

California Fish and Game Commission
Tribal Committee
Meeting Materials



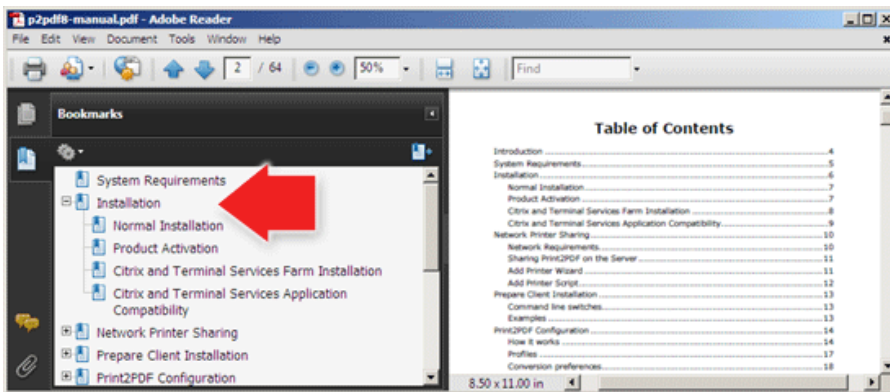
August 16, 2022
Bear River Band of the Rohnerville
Rancheria, Loleta


EASY GUIDE TO USING THE BINDER

1. Download and open the binder document using your Adobe Acrobat program/app.
2. If a bookmark panel does not automatically appear on either the top or left side of the screen, click/tap on the “bookmark symbol” located near the top left-hand corner.



3. To make adjustments to the view, use the Page Display option in the View tab. You should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the staff summaries and numerous supporting documents in the binder. It's helpful to think of these bookmarks as a table of contents that allows you to go to specific points in the binder without having to scroll through hundreds of pages.
5. You can resize the two panels by placing your cursor in the dark, vertical line  located between the panels and using a long click /tap to move in either direction.
6. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
7. Upon locating a staff summary for an agenda item, notice that you can obtain more information by clicking/tapping on any item underlined in blue.
8. Return to the staff summary by simply clicking/tapping on the item in the bookmark panel.
9. Do not hesitate to contact staff if you have any questions or would like assistance.

Overview of Tribal Committee Meeting

- Welcome to this meeting of the California Fish and Game Commission Tribal Committee. The Committee is comprised of up to two Commissioners who co-chair each meeting; members are assigned annually by the Commission. Currently the Tribal Committee is chaired by Commissioner Jacque Hostler Carmesin.
- Our goal today is informed discussion to guide future decision making, and, we need your cooperation to ensure a lively and comprehensive dialogue.
- We are operating under Bagley-Keene Open Meeting Act, but 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.
- These proceedings are being recorded and may be posted to our website for reference and archival purposes.
- Items may be heard in any order pursuant to the determination of the committee chair.
- Requests for regulatory change need to be directed to the full Commission and submitted on the required petition form, FGC 1, *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.
- Committee meetings operate informally and provide opportunity for everyone to provide input on agenda items. If you wish to contribute to an agenda item, please follow these guidelines:
 1. Raise your hand and wait to be recognized by the Committee chair.
 2. Provide your name, affiliation (if any), and the number of people you represent.
 3. Time is limited; please keep your contribution precise to give others time to speak.
 4. If several speakers have the same concerns, please appoint a group spokesperson.
 5. If speaking during general public comment, the subject matter you present should not be related to any item on the current agenda (public input on agenda items will be taken at the time the Committee discusses that item).

Introductions for California Fish and Game Commission Tribal Committee

Commissioners

Jacque Hostler-Carmesin	Chair
Erika Zavaleta	“Visiting” commissioner

Commission Staff

Melissa Miller-Henson	Executive Director
Chuck Striplen	Tribal Advisor and Liaison
Susan Ashcraft	Marine Advisor
Ari Cornman	Wildlife Advisor
Cynthia McKeith	Analyst
Kimberly Rogers	Sea Grant State Fellow

California Department of Fish and Wildlife

Valerie Termini	Deputy Director and Tribal Liaison
Craig Shuman	Regional Manager, Marine Region
Jay Rowan	Chief, Fisheries Branch
Scott Gardner	Chief, Wildlife Branch
Chris Stoots	Assistant Chief and Tribal Liaison, Law Enforcement Division
Sarah Fonseca	Tribal Cultural Resources Specialist
Becky Ota	Environmental Program Manager, Habitat Conservation Program, Marine Region
Isabel Baer	Environmental Program Manager, Native Plant, Timberland Conservation and Fire Resiliency Programs
Joe Croteau	Environmental Program Manager, Klamath Watershed Program
Samara Maxey	Regional Manager Assistant, Regional Tribal Liaison, Marine Region
Kirsten Ramey	State Managed Marine Finfish Program Manager
Rebecca Flores-Miller	Environmental Scientist, Marine/Fisheries

