

State of California
FISH AND GAME COMMISSION
(916) 653-4899
www.fgc.ca.gov

Meeting of
April 6, 2011 (Wednesday)
10:00 a.m.²

Lake Natoma Inn
702 Gold Lake Drive
Sierra Ballroom¹
Folsom

AGENDA³

ALL MEETINGS OPEN TO THE PUBLIC

NOTE: Items may be heard on either day and in any order pursuant to the determination of the Commission President.

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. PRESENTATION OF THE WARDEN OF THE YEAR AWARD.
3. PRESENTATION OF TRIBAL HARVESTING PAPER BY DR. JEANINE PFEIFFER ET AL., ENTITLED "NATIVE SCIENCE, HARVESTING, AND CONSERVATION."
4. (A) PURSUANT TO SECTION 2074.2 OF THE FISH AND GAME CODE, CONSIDERATION OF THE DEPARTMENT'S INITIAL REVIEW AND RECOMMENDATION, AND POSSIBLE ACTION ON THE PETITION TO LIST BLACK-BACKED WOODPECKER (*Picoides arcticus*) AS THREATENED OR ENDANGERED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT.

(B) PURSUANT TO SECTION 2084 OF THE FISH AND GAME CODE, CONSIDERATION AND POSSIBLE EMERGENCY ACTION TO ADD SECTION 749.7, TITLE 14, CCR, RE: SPECIAL ORDER RELATING TO INCIDENTAL TAKE OF BLACK-BACKED WOODPECKER DURING CANDIDACY PERIOD. (Note: This item will only be considered if the Commission makes a finding that listing the black-backed woodpecker as threatened or endangered may be warranted.)

¹ 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.

² The Commission may break for lunch at approximately 12:00 noon.

³ 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. SCOPING OF POSSIBLE 2011 UPLAND GAME REGULATION CHANGES.
6. SCOPING OF POSSIBLE 2011 WILDLIFE AREA AND ECOLOGICAL RESERVE REGULATION CHANGES.
7. RECEIPT OF LEGISLATIVE REPORTS.
 - (A) DEPARTMENT OF FISH AND GAME REPORT.
 - (B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.
8. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
 - (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.
 - (B) UPDATE ON DEPARTMENT RECOMMENDATION ON STATE WATER BOTTOM LEASE TERMS AND RENTAL RATES.
 - (C) UPDATE ON MR. GUNNAR GUDJONSSON'S REQUEST FOR AN EXPERIMENTAL GEAR PERMIT TO TRAP BROWN BOX CRAB FOR COMMERCIAL PURPOSES.
 - (D) UPDATE ON ENFORCEMENT.
 - (E) OTHER.
9. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
 - (A) KELP LEASE APPLICATIONS.
 - (B) OTHER.
10. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
 - (A) MARINE RESOURCES COMMITTEE.
 - (B) AL TAUCHER'S PRESERVING HUNTING AND SPORT FISHING OPPORTUNITIES ADVISORY COMMITTEE.
 - (C) AQUACULTURE COMMITTEE.
 - (D) OTHER.
11. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
12. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
13. NEW BUSINESS.

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.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.

C. STAFF PERFORMANCE AND COMPENSATION.

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

**State of California
FISH AND GAME COMMISSION
(916) 653-4899
www.fgc.ca.gov**

**Meeting of
April 7, 2011 (Thursday)
8:30 a.m.**

**Lake Natoma Inn
702 Gold Lake Drive
Sierra Ballroom
Folsom**

AGENDA

ALL MEETINGS OPEN TO THE PUBLIC

NOTE: Items may be heard on either day and in any order pursuant to the determination of the Commission President.

14. CONTINUATION OF 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.
15. (A) UPDATE FROM MR. JOHN LAIRD, SECRETARY OF NATURAL RESOURCES AGENCY, REGARDING NORTH COAST STUDY REGION MARINE PROTECTED AREAS UNDER THE MARINE LIFE PROTECTION ACT.
(Note: This item will begin at approximately 9:30 a.m.)

(B) UPDATE ON DEPARTMENT FEASIBILITY ANALYSIS REGARDING THE NORTH COAST STUDY REGION MARINE PROTECTED AREAS UNDER THE MARINE LIFE PROTECTION ACT.
16. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.
17. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 7.50, TITLE 14, CCR, RE: KLAMATH-TRINITY SPORT FISHING REGULATIONS. (Note: The adoption hearing is scheduled for April 21, 2011, at a special teleconference meeting.)
18. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTIONS 7.00 AND 7.50, TITLE 14, CCR, RE: CENTRAL VALLEY SPORT FISHING REGULATIONS. (Note: The adoption hearing is scheduled for April 21, 2011, at a special teleconference meeting.)
19. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 27.80, TITLE 14, CCR, RE: OCEAN SALMON SPORT FISHING REGULATIONS. (Note: The adoption hearing is scheduled for April 21, 2011, at a special teleconference meeting.)

20. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 632, TITLE 14, CCR, RE: SOUTHEAST FARALLON ISLAND SPECIAL CLOSURE.
21. RECEIPT OF PUBLIC TESTIMONY ON TAG QUOTA CHANGES, CLARIFICATIONS AND URGENCY CHANGES FOR THE 2011-2012 MAMMAL HUNTING REGULATIONS. (Note: The adoption hearing is scheduled for May 5, 2011, in Ontario.)
22. RECEIPT AND POSSIBLE ACTION ON DEPARTMENT RECOMMENDATION TO DESIGNATE THE FISHERY FOR KELLET'S WHELK, *Kelletia kelletii*, AS AN EMERGING FISHERY.

CONSENT CALENDAR

23. RECEIPT OF DEPARTMENT'S EVALUATION REPORT ON THE PETITION TO LIST THE CEDARS WILD BUCKWHEAT (*Eriogonum cedrorum*) AS AN ENDANGERED SPECIES. (Note: Public testimony and possible Fish and Game Commission action are scheduled for the May 4, 2011, meeting in Ontario.)

OTHER

24. COMMISSION FOLLOW-UP, MEETING REVIEW, AND STAFF DIRECTION.
25. ANNOUNCEMENT OF FUTURE MEETINGS.

**2011 FISH AND GAME COMMISSION
MEETING SCHEDULE
www.fgc.ca.gov**

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| April 21 (Teleconference) | Sacramento (Via Telephone) |
| May 4 (Wed.) May 5 (Thurs.) | Doubletree Hotel Ontario Airport 222 North Vineyard Ave Ontario |
| June 29 (Wed.) June 30 (Thurs.) | Lexington Plaza Waterfront Hotel 110 W. Fremont Street Stockton |
| August 3 (Wed.) August 4 (Thurs.) | State of California Resources Agency Building Auditorium 1416 Ninth Street Sacramento |
| September 15 (Thurs.) | Red Lion Hotel 1830 Hilltop Drive Redding |
| October 19 (Wed.) October 20 (Thurs.) | Beach Resort Monterey 2600 Sand Dunes Drive Monterey |
| November 16 (Wed.) November 17 (Thurs.)* | Santa Barbara |
| December 14 (Wed.) December 15 (Thurs.) | San Diego |

PFMC

Meeting April 7-14

Summer WAFWA Meeting July 15-20, 2011

Federal Waterfowl Meeting July 28-29, 2011