

Commissioners
Samantha Murray, President
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McKinleyville
Eric Sklar, Member
Saint Helena
Darius W. Anderson, Member
Kenwood

STATE OF CALIFORNIA
Gavin Newsom, Governor

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

Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

Revised* Meeting Agenda

August 14-15, 2024

Participate in Person

River Lodge Conference Center
1800 Riverwalk Drive
Fortuna, CA 95540

or

Participate via Webinar/Phone

The meeting will be live streamed; visit www.fgc.ca.gov the day of the meeting to watch or listen. To provide public comment during the meeting, please join at the in-person location, via Zoom, or by telephone; you may join the webinar directly at <https://us02web.zoom.us/j/82504558887>. For complete instructions on how to join via Zoom or telephone, [click here](#) or visit fgc.ca.gov/meetings/2024.

* This revised agenda is amended to:

- Move item 9, General Public Comment, to item 2;
- add new item 8, Non-Regulatory Requests from Previous Meetings (marine);
- modify what was item 10, Lime Ridge eriastrum, to indicate that staff will recommend it be continued to October 9-10, 2024 meeting;
- renumber the remainder of agenda items accordingly.

- Notes:
- (1) See important meeting deadlines and procedures, including written public comment deadlines, starting on page 11.
 - (2) Unless otherwise indicated, the California Department of Fish and Wildlife is identified as Department.
 - (3) All section and subsection references are to Title 14 of the California Code of Regulations, unless otherwise noted.

Invitation: The Commission invites members of the public to join commissioners and staff for a field trip currently under development. [Details will be available in advance of the Commission meeting.](#) Members of the public are welcome to join but must provide their own transportation.

Day 1 – August 14, 2024; 9:00 AM

Call to Order and Roll Call to Establish a Quorum

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

General Public Comment

- 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).

Consent Items

Note: Items on the consent calendar are expected to be routine and non-controversial. After public comment, the Commission will consider approving items on the consent calendar in a single vote without discussion. The presiding commissioner may choose to remove any item from the consent calendar and allow a separate discussion and potential action on that item in response to a request by a Commission member, staff, or an interested person.

- 3. Fisheries logbook forms and fishing block charts**

Consider adopting proposed amendments to regulations for fisheries logbook forms and fishing block charts.

(Amend sections 120.7, 122, 165, 190 and 705.1)

Discussion and Action Items

- 4. Commission executive director and Department reports**

(A) ***Commission executive director***

I. Update on justice, equity, diversity and inclusion plan

(B) ***Department director and Law Enforcement Division***

- 5. Recreational fishing regulations for federal groundfish for 2025 and 2026, and fillet requirements at sea**

Discuss proposed amendments to recreational regulations for (a) federal groundfish for consistency with and to complement federal rules in 2025 and 2026 and (b) fillet requirements for select groundfish and state managed finfish.

(Amend sections 27.20, 27.40, 27.45, 27.50, 27.65, 28.27, 28.28, 28.29, 28.54 and 28.65)

6. Commercial California halibut and white seabass set gill net

Consider adopting proposed amendments to regulations for commercial California halibut and white seabass gill net fisheries.
(Add Section 174.1)

7. Regulation change petitions (marine)

(A) *Petitions for action today*

Consider whether to grant, deny, or refer for additional review, petitions for regulation change received at previous meetings. Petitions granted today will be added to the Commission's rulemaking calendar for development and future consideration.

(Pursuant to Section 662)

- I. *Petition 2023-04*: Request to amend commercial sea urchin regulations to (a) allow fishing on Fridays north of San Luis Obispo/Monterey county line; and (b) remove the urchin closure at South Caspar Point.

Note that this petition will be discussed and acted upon under Agenda Item 7(B), the Marine Resources Committee report.

- II. *Petition 2023-11*: Request to authorize recreational take of groundfish inside 50 fathoms using non-motorized vessels or watercraft (less than or equal to 19 feet) with mandatory descending devices.
- III. *Petition 2024-04*: Request to amend recreational ocean fishing regulations to authorize use of harpoon to assist in landing finfish, especially highly migratory species.

(B) *New petitions*

Receive new petitions for regulation change.

(Pursuant to Section 662)

Consideration of whether to grant, deny, or refer for additional review is expected to be scheduled for the October 9-10, 2024 Commission meeting.

(C) *Referred petitions*

Receive comments on petitions previously referred by the Commission to staff, legal counsel, a Commission committee, or the Department for review and recommendation.

Commission action on any referred petition will be scheduled once a recommendation is received.