California Ocean Protection Council

Jenn Eckerle	Deputy Executive Director
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Commissioners
Samantha Murray, President
La Jolla
Erika Zavaleta, Vice President
Santa Cruz
Jacque Hostler-Carmesin, Member
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Eric Sklar, Member
Saint Helena
Vacant, Member

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Melissa Miller-Henson
Executive Director
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Fish and Game Commission



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TRIBAL COMMITTEE (TC)

Committee Chair: Commissioner Hostler-Carmesin

Meeting Agenda and Materials

August 16, 2022; 1:30 p.m.

Participate in Person

Tish Non Community Center, Community Room
Bear River Band of the Rohnerville Rancheria
266 Keisner Road
Loleta, CA 95501

Participate via Webinar

To participate in the meeting virtually, please join via Zoom or by telephone.

**[Click here](http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=202530&inline) or go to <http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=202530&inline>
for instructions on how to join the meeting.**

Pursuant to California Government Code Section 11133, this committee meeting is being conducted by webinar/teleconference in addition to the in-person location. Commission members may participate remotely. The public may provide public comment during the public comment periods and otherwise observe remotely, consistent with the Bagley-Keene Open Meeting Act.

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 – **Chair Hostler-Carmesin**

1. **Approve agenda and order of items**

2. **Annual tribal planning meeting**

Review topics discussed at the July 20, 2022 tribal planning meeting, held annually pursuant to the Commission's Tribal Consultation Policy.

Exhibit 2.1: Commission Tribal Consultation Policy, dated Jun 2015

Exhibit 2.2: Agenda for July 20, 2022 Commission Annual Tribal Planning meeting

Exhibit 2.3: Summary of July 20, 2022 Commission Annual Tribal Planning meeting

3. **Co-management roundtable discussion**

Discuss tribal co-management initiatives and projects planned or underway in collaboration with the Department, or other state agencies, and California tribes.

Exhibit 3.1: Adopted co-management vision statement and definition, dated Feb 2020

4. **Definition of “tribal subsistence harvest” and related management mechanisms**

Receive staff update on workgroup meetings to develop a definition related to California Native American subsistence activities (distinct from “commercial” or “recreational”).

5. **Staff and agency updates requested by the Committee**

Receive updates from staff and other agencies, including current topics on the work plan for which the Committee has requested an update.

(A) California Ocean Protection Council (OPC)

- I. OPC draft tribal engagement strategy: consultation and listening sessions
- II. Anticipated OPC tribal investments at upcoming September 14 meeting: Tribal Marine Stewards Network, Tribal Small Grants Program

(B) Department

- I. Law Enforcement Division
- II. Wildlife and Inland Fisheries Division
 - a. Access for All Initiative
 - b. Southern California steelhead status review pursuant to the California Endangered Species Act (CESA)
 - c. Potential western Joshua tree CESA listing
 - d. Milo Baker’s lupine CESA listing
 - e. Klamath River Basin sport fishing regulations
 - f. Black bear conservation and management plan development
 - g. Treponeme-associated hoof disease (TAHD)
- III. Marine Region
 - a. Kelp and marine algae harvest management
 - b. Tribal participation in the marine protected areas 2022 decadal management review

Exhibit 5B.1: Department Marine Protected Areas decadal management review timeline

(C) Commission staff

Exhibit 5C.1: Potential agenda items for Oct 2022 Commission meeting, dated Aug 9, 2022

Exhibit 5C.2: Commission rulemaking timetable, dated Aug 9, 2022

Exhibit 5C.3: Marine Resources Committee work plan, revised Jul 15, 2022

Exhibit 5C.4: Wildlife Resources Committee work plan, revised Aug 5, 2022

6. **Future agenda items**

(A) Review work plan agenda topics, priorities, and timeline

[Exhibit 6.1: TC work plan, revised Jun 10, 2022](#)

(B) Potential new agenda topics for Commission consideration

7. **General public comment for items not on agenda**

Receive public comment regarding topics not included in this agenda.

Note: 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].

