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STATE OF CALIFORNIA  
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## Fish and Game Commission



*Wildlife Heritage and Conservation*  
*Since 1870*

### MEETING AGENDA April 26-27, 2017

**Airtel Plaza Hotel**  
**7277 Valjean Avenue, Van Nuys 91406**

The meeting will be live streamed at [www.cal-span.org](http://www.cal-span.org)

**NOTE: See important meeting deadlines and procedures at the end of the agenda. Unless otherwise indicated, the California Department of Fish and Wildlife is identified as “Department.”**

#### **DAY 1 – APRIL 26, 2017, 9:00 AM**

Call to order/roll call to establish quorum

1. Approve agenda and order of items
2. Public forum for items not on agenda  
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, 11125.7(a), Government Code)

#### **CONSENT ITEMS**

3. Receive Department’s 90-day evaluation report on the petition to list foothill yellow-legged frog (*Rana boylei*) as a threatened species under the California Endangered Species Act (CESA)  
(Pursuant to 2073.5, Fish and Game Code)
4. Receive petition from the Center for Biological Diversity to list Cascades frog (*Rana cascadae*) as endangered or threatened under CESA  
(Pursuant to Section 2073.3, Fish and Game Code, and Section 670.1(c), Title 14, CCR)

5. Approve five-year Private Lands Wildlife Habitat Enhancement and Management Area (PLM) plans and 2017-2022 licenses for:  
(Pursuant to Section 601, Title 14, CCR)
  - (A) Humboldt County
    - I. Stover Ranch
  - (B) San Benito County
    - I. Lewis Ranch
    - II. Trincherero Ranch
  - (C) San Joaquin County
    - I. Connelly and Corral Hollow Ranch
  - (D) San Luis Obispo County
    - I. Avenales Ranch
  
6. Approve annual PLM plans and 2017-2018 licenses for:  
(Pursuant to Section 601, Title 14, CCR)
  - (A) Del Norte County
    - I. Alexandre Ecodairy Farms PLM
  - (B) Humboldt County
    - I. Big Lagoon PLM
    - II. Cottrell Ranch
    - III. Diamond C Outfitters
    - IV. Fulton Ranch
    - V. Hunter Ranch
    - VI. Klamath PLM
    - VII. Rainbow Ridge PLM
    - VIII. Redwood House Ranch
    - IX. Smith River PLM
    - X. Wiggins Ranch
  - (C) Mendocino County
    - I. Amann Ranch
    - II. Carley Ranch
    - III. Christensen Ranch
    - IV. Eden Valley Ranch
    - V. Elk Creek Ranch
    - VI. Four Pines Ranch
    - VII. Miller-Eriksen Ranch
    - VIII. Potter Valley Wildlife Management Area
    - IX. Sanhedrin Ranch
    - X. Seven Springs Ranch
    - XI. Shamrock Ranch
    - XII. Summer Camp Ranch
  - (D) Merced County
    - I. DeFrancesco Eaton Ranch

- (E) Modoc County
  - I. Roberts Ranch
- (F) Monterey County
  - I. Alexander Ranch
  - II. Camp 5 Outfitters – Roth Ranch PLM  
(See also San Luis Obispo County)
  - III. Gabilan Ranch
  - IV. Hartnell Ranch
  - V. Indian Valley Cattle Company (Lombardo Ranch)
  - VI. Morisoli Ranch (See also San Benito County)
  - VII. Peachtree Ranch
  - VIII. Work Ranch
- (G) San Benito County
  - I. Lone Ranch
  - II. Morisoli Ranch (See also Monterey County)
  - III. Rancho La Cuesta
- (H) San Bernardino County
  - I. Big Morongo Springs Ranch
- (I) Santa Clara County
  - I. Coon Creek Ranch
  - II. Pacheco Ranch
- (J) Shasta County
  - I. Duncan Creek Ranch
  - II. Stackhouse Ranch
- (K) San Luis Obispo County
  - I. Camp 5 Outfitters – Roth Ranch PLM (See also Monterey County)
  - II. Chimney Rock Ranch
  - III. Clark and White Ranches
  - IV. D-Rafter-“L” Ranch, LLC
- (L) Solano County
  - I. Buckeye Ranch
- (M) Stanislaus County
  - I. Roostercomb Ranch
- (N) Tehama County
  - I. 3D Ranch
  - II. Bell Ranch
  - III. Corning Land and Cattle Company
  - IV. R Wild Horse Ranch
- (O) Trinity County
  - I. Stewart Ranch
  - II. Travis Ranch

