

## STAFF SUMMARY FOR FEBRUARY 10-11, 2016

**29. ITEMS OF INTEREST FROM PREVIOUS MEETINGS (NON-MARINE)****Today's Item**Information Action 

This is a standing agenda item for FGC to provide direction on non-marine regulatory petitions and non-regulatory requests from the public, as well as other items of interest from previous meetings. For this meeting:

- (A) Action on petitions for regulation change received at the Dec meeting and pending items from previous meetings.
- (B) Action on non-regulatory requests received at the Dec meeting and pending items from previous meetings.
- (C) Review of pending requests from previous years

**Summary of Previous/Future Actions**

- (A-B) FGC received the requests in exhibits A1 and B1 in three ways: (1) Requests received through Nov 24 were published as tables in the Dec meeting binder, (2) requests received as late handouts were delivered at the Dec meeting, and (3) requests that were received during public forum at the Dec meeting.
- (C) FGC previously referred items to staff, committee, or DFW for analysis.

**Background**

- (A-B) FGC provides guidance and direction to staff regarding requests from the public received by mail and email and during public forum at the previous FGC meeting. The public request logs listed as exhibits capture the regulatory and non-regulatory requests received through the last meeting that require FGC guidance.
- (C) The public request logs listed as exhibits capture the pending regulatory and non-regulatory requests received during previous years.

**Significant Public Comments (N/A)****Recommendation**

- (A-B) Adopt staff recommendations for the regulatory and non-regulatory requests with either (1) deny the request, (2) grant the request, or (3) refer the request to committee, DFW staff, or FGC staff for further evaluation or information gathering. The exhibits contain staff recommendations for each request.
- (C) Adopt staff recommendations for the pending regulatory and non-regulatory requests with either (1) deny the request, (2) grant the request, or (3) refer the request to committee, DFW staff, or FGC staff for further evaluation or information gathering, or (4) where staff have identified already-taken FGC actions, confirm what staff believes is the final resolution. The exhibits contain staff recommendations for each request.

**Exhibits**

- A1. [Non-marine regulatory requests received through Nov 24, 2015](#)

STAFF SUMMARY FOR FEBRUARY 10-11, 2016

- B1. [Non-marine non-regulatory requests received at the Dec 2015 meeting](#)
- C1. [Pending non-marine regulatory requests from previous years](#)
- C2. [Pending non-marine non-regulatory requests from previous years](#)

**Motion/Direction**

(A-B) Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission adopts the staff recommendations for actions on December 2015 regulatory and non-regulatory requests.

**OR**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission adopts the staff recommendations for actions on December 2015 regulatory and non-regulatory requests, except for item(s) \_\_\_\_\_ for which the action is \_\_\_\_\_.

**AND;**

(C) Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission adopts the identified staff recommendations for resolution of pending regulatory and non-regulatory requests.

**OR**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission adopts the identified staff recommendations for resolution of pending regulatory and non-regulatory requests, except for item(s) \_\_\_\_\_ for which the Commission believes further action is required including \_\_\_\_\_.

**CALIFORNIA FISH AND GAME COMMISSION**  
**DECISION LIST FOR NON-MARINE REGULATORY REQUESTS: RECEIVED THROUGH 11-24-2015**  
 Revised 01-26-2016

FGC - California Fish and Game Commission DFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee

**Grant:** FGC is *willing to consider* the petition through a process    **Deny:** FGC is *not willing to consider* the petition    **Refer:** FGC *needs more information* before deciding whether to grant or deny the petition