Adjourn

California Fish and Game Commission 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
August 17-18, 2022	Bear River Band of the Rohnerville Rancheria Tish Non Community Center, Community Room 266 Keisner Road Loleta, CA 95501	
September 15, 2022		Wildlife Resources Los Angeles/Inland Empire area
October 12-13, 2022	Truckee	
November 17, 2022		Marine Resources Monterey area
December 13, 2022		Tribal San Diego area
December 14-15, 2022	San Diego area	

Other Meetings of Interest

Association of Fish and Wildlife Agencies

- September 18-21, 2022 – Fort Worth, TX

Pacific Fishery Management Council

- September 7-14 – 2022, Boise, ID
- November 2-8, 2022 – Orange County, CA

Pacific Flyway Council

- August 26, 2022 – Juneau, AK

Wildlife Conservation Board

- August 25, 2022 – Sacramento, CA
- November 17, 2022 – Sacramento, CA

IMPORTANT COMMITTEE MEETING PROCEDURES INFORMATION

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

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 co-chairs make recommendations to the full Commission at regularly scheduled meetings.

The Commission's goal is preserving our outdoor heritage and conserving 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 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.

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; or **deliver** to California Fish and Game Commission, 715 P Street, Sacramento, CA 95814; or **hand-deliver to a Committee meeting**.

COMMENT DEADLINES

The **Written Comment Deadline** for this meeting is **5:00 p.m. on Wednesday, August 3, 2022**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The **Supplemental Comment Deadline** for this meeting is **noon on Thursday, August 12, 2022**. Comments received by this deadline will be made available to Commissioners at the meeting.

After these deadlines, 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 must be redirected to the full Commission and submitted on the required petition form, FGC 1, *Petition to the California Fish and Game Commission for Regulation Change* (Section 662, Title 14, California Code of Regulations). 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. You will be given instructions during the meeting for how to be recognized by the Committee co-chair(s) to speak.
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 speaking during general public comment for items not on the agenda (Agenda Item 2), 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 **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 or delivered to the Commission on a USB flash drive by the deadline.
2. All electronic formats must be Windows PC compatible.
3. If participating in person, it is recommended that a print copy of any electronic presentation be submitted in case of technical difficulties.

California Fish and Game Commission
Tribal Consultation Policy
Adopted June 2015

On September 19, 2011, Governor Edmund G. Brown, Jr., issued Executive Order B-10-11, which provides, among other things, that it is the policy of the administration that every state agency and department subject to executive control implement effective government-to-government consultation with California Indian Tribes.

Purpose of the Policy

The mission of the California Fish and Game Commission (FGC) is, on the behalf of California citizens, to ensure the long term sustainability of California's fish and wildlife resources by setting policies, establishing appropriate rules and regulations, guiding scientific evaluation and assessments, and building partnerships to implement this mission. California Native American Tribes, whether federally recognized or not, have distinct cultural, spiritual, environmental, economic and public health interests and unique traditional knowledge about the natural resources of California.

The purpose of this policy is to create a means by which tribes and FGC can effectively work together to realize sustainably-managed natural resources of mutual interest.

Policy Implementation

1. Communication. Both FGC and the tribes are faced with innumerable demands on their limited time and resources. In the interest of efficiency, FGC will annually host a tribal planning meeting to coordinate the upcoming regulatory and policy activities before FGC. The meeting will provide a venue for education about process, identifying regulatory and policy needs, and developing collaborative interests; this will include inviting sister agencies to participate.
2. Collaboration. In areas or subjects of mutual interest, FGC will pursue partnerships with tribes to collaborate on solutions tailored to each tribe's unique needs and capacity. The structure of these collaborative efforts can range from informal information sharing, to a memorandum of understanding with more specific agreements regarding working relationships and desired outcomes, to co-management agreements with specific responsibilities and authorities.
3. Record-keeping. FGC will maintain a record of all comments provided by tribes and will include them in administrative records where appropriate.
4. Training. FGC will provide training to interested tribes on its processes for regulation and policy development.

Commissioners
Samantha Murray, President
La Jolla
Erika Zavaleta, Vice President
Santa Cruz
Jacque Hostler-Carmesin, Member
McKinleyville
Eric Sklar, Member
Saint Helena
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Fish and Game Commission



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ANNUAL TRIBAL PLANNING MEETING

Committee Chair: Commissioner Jacque Hostler-Carmesin

Meeting Agenda

July 20, 2022; 2:00 p.m. – 4:00 p.m.

