspects of State recreational fisheries management not under FGC regulatory authority		X		
Stakeholder informational presentation on aspects of State commercial fisheries management not under FGC regulatory authority			X	

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

**Wildlife Resources Committee (WRC) 2019-20 Work Plan
Scheduled Topics and Timeline for
Items Referred to WRC by the California Fish and Game Commission
Updated September 30, 2019**

Topic	Category	2019		2020
		MAY	SEP	JAN
		Sacramento	Santa Rosa	Los Angeles Area
Annual Regulations				
Upland (Resident) Game Birds	Annual		X	
Sport Fishing	Annual			
Mammal Hunting	Annual	X	X/R	
Waterfowl	Annual	X	X/R	
Central Valley Salmon Sport Fishing	Annual	X	X/R	
Klamath River Basin Sport Fishing	Annual	X	X/R	
Regulations & Legislative Mandates				
Falconry	Referral for Review			
Department Lands Regulations	Regulatory	X/R		
Simplification of Statewide Inland Fishing Regulations	Regulatory	X	X	X
Special Projects				
American Bullfrog and Non-native Turtle Stakeholder Engagement Project	Referral for Review	X	X	X
Policies				
Delta Fisheries Forum Recommendations and Delta Fisheries Policy	Referral for Review	X/R		
Legislation				
365-Day Fishing Licenses (AB 1387)	Referral for Review	X/R		

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

California Fish and Game Commission Tribal Committee

Work Plan: Topics and Timeline for Items Referred to TC from FGC

Updated September 2019

Topic	Type / Lead	Goal(s)	2019		2020 *
			Jun Redding	Oct San Diego	Jan Los Angeles
Special Projects					
Co-management	TC Project	Develop a definition for co-management	X	X	X
Tribal advisory body	TC Project	Explore options for an advisory body to provide input to TC co-chairs	X/R		
Regulatory/Legislative					
Kelp and algae harvest management regulations	DFW Project and Regulation Change	Updates; then recommendation and guidance	X	X/R	
Simplification of statewide inland fishing regulations	DFW Project and Regulation Change	Updates; then recommendation and guidance	X	X	X
Operating principles/practices and add TC to FGC meeting procedures	Regulation Change	Amend Section 665, Title 14, California Code of Regulations	X	X/R	
DFW-managed lands	DFW Project and Regulation Change	Amend Section 550, 550.5, and 551, Title 14, California Code of Regulations	X	X/R	
Developing Management Issues					
FGC climate policy	FGC Policy	During development of a policy for FGC, make recommendations and provide guidance			
Coastal fishing Communities Project	MRC Project	Updates and guidance	X	X	X
Management Plans					
Sheep, deer, antelope, trout, abalone, kelp/seaweed	DFW	Updates and guidance (timing as appropriate for each plan)	X	X	X
Informational Topics					
Poseidon, a web-based data collection and analysis tool	The Nature Conservancy	Learn more about a new tool under development to aid in data collection and analysis for harvested species		X	
Status of abalone in California	DFW	Update			
Commercial seaweed and kelp harvest	DFW	Understand current levels of commercial kelp and seaweed harvest (how much, which species, where, etc.)			
Kelp recovery efforts	DFW	Update (as requested)			
Studies of pinnipeds and California's fisheries	DFW	Understand what studies have been conducted on pinnipeds, how they affect California's fisheries, and options for addressing impacts			
Cross-pollination with MRC and WRC	FGC Committee Coordination	Identify tribal concerns and common themes with WRC and MRC	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, (4) contribute to planning logistics for annual meeting, and (5) review progress on topics discussed at 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
Proposition 64 (cannabis)	DFW/LED	Update on implementation (as requested)	X		
Wildfire impacts and state response	DFW	Update (as requested)	X		
FGC regulatory calendar	FGC	Update	X	X	X

X = Discussion scheduled

X/R = Discussion with recommendation developed and moved to FGC

FGC = California Fish and Game Commission TC = FGC's Tribal Committee

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