**Green cells:** Referrals to DFW for more information  
**Lavender cells:** Accepted and moved to a rulemaking



**Blue cells:** Referrals to FGC staff or committee for more information  
**Yellow cells:** Current action items

| Tracking No. | Date Received | Response Due (10 work days) | Response letter to Petitioner | Accept or Reject | Name of Petitioner | Subject of Request    | Code or Title 14 Section Number     | Short Description   | FGC Decision   | DFW/FGC Staff Response | Final Action, Other Outcomes |
|--------------|---------------|-----------------------------|-------------------------------|------------------|--------------------|-----------------------|-------------------------------------|---|--|------------------------|------------------------------|
| 2015-003     | 10/27/2015    | 11/10/15                    | 11/10/2015                    | A                | Eric Boyd          | Allow 50 Shot Shells  | Sections 551 and 552, Title 14, CCR | Allow hunters using a state wildlife area or national wildlife area refuge to carry 50 shot shells in field. Currently, hunters are allowed 25 shot shells. | <b>Action scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>DENY; want to encourage hunters to use shots judiciously per the Hunter Code of Ethics.</b> |                        |                              |
| N/A          | 2/12/2015     | N/A                         | N/A                           | N/A              | Jim Cloninger      | Deer Hunting Tags     |                                     | Requests changes to deer, elk, pronghorn, and sheep hunting tag draw to reduce cost and be more competitive with border states.                             | <b>Action scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>DENY; fees set by code, requires legislative change.</b>                                    |                        |                              |
| 2015-004     | 11/2/2015     | 11/16/15                    | 11/16/2015                    | A                | James McCabe       | Native Reptiles Venom | Sections 5061                       | Commercial take, sale, transport, export or import of native reptiles   | <b>Action scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>REFER to DFW for evaluation and recommendation.</b>   |                        |                              |
| 2015-005     | 11/12/2015    | 11/25/15                    | 11/16/2015                    | R                | Corey Nommensen    | Domesticated Ferrets  | Under 671 14CA ADC 671              | Domesticated ferrets are misclassified as non-domestic and subject to ban under 671   | Rejected as incomplete   |                        |                              |
| 2015-006     | 11/24/2015    | 12/10/15                    | 11/25/2015                    | A                | Dennis Thibeault   | Rockport Rocks        | 632(b)(17)                          | Remove special closure regulations for Rockport Rocks.  | <b>Action scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>REFER to DFW for evaluation and recommendation.</b>   |                        |                              |

**CALIFORNIA FISH AND GAME COMMISSION**  
**DECISION LIST FOR NON-MARINE NON- REGULATORY REQUESTS: RECEIVED THROUGH 12-10-2015**  
 Revised 01-26-2016

FGC - California Fish and Game Commission DFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee

**Grant:** FGC is *willing to consider* the petition through a process    **Deny:** FGC is *not willing to consider* the petition    **Refer:** FGC *needs more information* before deciding whether to grant or deny the petition



**Green cells:** Referrals to DFW for more information  
**Lavender cells:** Accepted and moved to a rulemaking



**Blue cells:** Referrals to FGC staff or committee for more information  
**Yellow cells:** Current action items

| Date Received | Name of Petitioner   | Subject of Request         | Short Description   | FGC Decision   | DFW/FGC Staff Response | Final Action, Other Outcomes  |
|---------------|--|----------------------------|---|--|------------------------|---|
| 11/1/2015     | Kerry Kriger   | Bullfrog Policy            | Requests response to letter sent to Director Bonham and Secretary Laird concerning status of bullfrog vision document and discontinuing importation permits.  | <b>Action Scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>Deny; outside FGC authority.</b>  |                        |   |
| 11/19/2015    | Marc Gorelnik  | D-Crab Closure             | Requests December meeting agenda include a specific item to discuss the ongoing closures of the recreational Dungeness and rock crab fisheries.   | <b>Action Scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>Grant; Discussion was held at Dec 2015 FGC meeting.</b>   |                        | Discussion held at Dec 2015 FGC meeting.  |
| 12/9/2015     | Jenn Eckerle, Natural Resources Defense Council  | Desalination projects      | Requests a letter to CCC, State Water Board, and Coastal Regional Quality Control Board expressing concern regarding the potential impacts of ocean water desalination on the network of statewide MPA and urge these bodies to require proper siting, design, and technology to minimize impact to MPA and marine wildlife.  | <b>Action Scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>Grant; Direct FGC staff to prepare letter for transmittal before CCC's March meeting.</b>   |                        |   |
| 12/9/2015     | Amanda Winchell, Surfrider Foundation<br><br>Amy Trainer, West Marin Env. Action Committee | Aquaculture permit process | Requests action concerning state water bottom leases and subleases specifically that (1) FGC adopt best management practices to control debris and waste at these sites, (2) cease granting subleases without conducting a public hearing and inviting public testimony, and (3) ensure that bonds adequately cover the potential cost of clean-up to mitigate taxpayer responsibility. | <b>Action Scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>Grant; FGC and DFW staff continue to work on this issue.</b>  |                        | DFW and FGC will continue to monitor leases and make amendments to address petitioner concerns. |
| 12/10/2015    | Kim Richards, Enviro and Wildlife Chair for Democrats of Napa Valley                       | Bat conservation plan      | Requests that FGC (1) place on agenda receipt of the DFW's update on the bat conservation plan, and (2) support legislation to make pacific pallid bat our official state bat.  | <b>Action Scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>(1) Deny; FGC has no authority over bat conservation plan.</b><br><b>(2) Deny; FGC policy requires consideration before the Committees.</b> |                        |   |