**California Natural Resources Building
2nd Floor, Conference room 3-201
715 P Street
Sacramento, CA 95814**

and

Webinar and Teleconference

To participate in the meeting, you may join via Zoom or by telephone. [Click here](#) or go to <https://us06web.zoom.us/j/81059378743> to join the meeting.

If you are not able to join using your computer or mobile device app (which give you maximum functionality for participating), you may join by phone by dialing 215-446-3656 or 888-363-4734 (US toll free). Conference code: 506989.

For assistance in joining Zoom meetings, you can visit: <https://support.zoom.us/hc/en-us/articles/200941109>.

Call to order

- 1. Introductions and goals**
Introductions of commissioners, tribal representatives, Commission staff and agency representatives.
- 2. Commission tribal consultation policy and consultation process**
Brief review of the Commission's tribal consultation policy and discussion of potential policy update concurrent with other state natural resource agencies.

Exhibit 2.1: FGC Tribal Consultation Policy

3. **Recap of 2021 annual tribal planning meeting; review of Commission tribal projects and priorities for 2023**

Brief summary of the major discussion topics and outcomes from the 2021 meeting, and review of current and anticipated projects.

Exhibit 3.1: 2021 Annual Tribal Planning Meeting – agenda

Exhibit 3.2: 2021 Annual Tribal Planning Meeting – post-meeting summary

Exhibit 3.3: TC work plan

Exhibit 3.4: What is the Tribal Committee?

4. **Roundtable discussion about tribal priorities and issues of concern**

An opportunity for tribal representatives to share current priorities and issues of concern to help identify and explore potential opportunities for collaboration or action by the Commission. Items from this discussion can also help shape the work of the Commission's Tribal Committee.

5. **Closing thoughts**

Adjourn

Commissioners
Samantha Murray, President
La Jolla
Erika Zavaleta, Vice President
Santa Cruz
Jacque Hostler-Carmesin, Member
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Fish and Game Commission



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ANNUAL TRIBAL PLANNING MEETING

July 20, 2022 Meeting Summary Sacramento, Webinar and Teleconference

This document is a summary of the California Fish and Game Commission (Commission) annual tribal planning meeting, as prepared by staff.

Commissioner Jacque Hostler-Carmesin welcomed everyone to the meeting, and then introduced Tribal Advisor and Liaison Chuck Striplen and Executive Director Melissa Miller-Henson.

Commissioner Hostler-Carmesin moderated the meeting, with representatives from approximately a dozen tribes and tribal communities in attendance. In addition, the California Natural Resources Agency (CNRA) Assistant Secretary for Tribal Affairs Geneva E.B. Thompson attended the meeting in person, along with staff from the California Department of Fish and Wildlife (Department) and the California Ocean Protection Council.

1. Introductions and goals

Commissioner Hostler-Carmesin invited attendees to introduce themselves. Tribal representatives introduced themselves first, followed by Department staff, other agency staff, and then Commission staff. Chuck Striplen briefly reviewed the agenda for the meeting.

2. Commission tribal consultation policy and consultation process

Chuck Striplen reviewed the Commission's tribal consultation policy and staff's coordination with other state natural resource agencies on updating consultation policies; Geneva Thompson described her role in coordinating this effort. She hopes to have a report soon on the work.

On mention of the training element of the Commission's Tribal Consultation Policy, one tribal representative asked about available training for tribes. No formal training is currently available, but several attendees supported a range of possible trainings, including monitoring and data collection, drone surveys, the California Administrative Procedure Act, and Commission processes (e.g., petitions). Commission and DFW staff committed to follow-up with appropriate contacts and to discuss possible training opportunities internally.

Geneva E.B. Thompson noted that the Native American Heritage Commission offers [AB52 tribal consultation training](#).

3. Recap of 2021 annual tribal planning meeting; review of Commission tribal projects and priorities for 2022-2023

Chuck Striplen provided a brief summary of the major discussion topics and outcomes from the 2021 annual tribal planning meeting.

Several tribal representatives made note of issues related to overharvest and DFW enforcement in and around marine protected areas. They suggested that both the public and DFW personnel would benefit from training and education pertaining to tribal rights to resources and appropriate gathering practices (potentially via permit conditions), as well as training for tribal citizens on code compliance; this could be viewed as a measure to start reflecting traditional ecological knowledge in regulatory and management processes. DFW staff expressed appreciation for the feedback and will follow up individually.

