

**State of California**  
**FISH AND GAME COMMISSION**  
**(916) 653-4899**  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

**Meeting of**  
**September 15, 2011 (Thursday)**  
**8:30 a.m.<sup>2</sup>**

**Red Lion Hotel**  
**Sierra Room<sup>1</sup>**  
**1830 Hilltop Drive**  
**Redding**

**AMENDED AGENDA<sup>3</sup>**

**ALL MEETINGS OPEN TO THE PUBLIC**

1. **PUBLIC FORUM**– Any member of the public may address and/or ask questions of the Commission relating to the implementation of its policies or any other matter within the jurisdiction of the Commission. The issue to be discussed should not be related to any item on the current agenda. As a general rule, action cannot be taken on issues not listed on the agenda. At the discretion of the Commission, staff may be requested to follow up on such items. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Commission. Please be prepared to summarize your comments to the time allocated by the President.
2. **UPDATE FROM SISKIYOU COUNTY BOARD OF SUPERVISORS REGARDING DEER MANAGEMENT IN SISKIYOU COUNTY.**
3. **PRESENTATION FROM THE YUOK TRIBE REGARDING THE TRIBE'S HUNTERS AS STEWARDS PROGRAM.**
4. **DISCUSSION OF TRIBAL PROPOSALS FOR THE NORTH COAST STUDY REGION MARINE PROTECTED AREAS.**

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<sup>1</sup> These facilities are accessible to persons with disabilities. To request reasonable accommodations for a disability, please contact California Relay Service at 1 (800) 735-2929 (TT) or 1 (800) 735-2922 (Voice) and ask them to contact the California Fish and Game Commission at (916) 653-4899.

<sup>2</sup> The Commission may break for lunch at approximately 12:00 noon.

<sup>3</sup> The public is encouraged to comment on any item on the agenda. In order for the Commission to adequately consider public comments, the public is requested to submit written comments no later than **ten** days prior to the meeting. Written comments received fewer than **ten** days preceding the meeting will be submitted to the Commission at the meeting; however, Commission staff is unable to deliver material received one day before and on the day of the meeting to the Commissioners when the meeting is not in Sacramento. Please send your comments to be received no later than two days before the meeting.

If you decide to speak at the Commission meeting, please begin by giving your name and affiliation (if any) and the number of people represented by your organization. Then tell the Commission your concerns. Time allotted for each agenda item depends upon the number of speakers for each item and the length of the agenda. The Commission is interested in your views; don't worry about how to say them. If several people have spoken, try not to be repetitious. If there are several with the same concerns, please try to appoint a spokesperson. The Commission is particularly interested in the specific reasons you are for or against a proposal because the Commission's decision needs to be based on specific reasons.

If you would like to present handouts/written material to the Commission at the meeting, please provide eleven (11) copies.

5. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
  - (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.
  - (B) UPDATE ON EAGLE LAKE.
  - (C) UPDATE ON THE EVALUATION OF A REGULATION CHANGE PROPOSAL FOR THE UPPER TRINITY RIVER, TRINITY COUNTY.
  - (D) LAW ENFORCEMENT DIVISION UPDATE.
  - (E) OTHER.
  
6. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
  - (A) ITEMS THAT DID NOT MAKE AGENDA AND NEED TO BE RESCHEDULED.
    - I. UPDATE ON STATUS OF REGULATORY NOTICE TO AMEND SECTION 238.5, TITLE 14, CCR, PRIVATE STOCKING PERMIT, REGULATORY PROPOSAL AND POSSIBLE COMMISSION ACTION.
  - (B) RECEIPT AND DISCUSSION OF DRAFT 2012 COMMISSION MEETING SCHEDULE.
  - (C) OTHER.
  
7. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
  - (A) BUDGET COMMITTEE.
    - I. ANNOUNCEMENT OF MEETING DATE AND AGENDA.
  - (B) OTHER.
  
8. RECEIPT OF LEGISLATIVE REPORTS.
  - (A) DEPARTMENT OF FISH AND GAME REPORT.
  
9. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
  
10. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
  
11. DISCUSSION OF REQUESTS FOR EXPERIMENTAL GEAR PERMITS FOR GEODUCK CLAMS.
  
12. REQUEST FOR COMMISSION GUIDANCE ON EFFECTIVE DATE OF SOUTH COAST STUDY REGION MARINE PROTECTED AREAS DUE TO OFFICE OF ADMINISTRATIVE LAW REVIEW/DECISION.
  
13. CONSIDERATION OF CERTIFICATION OF FINAL ENVIRONMENTAL DOCUMENT AND DISCUSSION AND POSSIBLE ADOPTION OF FINDINGS AND PROPOSED PROJECT (OR ALTERNATIVE), AND FINAL ADOPTION OF SECTIONS 163 AND 164, TITLE 14, CCR, RE: HARVEST OF HERRING.

14. [RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 29.15, TITLE 14, CCR, RE: ABALONE.](#) (Note: The adoption hearing is scheduled for October 20, 2011, in Monterey.)
15. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO ADOPT REGULATIONS REGARDING KELLET'S WHELK.
16. RECEIPT AND DISCUSSION OF STAFF RECOMMENDATIONS FOR AMENDMENTS TO THE "[COMMISSION AGENDA](#)" POLICY.
17. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 550, 551, 552, 630, AND 703, ADD SECTION 550.5, AND REPEAL SECTION 553, TITLE 14, CCR, RE: PUBLIC USE OF DEPARTMENT OF FISH AND GAME LANDS. (Note: The discussion hearing is scheduled for the November 17, 2011, meeting in Santa Barbara and the adoption hearing is scheduled for the February 2012 meeting.)
18. [DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SUBSECTION 551\(g\), \(j\) AND \(q\) AND SECTIONS 700.4, 701 AND 705; AND REPEAL OF SECTION 704, TITLE 14, CCR, RE: ALDS ACCEPTABLE FORMS OF IDENTIFICATION; WILDLIFE AREA PASSES AND ANNUAL FEE ADJUSTMENTS FOR SPORT FISHING AND COMMERCIAL FISHING.](#)
19. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.