|            |  |                              |   |   |  |  |
|------------|--|------------------------------|---|---|--|--|
| 12/10/2015 | Jennifer Fearing, HSUS                             | Fund for Animals, field trip | Provided an update on the tour hosted prior to December meeting and encourages FGC to take more of these types of tours in the future.  | <b>Action Scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>Grant; will consider on a case-by-case basis.</b>  |  | FGC will consider educational field trip requests on a case-by-case basis.   |
| 12/10/2015 | Kathy Lynch, NSSF                                  | Nonlead implementation       | Requests (1) trigger suspension of nonlead ban until availability is no longer an issue, and (2) to separate consideration and action of nonregulatory and regulatory requests for mammal and marine to their respective days.  | <b>Action Scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>(1) Deny; statute does not permit suspension of implementation based on availability.</b><br><b>(2) Grant; schedule agendas accordingly.</b> |  | FGC will consider action on regulatory and non-regulatory requests for marine and non-marine related items to their respective meeting days. |
| 12/10/2015 | Kali Tomlinson                                     | Bullfrog importation         | Request FGC direct DFW to respond to previously submitted by Dr. Crieger PRA request concerning bullfrog importation policies documents.  | <b>Action Scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>Deny; outside FGC authority.</b>   |  |  |
| 12/10/2015 | Michael Freedenberg, Rocky Mountain Elk Foundation | Gray Wolf management plan    | DFW's release of Gray Wolf management plan included language that characterized the stakeholder workgroup as collaborative, however RMEF wants to ensure that the use of the word "collaboration" does not imply consent or agreement as RMEF remains concerned about issues in the draft plan. | <b>Action Scheduled 2/10-11/2016</b><br><b>STAFF RECOMMENDATION:</b><br><b>Deny; outside FGC authority.</b>   |  |  |

**CALIFORNIA FISH AND GAME COMMISSION**  
**PENDING NON-MARINE REQUESTS FOR REGULATORY ACTION**  
 Revised 01-26-2016

FGC - California Fish and Game Commission DFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee

**Grant (previously Accept):** FGC is *willing to consider* the petition through a process  
**Refer:** FGC *needs more information* before deciding whether to grant or deny the petition  
**Deny (previously Reject):** FGC is *not willing to consider* the petition

 **Green cells:** Referrals to DFW for more information  
 **Lavender cells:** Accepted and moved to a rulemaking  
 **Blue cells:** Referrals to FGC staff or committee for more information  
 **Yellow cells:** Current action items