8. Non-regulatory requests from previous meetings (marine)

Consider and potentially act on non-regulatory requests submitted by members of the public at previous meetings.

9. Committee and Department reports

Receive updates on items of note since the previous Commission meeting from Commission committees and Department divisions.

(A) Tribal Committee

Receive summary and consider approving recommendations from the August 13, 2024 committee meeting. Discuss referred topics and consider revisions to topics and timing.

(B) Marine Resources Committee

Receive summary and consider approving recommendations from the July 17-18, 2024 committee meeting. Discuss referred topics and consider revisions to topics and timing.

(C) Department Marine Region

I. Update on implementing 28 prioritized adaptive management recommendations from the decadal management review of California's marine protected areas network and management program.

10. Commission administrative items

(A) Legislative report

Receive updates on legislative activity and consider providing direction to staff on potential actions.

(B) Potential meeting dates for 2026

Consider and potentially approve revised draft meeting dates for 2026 as proposed by staff; staff will confirm locations at a future meeting.

DAY 2 – August 15, 2024, 8:30 AM

Call to Order/Roll Call to Establish Quorum

Consent Items

Note: Items on the consent calendar are expected to be routine and non-controversial. After public comment, the Commission will consider approving items on the consent calendar in a single vote without discussion. The presiding commissioner may choose to remove any item from the consent calendar and allow a separate discussion and potential action on that item in response to a request by a Commission member, staff, or an interested person.

11. Lime Ridge eriastrum (consent)

Consider ratifying findings on the decision to list Lime Ridge eriastrum (*Eriastrum ertterae*) as endangered under the California Endangered Species Act. (Pursuant to Section 2075.5, California Fish and Game Code)

Staff will recommend this item be continued to the October 9-10, 2024 meeting.

Discussion and Action Items

12. Lake County stonecrop five-year status review

Receive a presentation from the Department on the five-year status review for Lake County stonecrop (*Sedella leiocarpa*).

(Pursuant to Section 2077, California Fish and Game Code)

13. Wildlife rehabilitation

Discuss and consider authorizing staff to provide public notice of *sufficiently related* changes to amend regulations regarding wildlife rehabilitation.

(Repeal Section 679; add sections 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8 and 679.9; add Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual; and amend section 703)

14. White sturgeon emergency sport fishing during California Endangered Species Act candidacy

Consider adopting emergency regulations for the recreational take of white sturgeon in inland and ocean waters, pursuant to California Fish and Game Code Section 2084.

(Amend sections 5.79, 5.80, 27.90 and 27.92)

15. White sturgeon sport fishing regular rulemaking

Consider adopting proposed amendments to continue emergency rules through a regular rulemaking for recreational take of white sturgeon in inland and ocean waters.

(Amend sections 5.79, 5.80, 27.90 and 27.92)

The Department requests the Commission not proceed with the proposed amendments.

16. Inland sport fishing

Consider adopting proposed amendments to regulations for freshwater sport fishing bag limits, gear, and low-flow information and taking final action under the California Environmental Quality Act.

(Amend sections 2.30, 5.00, 7.50, 8.00 and 703)

17. Regulation change petitions (wildlife)

(A) ***Petitions for action today***

Consider whether to grant, deny, or refer for additional review, petitions for regulation change received at previous meetings. Petitions granted today will be added to the Commission's rulemaking calendar for development and future consideration.

(Pursuant to Section 662)

I. *Petition 2024-06*: Request to authorize a recreational fishery for white sturgeon if the petition is accepted for consideration.

II. *Petition 2023-17*: Request to add use of horses to allowable activities in the Bayview Unit of Morro Dunes Ecological Reserve.

III. *Petition 2018-016(a)*: Request to remove Hope Valley Wildlife Area from the Department Lands Pass Program.

- (B) ***New petitions***
Receive new petitions for regulation change.
(Pursuant to Section 662)
Consideration of whether to grant, deny, or refer for additional review is expected to be scheduled for the October 9-10, 2024 Commission meeting.

- (C) ***Referred petitions***
Receive comments on petitions previously referred by the Commission to staff, legal counsel, a Commission committee, or the Department for review and recommendation.
Commission action on any referred petition will be scheduled once a recommendation is received.

18. Non-regulatory requests from previous meetings (wildlife)

Consider and potentially act on non-regulatory requests submitted by members of the public at previous meetings.

19. Committee and Department reports

Receive updates on items of note since the previous Commission meeting from Commission committees and Department divisions.