A tribal representative also suggested that the Commission should explore updating its co-management vision and definition to ensure consistency with related policy initiatives at CNRA and Governor's office. Many tribes are currently engaged in various forms of co-management, which could inform an improved definition, vision, or policy. Commissioner Hostler-Carmesin highlighted how the Commission has been a trailblazer on the subject of co-management and agreed that revisiting the topic would be appropriate in the context of Governor Newsom's policy initiative; she also requested that Geneva E.B. Thompson be part of the conversation.

4. Roundtable discussion about tribal priorities and issues of concern

Commissioner Hostler-Carmesin moderated a lengthy discussion with tribal representatives who were invited to share current priorities and issues of concern, and to help identify potential opportunities for collaboration with or action by the Commission.

A representative from the Karuk Tribe described the complexity of issues facing tribes and salmonids on the Klamath River in the context of looming dam removal and recent federal court decisions affecting tribal sovereignty – highlighting the need to get thoughtful co-management agreements on track.

Representatives from Graton, Kashia, and Resighini spoke about the need for support for tribal resource management programs. Tribes are engaged more and more in monitoring everything from kelp to black bears, and rely on competitive, ephemeral funding sources to maintain program staffing and productivity. The process to craft agreements with DFW or FGC is not clear to some tribes, especially in multi-jurisdictional contexts (e.g., Point Reyes). DFW staff committed to following up on this matter.

Representatives from Dry Creek and United Auburn Indian Community spoke about challenging effects from COVID and wildfires. Dry Creek, in spite of being especially hard hit by COVID, continues to expand its creek and river restoration efforts, and Auburn is focused on building tribal capacity in traditional fire management in collaboration with other tribes. The representative from the Karuk Tribe spoke of legislation designed to recognize tribes' sovereign right to manage their ancestral lands (e.g., with fire), and the tribe's work in support of that effort (<https://karuktribeclimatechangeprojects.com/good-fire/>).

Geneva E.B. Thompson and Mike Esgro introduced opportunities for tribal consultation:

- Governor's Fifth Climate Change Assessment – an effort to integrate tribal priorities and tribal ecological knowledge into the assessment for climate change. A research grant program and tribal advisory group are being developed, and nominations for the advisory committee are currently being sought. Also see survey below.
- CNRA Outdoors for All Initiative: Tribal Roundtable Listening Sessions
Listening Session 1: August 17, 2022, at 10:00 a.m. – 12:00 p.m.
Listening Session 2: August 18, 2022, at 5:30 – 7:30 p.m.
- OPC's draft tribal engagement strategy is currently released for tribal review.
- [OPC survey](#) for the Fifth Climate Change Assessment – designed to gather input on California-specific research priorities that will inform the scope of climate adaptation and resilience research conducted as a part of the national assessment being led by the U.S. Global Change Research Program.

5. Closing thoughts and adjourn

Based on the discussions, Commissioner Hostler-Carmesin suggested Commission and DFW staff follow up on elk management agreements, coastal gathering permit conditions, and Klamath River salmonids. Any proposed changes to the Tribal Committee work plan will be discussed internally and with the Commission.

California Fish and Game Commission
Co-Management Vision Statement and Definition

February 2020

Vision Statement

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.

Definition

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



Decadal Management Review (DMR) Report Anticipated Timeline

Develop DMR:

- Partner reports
- Tribal content
- Technical reports
- Stakeholder input
- Fishing industry input

Continued DMR Development:

- **Tribal review of draft**

DMR Completed!

Public Meetings:

- Public Symposium- *March*
- Marine Resources Committee mtg - *March*
- FGC Tribal Committee mtg- *April*
- FGC meeting - *April*



- **Continued:**
- National Center for Ecological Analysis and Synthesis (NCEAS) submissions
- Internal review

Final Report Development

- **FINAL Report publicly available in January**
- **FINAL Report to Fish and Game Commission (FGC) in February**

Continued discussion and decision making:

- Implementation of recommendations

California Fish and Game Commission
Potential Agenda Items for the October 2022 Commission Meeting
August 9, 2022

The next Commission meeting is scheduled for October 12-13, 2022 in Kings Beach and via teleconference. This document identifies potential agenda items for the meeting, including items to be received from Commission staff and the California Department of Fish and Wildlife (Department). Anticipated timing of agenda items will allow a field trip on October 12.

During today's meeting, staff may recommend a re-ordering of agenda items between the two days of the meeting.

