

**Commissioners**  
**Daniel W. Richards**, President  
Upland  
**Michael Sutton**, Vice President  
Monterey  
**Jim Kellogg**, Member  
Discovery Bay  
**Richard Rogers**, Member  
Santa Barbara  
**Jack Baylis**, Member  
Los Angeles

STATE OF CALIFORNIA  
Edmund G. Brown, Jr., Governor

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## Fish and Game Commission



**Meeting of**  
**May 23, 2012 (Wednesday)**  
**8:30 a.m.**

**Best Western Plus Beach Resort**  
**La Grande Room<sup>1</sup>**  
**2600 Sand Dunes Drive**  
**Monterey**

### AGENDA<sup>2</sup>

#### ALL MEETINGS OPEN TO THE PUBLIC

**NOTE:** Items may be heard in any order pursuant to the determination of the Commission President.

1. **PUBLIC FORUM**— Any member of the public may address the Commission regarding 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 ON DEPARTMENT'S AWARD-WINNING CLASSROOM AQUARIUM EDUCATION PROGRAM.**
3. **RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTIONS 550, 551, 552, 630, AND 703, ADDITION OF SECTION 550.5, AND REPEAL SECTION 553, TITLE 14, CCR, RE: PUBLIC USE OF DEPARTMENT OF FISH AND GAME LANDS.** (Note: The adoption hearing is scheduled for June 20, 2012 in Mammoth Lakes.)

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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 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, materials received within **two** days of a meeting outside of Sacramento will not be delivered to 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 in three minutes or less. 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.

4. RECEIPT OF PUBLIC RECOMMENDATIONS AND REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 300, TITLE 14, CCR, RE: RESIDENT AND MIGRATORY UPLAND GAME HUNTING. (Note: The discussion hearing is scheduled for June 20, 2012 in Mammoth Lakes. The adoption hearing is scheduled for August 8, 2012 in Ventura.)
5. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 27.65 AND 28.30, TITLE 14, CCR, RE: SAND AND KELP BASS. (Note: The discussion hearing is scheduled for August 8, 2012 in Ventura. The adoption hearing is scheduled for November 7, 2012 in Los Angeles.)
6. RECEIPT FOR COMMISSION GUIDANCE AND REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 149, TITLE 14, CCR, RE: MARKET SQUID.
7. CONSIDERATION OF REQUEST BY MR. ROBERT DREWISCH TO TRANSFER THE HALIBUT BOTTOM TRAWL VESSEL PERMIT FOR THE F/V *BELLA MARIE* (FG02305).
8. RECEIPT AND POSSIBLE ACTION ON COMMISSION BUSINESS.
  - (A) SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
    - I. MARINE RESOURCES COMMITTEE.
    - II. AL TAUCHER COMMITTEE.
    - III. BUDGET COMMITTEE.
    - IV. OTHER.
  - (B) UPDATE, DISCUSSION, AND POSSIBLE DIRECTION REGARDING APPEAL HEARINGS.
  - (C) ITEMS UNDER CONSIDERATION THAT NEED TO BE RESCHEDULED.
    - I. UPDATE ON KELP REGULATIONS.
    - II. UPDATE AND FEASIBILITY OF ADDING AN UPLAND GAME BIRD SURVEY WITHIN THE AUTOMATED LICENSE DATA SYSTEM.
  - (D) NEW BUSINESS/COMMISSION FOLLOW-UP AND STAFF DIRECTION.
  - (E) ANNOUNCEMENT OF FUTURE MEETINGS.

**2012 FISH AND GAME COMMISSION  
MEETING SCHEDULE**  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

<b>June 6</b> (Wed) (Special Meeting for possible adoption of the NCSR MPAs)	Red Lion Hotel 1929 4 <sup>th</sup> Street <b>Eureka</b>
<b>June 20</b> (Wed.) <b>June 21</b> (Thurs.)	Mountainside Conference Center 1 Minaret Road Rooms 4 and 5 <b>Mammoth Lakes</b>
<b>August 8</b> (Wed.) <b>August 9</b> (Thurs.)	Crowne Plaza Ventura Beach Miguel A Room 450 East Harbor Boulevard <b>Ventura</b>
<b>October 3</b> (Wed.) <b>October 4</b> (Thurs.)	State of California Resources Building First Floor Auditorium 1416 Ninth Street <b>Sacramento</b>
<b>November 7</b> (Wed.) <b>November 8</b> (Thurs.)	Radisson Hotel at Los Angeles Airport 6225 West Century Boulevard <b>Los Angeles</b>
<b>December 12</b> (Wed.)	<b>San Diego</b>

Summer WAFWA Meeting July 20-25, Hawaii  
Federal Waterfowl Meeting August 1-2

9. RECEIPT OF AND POSSIBLE ACTION ON LEGISLATIVE REPORTS.

(A) DEPARTMENT OF FISH AND GAME REPORT.