- (A) ***Wildlife Resources Committee***

- Discuss referred topics and consider revisions to topics and timing. Consider approving draft agenda topics for the next committee meeting to be held September 12, 2024.

- (B) ***Department Wildlife and Fisheries Division, and Department Ecosystem Conservation Division***

- I. Report on what has been learned about chronic wasting disease, with information surrounding testing station location, participants, and outreach and education on both transport and statewide testing
 - II. Report on predator management in the context of bighorn sheep concerns
 - III. Presentation on the Department Private Lands Management Program

20. Commission administrative items

- (A) ***Rulemaking timetable updates***

- Review and potentially approve changes to the perpetual timetable for anticipated regulatory actions.

- (B) ***Future meetings and new business***

- Review logistics and approve draft agenda items for the next Commission meeting (October 9-10, 2024), consider any changes to approved meeting dates or locations, or introduce new business for a future meeting agenda.

General Public Comment

21. 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).

Adjourn

Public Receipt of Documents

This section of the agenda highlights reports or other documents received by the Commission since the previous meeting. Any Commission discussion or action on these documents will be noticed and placed on the agenda of a future meeting. Since June 20, 2024, the Commission has received three documents:

1. Department evaluation report on the petition to list western burrowing owl (*Athene cunicularia hypugaea*) as threatened under California Endangered Species Act. Additional information about the petition is available at <https://fgc.ca.gov/CESA#wbo>.
2. Department petition to list Bear Lake buckwheat (*Eriogonum microtheca* var. *lacus-ursi*) as endangered under the California Endangered Species Act. Additional information about the petition is available at <https://fgc.ca.gov/CESA#BLB>.
3. Petition from Dr. Christopher Kofron and Dr. Claudia Tyler to list morro manzanita (*Arctostaphylos morroensis*) as endangered under the California Endangered Species Act. Additional information about the petition is available at <https://fgc.ca.gov/CESA#MM>.

Executive Session
(Not open to the public)

At a convenient time during the regular agenda of its August 14-15, 2024 meeting, the Commission will recess from the public portion of the agenda and conduct a closed session on the agenda items below. The Commission is authorized to discuss these matters in a closed session pursuant to Government Code Section 11126, subdivisions (a)(1), (c)(3), and (e)(1), and Fish and Game Code Section 309. After closed session, the Commission will reconvene in public session, which may include announcements about actions taken during closed session.

- (A) Pending litigation to which the Commission is a Party
 - I. The Ballona Wetlands Land Trust v. California Fish and Game Commission (Ballona Wetlands Ecological Reserve petition for regulation change)
 - II. Wright v. Sklar (classification of ferrets)
 - III. Borba et al. v. Merced Co, Merced Irrigation Dist, California Dept of Fish and Wildlife, and California Fish and Game Commission (complaint for damages related to flooding)
 - IV. Perez-Ramirez et al. v. County of Merced, City of Merced, Merced Irrigation Dist., California Dept of Fish and Wildlife, and California Fish and Game Commission (complaint for damages related to flooding)
 - V. Glenn et al. v. County of Merced, City of Merced, Merced Irrigation Dist., California Dept of Fish and Wildlife, and California Fish and Game Commission (complaint for damages related to flooding)
- (B) Possible litigation involving the Commission
- (C) Staffing
- (D) Deliberation and action on license and permit items
 - I. Consider the administrative accusation in FGC Case No. 24ALJ11-FGC seeking a five-year suspension of Roger Bruland's sport fishing license privilege.

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. All Commission meetings will include a webinar/teleconference option for attendance and every effort will be made to ensure that committee meetings include the same.

Meeting Date	Commission Meeting	Committee Meeting
September 12, 2024		Wildlife Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
October 9-10, 2024	California Natural Resources Headquarters Building Auditorium 715 P Street, 1st Floor Sacramento, CA 95814	
November 7, 2024		Marine Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
December 10, 2024		Tribal California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
December 11-12, 2024	California Natural Resources Headquarters Building Auditorium 715 P Street, 1st Floor Sacramento, CA 95814	
January 15, 2025		Wildlife Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
February 12-13, 2025	California Natural Resources Headquarters Building Auditorium 715 P Street, 1st Floor Sacramento, CA 95814	
March 13, 2025		Marine Resources Sacramento area

Meeting Date	Commission Meeting	Committee Meeting
April 15, 2025		Tribal California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
April 16-17, 2025	Sacramento area	
May 14, 2025	Teleconference	
May 15, 2025		Wildlife Resources California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
June 18-19, 2025	California Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814	

Other Meetings of Interest

Meetings listed here are organizations for which the Commission: (1) is a member, or (2) takes action based upon regulations developed by that organization.