Wednesday, October 12: Marine-related and administrative items

1. General public comment for items not on the agenda (day 1)
2. Commission executive director and Department reports (Department director's report and Law Enforcement Division report)
3. Justice, equity, diversity and inclusion
4. Discuss: Recreational fishing regulations for federal groundfish and associated species for consistency with federal rules in 2023 and 2024 (biennial groundfish rulemaking)
5. Consider ratifying findings on the decision to list Pacific leatherback sea turtle as endangered under the California Endangered Species Act (CESA)
6. Action on marine petitions for regulation change
7. Action on marine non-regulatory requests from previous meetings
8. Items of interest from previous meetings (marine)
9. Committee and Department reports (Marine Resources Committee, Department Marine Region, and Tribal Committee)
10. Executive (closed) session

Thursday, October 13: Wildlife- and inland fisheries-related and administrative items

11. General public comments for items not on the agenda (day 2)
12. Final consideration of the petitioned action to list western Joshua tree as endangered under CESA
13. Consider granting six-month extension to complete one-year status review report for the petition to list southern California steelhead as endangered under CESA
14. Consider ratify findings on the decision to list Shasta snow-wreath as endangered under CESA
15. Notice: Implementation of AB 817 to establish a 12-consecutive-month sport fishing license and display via a mobile application
16. Adopt: Southern California steelhead 2084 emergency re-adopt
17. Resolution recognizing National Disability Employment Awareness Month

18. Action on wildlife and inland fisheries petitions for regulation change
19. Action on wildlife and inland fisheries non-regulatory requests from previous meetings
20. Items of interest from previous meetings (wildlife)
21. Committee and Department reports (Wildlife Resources Committee, Department Wildlife and Fisheries Division, and Ecosystem Conservation Division)
22. Administrative items (legislation and other agency regulations, rulemaking timetable, next meeting, new business)

California Fish and Game Commission
Wildlife Resources Committee (WRC) Work Plan
Scheduled Topics and Timeline for Items Referred to WRC
Updated August 5, 2022

TOPICS	CATEGORY	May 2022	Sep 2022	Jan 2023
Periodic Regulations				
Upland (Resident) Game Birds	Regulatory	X	X/R	
Mammal Hunting	Regulatory	X	X/R	
Waterfowl Hunting	Annual Regulatory	X	X/R	
Central Valley Sport Fishing	Annual Regulatory	X	X/R	
Klamath River Basin Sport Fishing	Annual Regulatory	X	X/R	
Inland Sport Fishing	Regulatory	X	X/R	
Regulations & Legislative Mandates				
Falconry	Referral for Review			
Preference Points and Refunds for Hunting Tags	Regulatory		X/R	
Restricted Species	Regulatory			X
Wildlife Rehabilitation	Regulatory		X	X/R
Upland Game Hunting Draws	Regulatory		X	X/R
Special Projects				
American Bullfrog and Non-native Turtle Stakeholder Engagement Project	Referral for Review	X	X	X
Bear Management Plan Development	Information		X	X
Regulation Change Petitions				
Petition 2021-017	Referral for Review	X	X/R	

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

California Fish and Game Commission Marine Resources Committee (MRC) Work Plan

Updated July 15, 2022

Note: Proposed changes to topics/timing are shown in blue underscore or strike-out font

TOPICS	CATEGORY	Mar 2022	Jul 2022	Nov 2022
Planning Documents & Fishery Management Plans (FMPs)				
MLMA Master Plan for Fisheries – Implementation Updates	Plan Implementation			
Red Abalone FMP / Abalone Recovery Management Plan Update	FMP	X	X/R	<u>X/R</u>
California Halibut Fishery Management Review	Management Review			
California Halibut Bycatch Evaluation for Fishery Management Review	Management Review	X	X*	<u>X</u>
Market Squid Fishery Management and FMP Review	Management/ FMP Review	X*	X*	
Kelp Recovery and Management Plan development	Management Plan	X		
Marine Protected Area Network 2022 Decadal Management Review	Management Review	X*		<u>X</u>
Regulations				
California Halibut Trawl Grounds Review	Commercial Take		X*	
Kelp and Algae Commercial Harvest – Edible Seaweed	Commercial Take			
Kelp and Algae Commercial Harvest – Sea Palm (<i>Postelsia</i>)	Commercial Take	X/R		
California Spiny Lobster FMP Implementing Regulations Review	Implementing Regulations		X/R	
California Sheephead Recreational Fishery Regulations	Recreational Take	X		
Implementation of 365-Day Sport Fishing License	Recreational Take		X	
Marine Aquaculture				
Aquaculture Program Planning (State Aquaculture Action Plan)	Planning Document			<u>X*</u>
Aquaculture State Water Bottom Leases: Existing & Future Lease Considerations	Current Leases / Planning	X*		
<i>Public Interest Determination Criteria</i> for New State Water Bottom Aquaculture Lease Applications	FGC Policy – New Leases	X	X	X/R
Aquaculture Lease Best Management Practices Plans (Hold, TBD)	Regulatory			
Emerging Management Issues				
Kelp Restoration and Recovery Tracking	Kelp			X
Invasive Non-native Kelp and Algae Species	Kelp / Invasive Species			
Special Projects				
California's Coastal Fishing Communities Project	MRC Special Project			
Coastal Fishing Communities Policy	FGC Policy	X	X*	X/R
Box Crab Experimental Fishing Permit (EFP) Research Project	EFP	X/R		