(B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.

- I. AB 1776, FONG, STATE GOVERNMENT: PACIFIC LEATHERBACK SEA TURTLE.
- II. AB 1961, HUFFMAN, COHO SALMON: HABITAT.
- III. SB 1221, LIEU, MAMMALS: USE OF DOGS TO PURSUE BEARS AND BOBCATS.
- IV. SB 1249, WOLK, DEPARTMENT OF FISH AND GAME: LANDS: EXPENDITURES.
- V. SB 1107, BERRYHILL, ENTITLEMENTS: VOLUNTARY DONATIONS.
- VI. SB 1166, BERRYHILL, DEPARTMENT OF FISH AND GAME: WILDLIFE-DEPENDENT RECREATIONAL ACTIVITIES.
- VII. SB 1358, WALTERS, COLLECTIVE BARGAINING: STATE EMPLOYEES.
- VIII. SB 1367, FULLER, DEER: ARCHERY SEASON: CONCEALED FIREARMS.

10. DISCUSSION AND POSSIBLE REPEAL OF [SECTION 660, TITLE 14, CCR](#), AND [POLICY REGARDING ELECTION OF COMMISSION OFFICERS](#).

11. DISCUSSION AND POSSIBLE ADOPTION OF CHANGES TO THE COMMISSION'S POLICY: [COMMISSION AGENDA](#).
12. DISCUSSION AND POSSIBLE ADOPTION OF CHANGES TO THE COMMISSION'S POLICY: [NAMING INSTALLATIONS](#).
13. CONSIDERATION OF A COMMISSION RESOLUTION REGARDING STATE WATER BOTTOM LEASE NO. M-438-01, DRAKES BAY OYSTER COMPANY, DRAKES ESTERO, MARIN COUNTY.

#### INFORMATIONAL ITEMS

14. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
  - (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.
  - (B) UPDATE ON STATUS OF INITIAL STATEMENT OF REASONS TO AMEND SECTION 670.5, TITLE 14, CCR, TO ADD THE MOUNTAIN YELLOW-LEGGED FROG TO THE LIST OF THREATENED AND ENDANGERED SPECIES. (Note: Findings on the petition were adopted at the February 2, 2012 meeting.)
  - (C) UPDATE ON THE CENTRAL COAST STUDY REGION MARINE PROTECTED AREAS.
  - (D) RECEIPT OF APRIL 2012 PACIFIC FISHERY MANAGEMENT COUNCIL (PFMC) NOTES.
  - (E) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION DIVISION UPDATES.
  - (F) LAW ENFORCEMENT DIVISION UPDATE.
  - (G) OTHER.
15. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
16. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
17. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.

#### CONSENT CALENDAR

18. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SUBSECTION (b)(102) OF SECTION 632, TITLE 14, CCR, RE: BLUE CAVERN STATE MARINE CONSERVATION AREA.
19. REQUEST OF CHARLES FRIEND OYSTER COMPANY, TOMALES BAY, MARIN COUNTY, TO SUBLEASE STATE WATER BOTTOM LEASE, M-430-04.