[Association of Fish and Wildlife Agencies](#)

- September 22-25, 2024 – Madison, WI

[Pacific Fishery Management Council](#)

- September 18-24, 2024 – Spokane, WA
- November 13-19, 2024 – Costa Mesa, CA
- March 5-11, 2025 – Vancouver, WA
- April 9-15, 2025 – San Jose, CA

[Pacific Flyway Council](#)

- August 30, 2024 – Jackson, WY

[Western Association of Fish and Wildlife Agencies](#)

- December 3-5, 2024 – WY
- June 2-6, 2025 – Provo, UT

[Wildlife Conservation Board](#)

- August 22, 2024 – Sacramento, CA
- November 21, 2024 – Sacramento, CA
- February 26, 2025 – Sacramento, CA (tentative)
- May 22, 2025 – Sacramento, CA (tentative)

Important Commission Meeting Procedures Information

Welcome to a Meeting of the California Fish and Game Commission

This year marks the 155th 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 and we provide this 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 Civil Rights Office (CRO) at civilrights@wildlife.ca.gov. Accommodation requests for facility and/or meeting accessibility and requests for American Sign Language 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 CRO immediately.

Stay Informed

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

Submitting Written Comments

The public is encouraged to comment on any agenda item. Submit written comments by one of the following methods: E-mail to fgc@fgc.ca.gov; mail to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090; deliver to California Fish and Game Commission, 715 P Street, 16th Floor, Sacramento, CA 95814 (you must call at least one business day in advance to arrange delivery); or hand-deliver to a Commission meeting. Materials provided to the Commission may be made available to the general public.

Comment Deadlines

The **Comment Deadline** for this meeting is **5:00 p.m. on August 1, 2024**. 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 August 9, 2024**.

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 12 copies of written comments to the meeting and give them to the designated staff member just prior to speaking.

Petitions for Regulation Change

Any person requesting that the Commission adopt, amend, or repeal a regulation must complete and submit form FGC 1, *Petition to the California Fish and Game Commission for Regulation Change*, available at <https://fgc.ca.gov/Regulations/Petition-for-Regulation-Change>. To be received by the Commission at this meeting, petition forms must be delivered by the **Supplemental Comment Deadline** (or delivered in person at the meeting during the

regulation change petitions agenda item). Petitions received at this meeting will be scheduled for consideration at the next regularly scheduled business meeting, unless the petition is rejected under staff review pursuant to subsection 662(b).

Non-Regulatory Requests

All non-regulatory requests 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 regularly scheduled business meeting.

Speaking at the Meeting

To speak on an agenda item in-person, please complete a “speaker card” and provide it to the designated staff member before the agenda item is announced. Please complete one speaker card per item. Cards will be available near the entrance of the meeting room.

To speak on an agenda item by webinar/phone, 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. In-person speakers will be identified in groups; please line up when your name is called. Speakers by webinar/teleconference will be identified by your Zoom display name or last three digits of your phone number; please pay attention to when your name or number is called.
2. When addressing the Commission, please 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. The presiding commissioner may allow up to five minutes to an individual speaker if a minimum of three individuals who are present when the agenda item is called have ceded their time to the designated spokesperson, and the individuals ceding time forfeit their right to speak to the agenda item.
 - b. In-person participants ceding their time shall complete a speaker card and approach the staff table with the spokesperson so that staff may confirm the presence of those ceding their time. If you are participating via Zoom and ceding your time to another speaker, please notify the Commission at fgc@fgc.ca.gov prior to the start of the agenda item, including to whom you are ceding your time, and be present on Zoom during the agenda item.
 - c. Individuals may receive advance approval for additional time to speak if such requests 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.
 - d. An individual requiring an interpreter is entitled to at least twice the allotted speaking time pursuant to Government Code Section 11125.7(c).
 - e. An individual may receive additional time to speak to an agenda item at the request of any commissioner.

Agenda items may be heard in any order and on either day pursuant to the discretion of the presiding 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. If the presentation file is too large to send via email, contact staff to identify an alternative method for submitting the file.
2. All electronic formats must be Windows PC compatible.
3. If presenting at the in-person meeting location, it is recommended that you bring a print copy of your presentation in case of technical difficulties.
4. If you have written materials to accompany your presentation, please bring 12 copies to the meeting and give them to the designated staff member just prior to presenting.