### **CONSENT CALENDAR**

20. RECEIPT OF THE DEPARTMENT'S EVALUATION REPORT, PURSUANT TO SECTION 2073.5 OF THE FISH AND GAME CODE, ON THE [SECOND AMENDED PETITION TO LIST THE AMERICAN PIKA \(\*Ochotona princeps\*\) AS A THREATENED SPECIES.](#) (Note: Public testimony and possible Commission action are scheduled for the October 19, 2011, meeting in Monterey.)
21. CONSIDERATION AND POSSIBLE ADOPTION/RATIFICATION OF COMMISSION FINDINGS ON THE [PETITION TO LIST THE CEDARS WILD BUCKWHEAT \(\*Eriogonum cedrorum\*\) AS AN ENDANGERED SPECIES.](#)
22. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 7.00 AND SUBSECTION (b)(68) OF SECTION 7.50, TITLE 14, CCR, RE: OROVILLE-THERMALITO COMPLEX REGULATIONS. (Note: The discussion hearing is scheduled for the October 20, 2011, meeting in Monterey and the adoption hearing is scheduled for the November 17, 2011, meeting in Santa Barbara.)
23. CONSIDERATION OF REQUEST FROM MR. RANDY MILLER FOR EXTENSION OF 30 DAYS TO SUBMIT A WRITTEN APPEAL STATEMENT FOR AN AMENDMENT OF HIS RESIDENT RESTRICTED SPECIES EXHIBITING PERMIT.

24. CONSIDERATION AND POSSIBLE APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2011-2016) AND 2011-2012 MANAGEMENT PLANS FOR:
- (A) DIXIE VALLEY RANCH, LASSEN COUNTY
  - (B) ROSEBURG RESOURCES PONDOSA, SISKIYOU COUNTY
  - (C) PEACHTREE RANCH, MONTEREY COUNTY

**OTHER**

25. NEW BUSINESS. (Note: Any public comment must pertain to new business conveyed by the Commission or staff.)
26. COMMISSION FOLLOW-UP, MEETING REVIEW, AND STAFF DIRECTION. (Note: Any public comment must pertain to Commission follow-up, meeting review, and staff direction conveyed by the Commission or staff.)
27. ANNOUNCEMENT OF FUTURE MEETINGS.

**2011 FISH AND GAME COMMISSION  
MEETING SCHEDULE  
[www.fgc.ca.gov](http://www.fgc.ca.gov)**

<b>October 19</b> (Wed.) <b>October 20</b> (Thurs.)	Beach Resort Monterey 2600 Sand Dunes Drive <b>Monterey</b>
<b>November 16</b> (Wed.) <b>November 17</b> (Thurs.)	<b>Santa Barbara</b>
<b>December 14</b> (Wed.) <b>December 15</b> (Thurs.)	Hubbs-Sea World Research Institute Shedd Auditorium 2595 Ingraham Street <b>San Diego</b>

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EXECUTIVE SESSION  
(NOT OPEN TO PUBLIC)

PURSUANT TO THE AUTHORITY OF GOVERNMENT CODE SECTION 11126(a)(1) AND (e)(1), AND SECTION 309 OF THE FISH AND GAME CODE, THE COMMISSION WILL MEET IN CLOSED EXECUTIVE SESSION. THE PURPOSE OF THIS EXECUTIVE SESSION IS TO CONSIDER:

A. PENDING LITIGATION TO WHICH THE COMMISSION IS A PARTY.

- I. BIG CREEK LUMBER COMPANY AND CENTRAL COAST FOREST ASSOC. vs. CALIFORNIA FISH AND GAME COMMISSION RE: COHO LISTING, SOUTH OF SAN FRANCISCO.
- II. LINDY O'LEARY vs. CALIFORNIA FISH AND GAME COMMISSION RE: R.R.S.A.C. AND R.R.S.S. PERMIT DENIALS.
- III. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
- IV. KERN COUNTY WATER AGENCY vs. CALIFORNIA FISH AND GAME COMMISSION, DEPARTMENT OF FISH AND GAME, DEPARTMENT OF WATER RESOURCES RE: STATE WATER PROJECT AND CALIFORNIA ENDANGERED SPECIES ACT.
- V. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION RE: AMERICAN PIKA.
- VI. TACY LEE vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: DENIAL OF TRANSFER OF LOBSTER OPERATOR PERMIT.
- VII. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.
- VIII. UNITED ANGLERS OF SOUTHERN CALIFORNIA; COASTSIDE FISHING CLUB; AND ROBERT C. FLETCHER vs. CALIFORNIA FISH AND GAME COMMISSION RE: SOUTH COAST STUDY REGION AND NORTH CENTRAL COAST STUDY REGION MARINE PROTECTED AREAS UNDER THE MARINE PROTECTION ACT.
- IX. MARILLEY vs. FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: COMMERCIAL FISHING PERMIT FEES.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.

C. STAFF PERFORMANCE AND COMPENSATION.

D. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS.

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