20. POSSIBLE APPROVAL OF ANNUAL REPORT AND 2012 PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA PLANS FOR:

- (A) ALEXANDER RANCH, MONTEREY COUNTY
- (B) BIG MORONGO SPRINGS RANCH, SAN BERNARDINO COUNTY
- (C) BORELLO RANCH, SANTA CLARA COUNTY
- (D) BURROWS RANCH, TEHAMA COUNTY
- (E) CAPISTRAN RANCH, MENDOCINO COUNTY
- (F) CARLEY RANCH, MENDOCINO COUNTY
- (G) CARNAZA WILDLIFE MANAGEMENT AREA, SAN LUIS OBISPO COUNTY
- (H) CEDAR CANYON RANCH, SAN LUIS OBISPO COUNTY
- (I) CHIMNEY ROCK RANCH, SAN LUIS OBISPO COUNTY
- (J) CHRISTENSEN RANCH, MENDOCINO COUNTY
- (K) CLARK & WHITE RANCH, SAN LUIS OBISPO COUNTY
- (L) CONNOLLY/CORRAL HOLLOW RANCH, SAN JOAQUIN COUNTY
- (M) COON CAMP SPRINGS, LASSEN COUNTY
- (N) COON CREEK RANCH, SANTA CLARA COUNTY
- (O) COTTRELL RANCH, HUMBOLDT COUNTY
- (P) DeFRANCESCO AND EATON RANCH, MERCED COUNTY
- (Q) DIAMOND C OUTFITTERS, HUMBOLDT COUNTY
- (R) EAGLE ROCK RANCH, MENDOCINO COUNTY
- (S) EDEN VALLEY RANCH, MENDOCINO COUNTY
- (T) ELK CREEK PLM, MENDOCINO COUNTY
- (U) ENG RANCH, SAN LUIS OBISPO COUNTY
- (V) FIVE DOT RANCH – AVILA UNIT, LASSEN COUNTY
- (W) FIVE DOT RANCH – HORSE LAKE UNIT, LASSEN COUNTY
- (X) FIVE DOT RANCH – SCHOOL SECTION UNIT, LASSEN COUNTY
- (Y) FIVE DOT RANCH – TUNNEL SPRINGS UNIT, LASSEN COUNTY
- (Z) FIVE DOT RANCH – WILLOW CREEK UNIT, LASSEN COUNTY
- (AA) FOUR PINES RANCH, MENDOCINO COUNTY
- (BB) HARTNELL RANCH, MONTEREY COUNTY
- (CC) INDIAN VALLEY CATTLE COMPANY, MONTEREY COUNTY
- (DD) ISABEL VALLEY RANCH, SANTA CLARA COUNTY
- (EE) LONE RANCH, SAN BENITO COUNTY
- (FF) MALLISON RANCH, SANTA CLARA COUNTY
- (GG) MILLER/ERIKSEN RANCH, MENDOCINO COUNTY
- (HH) PEACHTREE RANCH, MONTEREY COUNTY
- (II) POCKET RANCH, SONOMA COUNTY
- (JJ) POTTER VALLEY WILDLIFE MANAGEMENT AREA, MENDOCINO COUNTY
- (KK) RANCHO LA CUESTA, SAN BENITO COUNTY
- (LL) RED ROCK RANCH, LASSEN COUNTY
- (MM) REDWOOD HOUSE RANCH, HUMBOLDT COUNTY
- (NN) ROOSTER COMB RANCH, STANISLAUS COUNTY
- (OO) SANHEDRIN PLM, MENDOCINO COUNTY
- (PP) SANTA CATALINA ISLAND, LOS ANGELES COUNTY
- (QQ) SCHNEIDER RANCH, MENDOCINO COUNTY
- (RR) SEVEN SPRINGS RANCH, MENDOCINO COUNTY
- (SS) SHAMROCK RANCH, MENDOCINO COUNTY
- (TT) SLICK ROCK RANCH, SANTA CLARA COUNTY
- (UU) SUMMER CAMP PLM, MENDOCINO COUNTY
- (VV) SWEETWATER RANCH, SANTA CLARA COUNTY
- (WW) TREMBLOR RANCH PLM, SAN LUIS OBISPO AND KERN COUNTIES
- (XX) WORK RANCH, MONTEREY COUNTY

21. CONSIDERATION AND POSSIBLE APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2012-2017) AND 2012-2013 MANAGEMENT PLAN FOR:
  - (A) AVENALES RANCH, SAN LUIS OBISPO COUNTY
  - (B) LEWIS RANCH, SAN BENITO COUNTY
  - (C) TRINCHERO RANCH, SAN BENITO COUNTY
  
22. RECEIPT OF DEPARTMENT OF FISH AND GAME ANNUAL REVIEW OF WHITE SEABASS FISHERY MANAGEMENT PLAN FOR 2010-2011 FISHING SEASON.

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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. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
    - III. 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.
    - IV. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.
    - V. 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.
    - VI. CENTER FOR BIOLOGICAL DIVERSITY AND EARTH ISLAND INSTITUTE vs. FISH AND GAME COMMISSION ADOPTING EMERGENCY REGULATION TO AUTHORIZE INCIDENTAL TAKE OF THE BLACK-BACKED WOODPECKER DURING CANDIDACY PERIOD.
  
  - 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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