Meeting of
August 8, 2012 (Wednesday)
10:00 a.m.  

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.

1. ELECTION OF COMMISSION OFFICERS, PURSUANT TO SECTION 102 OF THE FISH AND GAME CODE.

2. 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.

3. COMMISSION RECOGNITION OF NEWLY INDUCTED MEMBERS TO THE CALIFORNIA WATERFOWLERS HALL OF FAME.

4. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO WATERFOWL, MIGRATORY; AMERICAN COOT; AND COMMON MOORHEN (COMMON GALLINULE) REGULATIONS FOR 2012-2013, SECTION 502, TITLE 14, CCR.

5. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 300, TITLE 14, CCR, RE: UPLAND GAME HUNTING REGULATIONS.
6. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SUBSECTION (b)(102) OF SECTION 632, TITLE 14, CCR, RE: BLUE CAVERN STATE MARINE CONSERVATION AREA.

7. POSSIBLE APPROVAL OF LEASE RATE INCREASE FOR STATE WATER BOTTOM LEASES:
   (A) TOMALES BAY SHELLFISH FARMS, MARIN COUNTY, STATE WATER BOTTOM LEASE NO. M-430-05.
   (B) COVE MUSSEL COMPANY, MARIN COUNTY, STATE WATER BOTTOM LEASE NO. M-430-06.
   (C) HOG ISLAND OYSTER COMPANY, MARIN COUNTY, STATE WATER BOTTOM LEASE NO. M-430-10.
   (D) NEUSHUL MARICULTURE, INC., SANTA BARBARA COUNTY, STATE WATER BOTTOM LEASE NO. M-654-03.

8. REQUEST OF MR. BERNARD FRIEDMAN, FOR EXTENSION OF STATE WATER BOTTOM LEASE NO. M-635-02, SANTA BARBARA MARICULTURE COMPANY, SANTA BARBARA COUNTY.

9. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTIONS 27.65 AND 28.30, TITLE 14, CCR, RE: SAND AND KELP BASS. (Note: The adoption hearing is scheduled for November 7, 2012 in Los Angeles.)

10. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SPORT FISHING REGULATIONS FOR 2013-2014, SECTION 1.45 ET AL., TITLE 14, CCR. (Note: The adoption hearing is scheduled for November 7, 2012 in Los Angeles.)

11. REVIEW OF PAST PROPOSALS, RECEIPT OF NEW INFORMATION, AND DISCUSSION AND POSSIBLE DIRECTION ON USE OF LEAD AMMUNITION.
   (A) AUTHORIZED METHODS OF TAKE ON WILDLIFE AREAS AND ECOLOGICAL RESERVES.
   (B) AUTHORIZED METHODS OF TAKE FOR ANIMALS CAUSING DAMAGE.
   (C) PRESENTATIONS ON NEW INFORMATION REGARDING LEAD AMMUNITION.
      I. NATIONAL RIFLE ASSOCIATION
      II. NATIONAL AUDUBON SOCIETY

12. DISCUSSION AND POSSIBLE DIRECTION TO PUBLISH NOTICE OF COMMISSION INTENT TO CHANGE THE NAME OF LOVERS POINT STATE MARINE RESERVE.
CONSENT CALENDAR

13. RECEIPT OF THE DEPARTMENT’S EVALUATION REPORT, PURSUANT TO SECTION 2073.5 OF THE FISH AND GAME CODE, ON THE PETITION TO LIST THE GRAY WOLF (Canis lupus) AS AN ENDANGERED SPECIES. (Note: Public testimony and possible Commission action are scheduled for the October 3, 2012 meeting in Sacramento.)

14. APPROVAL OF REQUEST BY CALIFORNIA STATE UNIVERSITY, SAN FRANCISCO TO RENEW ITS RESTRICTED SPECIES PERMIT (#2601) FOR 2012 AND APPROVAL TO POSSESS THE FOLLOWING TRANSGENIC AQUATIC SPECIES: ZEBRAFISH (Danio rerio), THREESPINE STICKLEBACK (Gasterosteus aculeatus), KELP ROCKFISH (Sebastes atrovirens), BLUEBANDED GOBY (Lythrypnis dalli), AND BAY PIPEFISH (Syngnathus leptorhynchus).