7. Wildlife Resources Committee
  - (A) Work plan development
    - I. Update on work plan and draft timeline
    - II. Discuss and approve new topics
8. Discuss proposed changes to upland game bird hunting regulations  
(Section 300, Title 14, CCR)
9. Adopt proposed changes to Central Valley salmon sport fishing regulations  
(subsections 7.50(b)(5), 7.50(b)(68) and 7.50(b)(156.5), Title 14, CCR)
10. Adopt proposed changes to waterfowl hunting regulations  
(Section 502, Title 14, CCR)
11. Adopt proposed changes to mammal hunting regulations  
(subsections 360(b) and 360(c), and sections 361, 362, 363, 364 and 364.1, Title 14, CCR)
12. Adopt proposed changes to regulations concerning deer tagging and reporting requirements  
(Section 708.5, Title 14, CCR)
13. Use of dogs for the pursuit/take of mammals or for dog training  
(Section 265, Title 14, CCR)
  - (A) Adopt proposed changes to regulations
  - (B) Authorize publication of notice of intent to amend regulations
14. Ratify findings on the petition to list northern spotted owl (*Strix occidentalis caurina*) as a threatened or endangered species under the California Endangered Species Act  
(Pursuant to Section 2075.5, Fish and Game Code)  
*Note that staff will recommend the Commission not substantively discuss this item and that the item be continued to the June 21-22, 2017 Commission meeting in Smith River.*
15. Announce results from Executive Session
16. Non-marine items of interest from previous meetings
  - (A) Importation of American bullfrogs and non-native turtles
  - (B) Other
17. Non-marine petitions for regulation change and non-regulatory requests from previous meetings
  - (A) Action on petitions for regulation change
    - I. Petition #2016-030 to add American bullfrog to list of restricted species
    - II. Petition #2016-031 to issue restricted species permits to residents for ferrets

- III. Petition #2016-032 to remove all size and limit restrictions on the recreational take of striped bass
- IV. Petition #2017-001 to allow firearm possession while archery hunting for big game
- (B) Action on non-regulatory requests
- (C) Update on pending regulation petitions and non-regulatory requests referred to staff and the Department for review
  - I. Petition #2015-008 to repeal hunting of American badger and gray fox
  - II. Petition #2016-026 to permit use of jacketed frangible bullet

18. Department informational items

- (A) Director's report
- (B) Wildlife and Fisheries Division, and Ecosystem Conservation Division
- (C) Law Enforcement Division
- (D) Other

Recess

**DAY 2 – APRIL 27, 2017, 8:00 AM**

Call to order/roll call to establish quorum

- 19. Public forum for items not on agenda  
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, 11125.7(a), Government Code)
- 20. Recognize former Commissioners Richard Rogers and Michael Sutton for their commitment and service to the California Fish and Game Commission
- 21. Tribal Committee
  - (A) Work plan development
    - I. Update on work plan and draft timeline
    - II. Discuss and approve new topics
- 22. Receive and approve Santa Ynez Band of Chumash Indians' proposed amendments to its request for tribal take in state marine conservation areas near Santa Barbara
- 23. Marine Resources Committee
  - (A) March 23, 2017 meeting summary
    - I. Receive and adopt recommendations
  - (B) Work plan development
    - I. Update on work plan and draft timeline
    - II. Discuss and approve new topics

24. Authorize publication of notice of intent to adopt a process for automatic conformance of state recreational fishing regulations to federal regulations  
(add Section 1.95, Title 14, CCR)
25. Discuss proposed changes to crab and lobster recreational gear marking, and commercial lobster harbor restricted fishing area regulations  
(sections 29.80 and 122, Title 14, CCR)
26. Receive presentation on and discuss *State of the California South Coast: Summary of Findings from Baseline Monitoring of Marine Protected Areas, 2011-2015*
27. Receive update on offshore wind energy from the U.S. Department of the Interior's Bureau of Ocean Energy Management
28. Marine items of interest from previous meetings
29. Marine petitions for regulation change and non-regulatory requests from previous meetings
  - (A) Action on petitions for regulation change – none scheduled at this time
  - (B) Action on non-regulatory requests
  - (C) Update on pending regulation petitions and non-regulatory requests referred to staff and the Department for review
    - I. Petition #2015-006 to remove special closure regulations for Rockport Rocks
    - II. Petition #2016-013 to permit use of cast nets south of Point Conception
30. Department informational items
  - (A) Director's report
  - (B) Marine Region
  - (C) Other
31. Other informational items
  - (A) Staff report
  - (B) Legislative update and possible action
  - (C) Federal agencies report
  - (D) Other
32. Discuss and act on Commission administrative items
  - (A) Next meetings
  - (B) Rulemaking calendar updates
  - (C) New business
  - (D) Other

Adjournment

## **EXECUTIVE SESSION**

(Not Open to Public)

Pursuant to the authority of Government Code Section 11126(a)(1), (c)(3), 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. v. California Fish and Game Commission (Coho listing, south of San Francisco)
  - II. Center for Biological Diversity and Earth Island Institute v. California Fish and Game Commission (failure to list black-backed woodpecker)
  - III. Dennis Sturgell v. California Fish and Game Commission, California Department of Fish and Wildlife, and Office of Administrative Hearings (revocation of Dungeness Crab Vessel Permit No. CT0544-T1)
  - IV. Kele Young v. California Fish and Game Commission, et al. (restricted species inspection fee waiver)
  - V. Public Interest Coalition v. California Fish and Game Commission (California Environmental Quality Act)
  - VI. California Cattlemen's Association, et al. v. California Fish and Game Commission (gray wolf listing)
- (B) Possible litigation involving the Commission
- (C) Staffing
- (D) Deliberation and action on license and permit items
  - I. Take action on the request from Craig Alton to renew Salmon Vessel Permit No. SA0798
  - II. Take action on the Department's request to permanently revoke Adam Crawford James' commercial fisherman's retail license and commercial fishing license
  - III. Take action on the Office of Administrative Hearings' proposed decision for Gregory Ambiel's request to transfer Salmon Vessel Permit No. FG10053 (OAH No. 2016120944)

**CALIFORNIA FISH AND GAME COMMISSION  
2017 MEETING SCHEDULE**

**Note:** As meeting dates and locations can change, please visit [www.fgc.ca.gov](http://www.fgc.ca.gov) for the most current list of meeting dates and locations.

