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STATE OF CALIFORNIA
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Fish and Game Commission



*Celebrating 150 Years of
Wildlife Heritage and Conservation!*

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MEETING AGENDA

September 22, 2020; 8:30 a.m.

Webinar and Teleconference

The California Fish and Game Commission is conducting this meeting by webinar and teleconference to avoid a public gathering and protect public health during the COVID-19 pandemic, consistent with Executive Order N-33-20.

Pursuant to Executive Order N-29-20, commissioners may participate in meetings remotely. The public may provide public comment during the public comment periods, and otherwise observe remotely consistent with the Bagley-Keene Open Meeting Act.

The meeting will be live streamed; visit www.fgc.ca.gov the day of the meeting. To provide public comment during the meeting, please join via Zoom Webinar or by telephone. Please [click here](#) for instructions on how to join the meeting.

Note: See important meeting deadlines and procedures, including written public comment deadlines, beginning on page 4.

Call to order/roll call to establish quorum

1. Consider approving agenda and order of items

2. General public comment for items not on the agenda

Receive public comment regarding topics within the Commission's authority that are not included on the agenda.

Note: The Commission may not discuss or take action on any matter raised during this item, except to decide whether to place the matter on the agenda of a future meeting (sections 11125 and 11125.7(a), Government Code).

3. Western Joshua tree

Consider and potentially act on the petition, the Department's evaluation report, and comments received to determine whether listing western Joshua tree (*Yucca brevifolia*) as a threatened or endangered species under the California Endangered Species Act (CESA) may be warranted.

(Pursuant to sections 2074 and 2074.2, Fish and Game Code)

See notes on next page regarding public comments and one-year status review.

Note: Pursuant to Fish and Game Code Section 2074.2, the Commission, at its August 19-20, 2020 meeting, closed the public hearing and administrative record for this item and continued the meeting on the petition solely for the purpose of deliberation and decision. Therefore, *no further public comment (written or verbal) will be accepted for or at this meeting for Agenda Item 3.*

Note: If the Commission determines listing western Joshua tree may be warranted, a one-year status review will commence before the final decision on listing is made.

4. Conditional take of western Joshua tree during candidacy period

If the Commission determines that listing may be warranted, consider regulatory action to allow take of western Joshua tree under certain circumstances by either authorizing a notice of intent to adopt a regulation at a future meeting or adopting an emergency regulation at this meeting, and consider taking final action under the California Environmental Quality Act.

(Pursuant to sections 399 and 2084, Fish and Game Code)

Adjourn

**California Fish and Game Commission
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.

| Meeting Date | Commission Meeting | Committee Meeting |
|-----------------|------------------------|---|
| October 14-15 | Webinar/teleconference | |
| November 9 | | Tribal Webinar/teleconference |
| November 10 | | Marine Resources Webinar/teleconference |
| December 9 - 10 | Webinar/teleconference | |

OTHER 2020 MEETINGS OF INTEREST

Pacific Fishery Management Council

- November 13-20, Garden Grove, CA

Wildlife Conservation Board

- November 18, Sacramento, CA

IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION

Welcome to a Meeting of the California Fish and Game Commission

This year marks the beginning of the 151st year of operation of the Commission in partnership with the California Department of Fish and Wildlife. Our goal is the preservation of our heritage and conservation of our natural resources through informed decision making; Commission meetings are vital in achieving that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome and please let us know if you have any questions.

Persons with Disabilities

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Department's Equal Employment Opportunity (EEO) Office at (916) 653-9089 or EEO@wildlife.ca.gov. Accommodation requests for facility and/or meeting accessibility and requests for American Sign Language (ASL) Interpreters should be submitted at least two weeks prior to the event. Requests for Real-Time Captioners should be submitted at least four weeks prior to the event. These timeframes are to help ensure that the requested accommodation is met. If a request for an accommodation has been submitted but is no longer needed, please contact the EEO Office immediately.

Stay Informed

To receive meeting agendas and regulatory notices about those subjects of interest to you, please visit the Commission's website, www.fgc.ca.gov, to sign up on our electronic mailing lists.

Submitting Comments on Agenda Items

The public is encouraged to comment on any agenda item. Verbal comments are only accepted during meetings. Written comments may be submitted by one of the following methods: E-mail to fgc@fgc.ca.gov; mail to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090; or deliver to California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814. Materials provided to the Commission may be made available to the general public.

Written Comment Deadlines

The **Comment Deadline** for this meeting is **5:00 p.m. on September 9, 2020**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting. Pursuant to California Fish and Game Code Section 2074.2 and Commission action at its August 19-20 meeting, the administrative record has been closed and public comments will not be accepted on Agenda Item 3.

The **Supplemental Comment Deadline** for this meeting is **noon on September 18, 2020**. Comments received by this deadline will be made available to Commissioners at the meeting.

Petitions for Regulation Change

Any person requesting that the Commission adopt, amend, or repeal a regulation must complete and submit form FGC 1, titled, "Petition to the California Fish and Game Commission for Regulation Change" (as required by Section 662, Title 14, CCR). The form is available at <https://fgc.ca.gov/Regulations/Petition-for-Regulation-Change>. To be received by the Commission at this meeting, petition forms must have been delivered by the **Supplemental Comment Deadline** (or delivered during general public comment at the meeting). Petitions received at this meeting will be scheduled for consideration at the next business meeting, unless the petition is rejected under staff review pursuant to subsection 662(b), Title 14, CCR.

Non-Regulatory Requests

All non-regulatory requests will follow a two-meeting cycle to ensure proper review and thorough consideration of each item. All requests submitted by the **Supplemental Comment Deadline** (or heard during general public comment at the meeting) will be scheduled for receipt at this meeting, and scheduled for consideration at the next business meeting.

Speaking at the Meeting

To speak on an agenda item, please “raise” your hand either through the Zoom function or by pressing *9 once on your phone when prompted at the beginning of the agenda item.

1. Speakers will be called one at a time; please pay attention to when your name is called.
2. When addressing the Commission, give your name and the name of any organization you represent, and provide your comments on the item under consideration.
3. If there are several speakers with the same concerns, please appoint a spokesperson and avoid repetitive testimony.
4. The presiding commissioner will allot between one and three minutes per speaker per agenda item, subject to the following exceptions:
 - a. Individuals may receive advance approval for additional time to speak if requests for additional time to speak are received by email or delivery to the Commission office by the **Supplemental Comment Deadline**. The president or designee will approve or deny the request no later than 5:00 p.m. two days prior to the meeting.
 - b. An individual requiring an interpreter is entitled to at least twice the allotted time pursuant to Government Code Section 11125.7(c).
 - c. An individual may receive additional time to speak to an agenda item at the request of any commissioner.

Visual Presentations/Materials

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

1. Electronic presentations must be provided by email to fgc@fgc.ca.gov.
2. All electronic formats must be Windows PC compatible.