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

(A) BASIN VIEW RANCH, MODOC COUNTY
(B) BELL RANCH, TEHAMA COUNTY
(C) CLARKS VALLEY RANCH, LASSEN COUNTY
(D) HATHAWAY OAK RUN RANCH, SHASTA COUNTY
(E) LITTLE DRY CREEK RANCH, TEHAMA COUNTY
(F) ORDWAY RANCH, CALAVERAS COUNTY
(G) PBM FARMS, SISKIYOU COUNTY
(H) R WILD HORSE RANCH, TEHAMA COUNTY
(I) ROARING RIVER RANCH, SHASTA COUNTY
(J) ROCK CREEK RANCH, BUTTE COUNTY/TEHAMA COUNTY
(K) SALT CREEK RANCH, TEHAMA COUNTY
(L) SNOWSTORM RANCH, LASSEN COUNTY
(M) SOPER-WHEELER RANCH, YUBA COUNTY
(N) SPURLOCK RANCH, GLENN COUNTY
(O) SUGARLOAF-BANGOR RANCH, YUBA COUNTY

16. APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2012-2017) AND 2012-2013 MANAGEMENT PLAN FOR:

(A) ASH VALLEY RANCH, LASSEN COUNTY
(B) DESERET FARMS-BALLARD UNIT, BUTTE COUNTY
(C) DESERET FARMS-WILSON UNIT, BUTTE COUNTY
(D) JERUSALEM CREEK RANCH, SHASTA COUNTY
(E) LOOKOUT RANCH, MODOC COUNTY
(F) M&T CHICO RANCH, BUTTE COUNTY
(G) STOVER RANCH, HUMBOLDT COUNTY

17. APPROVAL OF MODIFICATION OF AUTHORIZED HARVESTS FOR STEWART RANCH.
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.
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.

18. CONTINUATION OF 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.

19. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.

20. PRESENTATION BY THE SANTA YNEZ BAND OF CHUMASH INDIANS REQUESTING AN EXEMPTION FROM THE SOUTH COAST STUDY REGION MARINE PROTECTED AREAS FOR CULTURAL AND CEREMONIAL FISHING AND GATHERING.

21. RECEIPT AND DISCUSSION OF INFORMATION ON DIABLO CANYON POWER PLANT SEISMIC TESTING.
   (A) DEPARTMENT PRESENTATION.
   (B) PACIFIC GAS AND ELECTRIC COMPANY PRESENTATION.
INFORMATIONAL ITEMS

22. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
   (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR’S REPORT.
   (B) RECOMMENDATION AND PROPOSED TIMELINE FOR THE AMENDMENT OF
       SECTIONS 165 AND 165.5, TITLE 14, CCR, RE: COMMERCIAL TAKE OF
       KELP AND OTHER AQUATIC PLANTS.
   (C) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION
       DIVISION UPDATES.
   (D) LAW ENFORCEMENT DIVISION UPDATE.
   (E) UPDATE ON FALCONRY REGULATIONS.
   (F) OTHER.

23. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.

24. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.

ACTION ITEMS

25. RECEIPT AND POSSIBLE ACTION ON COMMISSION BUSINESS.
   (A) DISCUSSION OF COMMISSION LICENSE AND PERMIT APPEALS PROCESS.
   (B) DISCUSSION OF PROPOSAL TO UPDATE COMMISSION STRATEGIC PLAN
       AND POLICIES. (Links to current Strategic Plan and Policies).
   (C) SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
       I. MARINE RESOURCES COMMITTEE.
       II. AL TAUCHER COMMITTEE.
       III. BUDGET COMMITTEE.
       IV. OTHER.
   (D) ITEMS UNDER CONSIDERATION THAT NEED TO BE RESCHEDULED.
       I. ABALONE REGULATIONS.
       II. AUTOMATED LICENSE DATA SYSTEM AUTHORITY NUMBERS AND
           ONE-DAY LICENSES.
       III. FALCONRY REGULATIONS.
       IV. MATCH PLANTING PROGRAM.
       V. TERMINAL MARKETS.
   (E) NEW BUSINESS/COMMISSION FOLLOW-UP AND STAFF DIRECTION.
26. RECEIPT OF AND POSSIBLE ACTION ON LEGISLATIVE REPORTS.
   (A) DEPARTMENT OF FISH AND GAME REPORT.
   (B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.

27. ANNOUNCEMENT OF FUTURE MEETINGS.

**2012 FISH AND GAME COMMISSION MEETING SCHEDULE**

<table>
<thead>
<tr>
<th>Date</th>
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| October 3 (Wed.) | State of California Resources Building  
| October 4 (Thurs.) | First Floor Auditorium  
|                | 1416 Ninth Street  
|                | Sacramento        |
| November 7 (Wed.) | Radisson Hotel at Los Angeles Airport  
| November 8 (Thurs.) | Laguna Room  
|                | 6225 West Century Boulevard  
|                | Los Angeles       |
| December 12 (Wed.) | Hilton San Diego Mission Valley  
|                        | 901 Camino del Rio South  
|                        | San Diego         |

28. DISCUSSION OF MEETING DATES AND LOCATIONS FOR 2013.
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<thead>
<tr>
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<td>March 6 (Wed.)</td>
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<td>December 11 (Wed.)</td>
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<td>December 12 (Thurs.)</td>
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July 24, 2012

Winter WAFWA Meeting, January 3-6, Tucson, AZ
Summer WAFWA Meeting, July XXXX, Omaha, NE
Pacific Fishery Management Council Meeting, March 6-11, Tacoma, WA
Pacific Fishery Management Council Meeting, April 6-11, Portland, OR
Pacific Flyway Meeting, March/July