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING	OTHER MEETINGS
May 24		<b>Wildlife Resources</b> Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
June 20		<b>Tribal</b> Howonquet Hall Community Center 101 Indian Court Smith River, CA 95567	
June 21-22	Howonquet Hall Community Center 101 Indian Court Smith River, CA 95567		
July 20		<b>Marine Resources</b> Flamingo Conference Resort & Spa 2777 Fourth Street Santa Rosa, CA 95405	
August 16-17	Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		
September 13		<b>Wildlife Resources</b> California Tower 3737 Main Street Highgrove Room 200 Riverside, CA 92501	
October 10		<b>Tribal</b> SpringHill Suites by Marriott 900 El Camino Real Atascadero, CA 93422	
October 11-12	SpringHill Suites by Marriott 900 El Camino Real Atascadero, CA 93422		
November 9		<b>Marine Resources</b> Marina	
December 6-7	Handlery Hotel 950 Hotel Circle North San Diego, CA 92108		

## OTHER MEETINGS OF INTEREST

### **Association of Fish and Wildlife Agencies**

- September 10-13, Sandy, UT

### **Pacific Fishery Management Council**

- June 8-14, Spokane, WA
- September 12-18, Boise, ID
- November 14-20, Costa Mesa, CA

### **Pacific Flyway Council**

- September, TBD

### **Western Association of Fish and Wildlife Agencies**

- July 6-11, Vail, CO

### **Wildlife Conservation Board**

- May 25, Sacramento
- August 24, Sacramento
- November 30, Sacramento

## **IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION**

### **WELCOME TO A MEETING OF THE CALIFORNIA FISH AND GAME COMMISSION**

This is the 147<sup>th</sup> 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 Reasonable Accommodation Coordinator at (916) 651-1214. Requests for facility and/or meeting accessibility should be received at least 10 working days prior to the meeting to ensure the request can be accommodated.

### **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](http://www.fgc.ca.gov), and sign up for 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](mailto:fgc@fgc.ca.gov); **delivery** to Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or **hand-deliver to a Commission meeting**. Materials provided to the Commission may be made available to the general public.

### **COMMENT DEADLINES**

The **Written Comment Deadline** for this meeting is **5:00 p.m. on April 13, 2017**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The **Late Comment Deadline** for this meeting is **12:00 p.m. on April 21, 2017**. Comments received by this deadline will be marked "late" and made available to Commissioners at the meeting.

After these deadlines, written comments may be delivered in person to the meeting – Please bring ten (10) copies of written comments to the meeting.

### **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 **Late Comment Deadline** (or heard during public forum at the meeting) will be scheduled for receipt at this meeting, and scheduled for consideration at the next business 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 <http://www.fgc.ca.gov/public/information/petitionforregulatorychange.aspx>. To be received by the Commission at this meeting, petition forms must have been delivered by the **Late**

**Comment Deadline** (or delivered during public forum at the meeting) and 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.

### **VISUAL PRESENTATIONS/MATERIALS**

All electronic presentations must be submitted by the **Late 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](mailto:fgc@fgc.ca.gov).
2. All electronic formats must be Windows PC compatible.
3. It is recommended that a print copy of any electronic presentation be submitted in case of technical difficulties.
4. A data projector, laptop and presentation mouse will be available for use at the meeting.

### **CONSENT CALENDAR**

A summary of all items will be available for review at the meeting. Items on the consent calendar are generally non-controversial items for which no opposition has been received and will be voted upon under single action without discussion. Any item may be removed from the consent calendar by the Commission upon request of a Commissioner, the Department, or member of the public who wishes to speak to that item, to allow for discussion and separate action.

**LASER POINTERS** may only be used by a speaker during a presentation; use at any other time may result in arrest.

### **SPEAKING AT THE MEETING**

To speak on an agenda item, please complete a "Speaker Card" and give it to the designated staff member before the agenda item is announced. Cards will be available near the entrance of the meeting room. Only one speaker card is necessary for speaking to multiple items.

1. Speakers will be called in groups; please line up 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. 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. 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 **Late 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.
  - c. An individual requiring an interpreter is entitled to at least twice the allotted time pursuant to Government Code Section 11125.7(c).

- d. An individual may receive additional time to speak to an agenda item at the request of any commissioner.
5. If you are presenting handouts/written material to the Commission at the meeting, please provide ten (10) copies to the designated staff member just prior to speaking.