Key: X = Discussion scheduled X/R = Recommendation may be developed and may move to Commission
* = Written agency update

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

August 9, 2022

Items proposed for change are shown in blue underlined or strikeout font

Regulatory Change Category	Title 14 Section(s)	MRC Santa Rosa July 14, 2022	TC Lolita August 16, 2022	FGC Lolita August 17, 2022	WRC Los Angeles / Inland Empire Area September 15, 2022	FGC Kings Beach October 12, 2022	FGC Kings Beach October 15, 2022	FGC Teleconference TBD November 2022	MRC San Diego Area November 17, 2022	TC San Diego Area December 13, 2022	FGC San Diego Area Dec 14, 2022	FGC San Diego Area Dec 15, 2022	WRC TBD January 2023	FGC TBD 1 February 2023	FGC TBD 2 February 2023	MRC TBD March 2023	TC TBD April 2023	FGC TBD 1 April 2023	FGC TBD 2 April 2023	FGC Teleconference May 2023	WRC TBD May 2023	FGC TBD 1 June 2023	FGC TBD 2 June 2023	MRC TBD July 2023
Recreational Clam, Sand Crab, and Shrimp Gear Emergency (Second 90-day Extension) ⁶	29.20, 29.80	EE 7/11																						
Recreational Clam, Sand Crab, and Shrimp Gear (Implementing Certificate of Compliance) ⁶	29.05, 29.20, 29.80	E 7/11																						
Central Valley Sport Fishing (Annual)	7.40(b)(4), (43), (66), (80)		E 7/16											N										
Klamath River Basin Sport Fishing (Annual)	7.40(b)(50)		E 8/15												N									
Waterfowl (Annual)	502	E 7/1										N			D							A		
Pink Shrimp Fishery Management Plan Implementing Regulations	56.00, 56.01, 120, 120.1, 705						E-404	E 11/1																
Harvesting of Kelp and Other Aquatic Plants, Commercial Marine Algal Management Policies	165, 165.5, 705.1	E 7/1																						
Low Flow Fishing Restrictions Due to Drought Conditions Emergency	7.40(b)(40)(A)1., 8.00(a), 8.00(b)		EE 8/2																					
Low Flow Fishing Restrictions Due to Drought Conditions Emergency (90-day Extension)	7.40(b)(40)(A)1., 8.00(a), 8.00(b)		E-8/2 E 8/1					EE-10/3	EE 11/1															
Game Fish Contests	230			EUf																				
Sport Fishing Regulation Updates	2.00, 2.25, 2.30, 5.00, 5.15, 5.20, 5.41, 5.75, 5.79, 5.85, 5.87, 5.88, 7.00, 7.40, 7.50, 8.00, 29.85			A										E 1/1										
Recreational Fishing Regulations for Federal Groundfish and Associated Species	1.91, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 28.26, 28.27, 28.28, 28.29, 28.47, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58, 28.65, 28.90					D		A						E 1/1										
Clarification of Allowed and Prohibited Uses for State Marine Recreational Management Areas (SMRMAs)	632(b)(9), (b)(37), (b)(41), (b)(42), (b)(91)			EUf																				
Recreational Sub-Bag Limits for Vermilion, Copper and Quillback Rockfishes Emergency	28.55	EE 7/6																						
Recreational Sub-Bag Limits for Vermilion, Copper and Quillback Rockfishes Emergency (First 90-Day Extension)	28.55	E 7/6				EE-10/4	EE 10/5																	
Recreational Sub-Bag Limits for Vermilion, Copper and Quillback Rockfishes Emergency (Second 90-Day Extension)	28.55			A		E-10/4	E 10/5						EE 1/2											
Pre-Existing Structures in Marine Protected Areas (MPAs), Marine Managed Areas (MMAs), and Special Closures	632					N					D				A							N		D
Implementation of AB 817 365-day/ Electronic Display	TBD																							E 7/1
Commercial and Recreational Take of California Spirny Lobster	29.80, 29.90, 29.91, 121, 122.1, 122.2										N													
Southern California Steelhead 2084 Emergency	749.13							EE 11/15																
Southern California Steelhead 2084 Emergency (90-day extension)	749.13						A	E 11/15						EE 2/13										

Rulemaking Schedule to be Determined	Title 14 Section(s)	MRC Santa Rosa July 14, 2022	TC Lolita August 16, 2022	FGC Lolita August 17, 2022	WRC Los Angeles / Inland Empire Area September 15, 2022	FGC Kings Beach October 12, 2022	FGC Kings Beach October 15, 2022	FGC Teleconference TBD November 2022	MRC San Diego Area November 17, 2022	TC San Diego Area December 13, 2022	FGC San Diego Area Dec 14, 2022	FGC San Diego Area Dec 15, 2022	WRC TBD January 2023	FGC TBD 1 February 2023	FGC TBD 2 February 2023	MRC TBD March 2023	TC TBD April 2023	FGC TBD 1 April 2023	FGC TBD 2 April 2023	FGC Teleconference May 2023	WRC TBD May 2023	FGC TBD 1 June 2023	FGC TBD 2 June 2023	MRC TBD July 2023
Santa Cruz Harbor Salmon Fishing (FGC Petition 2016-018)	TBD																							
European Green Crab (FGC Petition 2017-006)	TBD																							
Wildlife Areas/Public Lands ⁴	TBD																							
Possess Game / Process Into Food	TBD																							
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 2017-009)	TBD																							
Ridgeback Prawn Incidental Take Allowance	120(e)																							
North Yuba River Special Fishing Regulations (FGC Petition 2021-020) ⁸	TBD																							
Commercial Take of Pacific Herring; Lampara Bait Nets ⁷	163, 163.1																							

KEY
 FGC = California Fish and Game Commission MRC = FGC Marine Resources Committee WRC = FGC Wildlife Resources Committee TC = FGC Tribal Committee
 E = Emergency EE = Emergency Expires E = Anticipated Effective Date (RED "X" = expedited OAL review) EUf = Effective Upon Filing w/ Secretary of State
 N = Notice Hearing D = Discussion Hearing A = Adoption Hearing V = Vetting R = Committee Recommendation
 4 = Includes FGC Petition 2018-003 6 = Includes FGC Petition 2019-012 7 = Includes FGC Petition 2020-015 8 = To be included in a future sportfishing regulations update

California Fish and Game Commission Tribal Committee (TC) Work Plan

Updated June 10, 2022

Topic / Goal	Type / Lead	Apr 2022	Aug 2022	Dec 2022
Special Projects				
FGC justice, equity, diversity and inclusion plan	FGC Project	X	X	X
Definition of “tribal subsistence”, and related management mechanisms	TC Project	X	X	X
Co-management roundtable discussion	TC Project	X	X	X
Coastal Fishing Communities Project: Updates	MRC Project	X	X	X
Regulatory / Legislative				
Kelp and algae harvest management regulations: Updates and then recommendation and guidance	DFW Project and Regulation Change	X	X	X
Management Plans				
Sheep, deer, antelope, trout, abalone, kelp/seaweed: Updates and guidance (timing as appropriate for each)	DFW	X	X	X
Informational Topics				
Agency updates OPC – MPA Statewide Leadership Team update; tribal outreach strategy update; tribal marine stewards program DFW – possible items include: <ul style="list-style-type: none"> - Marine Protected Areas Decadal Management Review, update on tribal participation - Drought/wildfire impacts and state response - Climate adaptation, mitigation, science - Statewide kelp and abalone recovery efforts - Proposition 64 (cannabis) implementation - Other items as identified by DFW Other agencies, as appropriate or requested	OPC DFW	X	X	X
Cross-pollination with MRC and WRC: Identify tribal concerns and common themes with WRC and MRC	FGC Committees	X	X	X
FGC regulatory calendar: Update	FGC staff	X	X	X

Key: X = Discussion scheduled X/R = Recommendation developed and moved to FGC
 FGC = California Fish and Game Commission MRC = FGC's Marine Resources Committee
 DFW = California Department of Fish and Wildlife WRC = FGC's Wildlife Resources Committee
 OPC = California Ocean Protection Council