| Tracking No. | Date Received                       | Date Response Due (10 woking days) | Response letter to Petitioner | Accept or Reject | Name of Petitioner  | Subject of Request   | Code or Title 14 Section Number | Short Description   | FGC Decision  | DFW/FGC Staff Response  | Final Action, Other Outcomes  |
|--------------|-------------------------------------|------------------------------------|-------------------------------|------------------|---|--|---------------------------------|---|---|---|---|
|              | 9/11/2013                           |                                    |                               |                  | Roger Thomas, Golden Gate Fisherman's Association                                 | Dungeness Crab - Commercial Limits                         |                                 | Dungeness crab limits on Commercial Passenger Fishing Vessels south of Point Arena be changed to be consistent with recreational limits on private boats  | Accepted previously; scheduled for 2015 action                                  |   | Action scheduled Feb 2016<br>STAFF RECOMMENDATION: See 2015 rulemaking: Dungeness Crab  |
|              | 11/4/2013                           |                                    |                               |                  | Erik Owen   | Salmon   |                                 | Salmon punch cards should be required in all ocean waters   | Referred to DFW previously  |   |   |
|              | 9/11/2013                           |                                    |                               |                  | Roger Thomas, Golden Gate Fisherman's Association                                 | Salmon fillets   |                                 | Leave salmon fillets attached until landed at dock and fish is checked by enforcement officer or biologist  | Referred to DFW previously  |   |   |
|              | 9/11/2013                           |                                    |                               |                  | Roger Thomas, Golden Gate Fisherman's Association                                 | Leopard Shark  |                                 | Only one female leopard shark may be taken during the pupping season  | Referred to DFW   |   |   |
|              | 2/17/2014                           |                                    |                               |                  | California Sea Urchin Commission  | Sea Urchin   |                                 | Request to reduce permit capacity with goal of reaching transferability   | Referred to DFW by FGC 6/4/2014   |   | Action scheduled Feb 2016<br>STAFF RECOMMENDATION: Scheduled for 2016 rulemaking: Sea Urchin  |
|              | 3/27/2014                           |                                    |                               |                  | Howard Strohn   | Tule Elk in Priest Valley                                  |                                 | Request for better herd management of Tule Elk in Priest Valley   | Referred to DFW by FGC 6/4/2014   | Pending; still under review.  | Action scheduled Feb 2016<br>STAFF RECOMMENDATION: Grant; The 2016 Mammal regulation proposals include potential increase in quotas for elk in the Priest Valley. See 2016 Draft Environmental Document for Elk Hunting. Also, new SHARE elk hunts were approved in 2015. |
|              | 7/11/2014                           |                                    |                               |                  | Michel & Associates, representing National Rifle Association                      | Wildlife Resources Committee                               |                                 | Request that FGC establish WRC procedures and protocols through a regulatory process before the committee makes any recommendations to FGC.   | Accepted; referred to FGC staff on 10/8/2014 for evaluation and recommendation. | Staff Update (for 4/8/15 FGC meeting): Staff is developing a potential rulemaking with FGC guidance. No further action required by FGC on the petition. | Action scheduled Feb 2016<br>STAFF RECOMMENDATION: Scheduled for 2016 rulemaking: Commission Procedures   |
|              | 7/14/2014                           |                                    |                               |                  | Dennis Anderson, Safari Club International  | Wildlife Resources Committee                               |                                 | Request that FGC establish procedural rules for how WRC operates, among several other requests.   | Accepted; referred to FGC staff on 10/8/2014 for evaluation and recommendation. | Staff Update (for 4/8/15 FGC meeting): Staff is developing a potential rulemaking with FGC guidance. No further action required by FGC on the petition. | Action scheduled Feb 2016<br>STAFF RECOMMENDATION: Scheduled for 2016 rulemaking: Commission Procedures   |
|              | 7/21/2014                           |                                    |                               |                  | Bell, McAndrews & Hiltachk, LLP, representing National Shooting Sports Foundation | Wildlife Resources Committee                               |                                 | Request that FGC adopt rules of order and procedures for WRC and adhere to existing statutory requirements.   | Accepted; referred to FGC staff on 10/8/2014 for evaluation and recommendation. | Staff Update (for 4/8/15 FGC meeting): Staff is developing a potential rulemaking with FGC guidance. No further action required by FGC on the petition. | Action scheduled Feb 2016<br>STAFF RECOMMENDATION: Scheduled for 2016 rulemaking: Commission Procedures   |
|              | 4/2/2014                            |                                    |                               |                  | Lassen County Board of Supervisors  | Increase Hunting Opportunities in Lassen County Hunt Zones |                                 | Supervisors request an overall tag allocation of 10% archery, 10% muzzleloader, and 80% rifle for hunt zones 3, 4, 5, 6, 7, X1, X3A, X3B, X4, X7A and C4 to increase hunting opportunities (Resolution 14-016). | Referred to mammal hunting rulemaking for 2015-16 season.                       |   | Action scheduled Feb 2016<br>STAFF RECOMMENDATION: See for 2015 rulemaking: Mammals   |
|              | 8/28/2014 - LTR<br>9/17/2014 - Oral |                                    |                               |                  | Mercer Lawing<br>Kathy Lynch<br>(California Trappers Association)                 | Bobcat Protection Act (AB1213)                             | Fish and Game Code, Sec. 4155   | Request that regulation clarify section 4155(d) concerning definition of "any trap" and "any land".   | Referred to bobcat rulemaking 12/3/2014   |   | Action scheduled Feb 2016<br>STAFF RECOMMENDATION: See for 2015 rulemaking: Bobcat  |
|              | 8/23/2014                           |                                    |                               |                  | Sam Craig   | Mammal regulations   |                                 | Request for changes in B zones for black-tailed deer.   | Referred to mammal hunting rulemaking for 2016-17 season 12/3/2014              |   | Action scheduled Feb 2016<br>STAFF RECOMMENDATION: Scheduled for 2016 rulemaking: Mammals   |

| Tracking No. | Date Received         | Date Response Due (10 working days) | Response letter to Petitioner | Accept or Reject | Name of Petitioner   | Subject of Request                   | Code or Title 14 Section Number | Short Description   | FGC Decision  | DFW/FGC Staff Response   | Final Action, Other Outcomes  |
|--------------|-----------------------|-------------------------------------|-------------------------------|------------------|--|--------------------------------------|---------------------------------|---|---|--|---|
|              | 9/1/2014              |                                     |                               |                  | Dennis Haussler  | Freshwater spearfishing              |                                 | Request that freshwater spearfishing regulations mirror freshwater bow and arrow regulations.   | Referred to sport fish rulemaking for 2016-17 season. 12/3/2014   |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Sport fishing                                      |
|              | 9/17/2014             |                                     |                               |                  | City of Hermosa Beach  | Pier Fishing                         |                                 | Request for changes to pier fishing regulations and schedule for MRC discussion.  | Referred to MRC 12/3/2014   |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>FGC approved MRC recommendation to undertake a southern California pier and jetty |
|              | 9/14/2014             |                                     |                               |                  | Thomas Bolender, Oceanside Senior Anglers                    | Rockfish lines and lingcod limits    |                                 | Request to increase rockfish fishing depths to 60 fathoms, and to increase lingcod limit to three.  | Referred to groundfish rulemaking. 12/3/2014  |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Groundfish   |
|              | 6/13/2014             |                                     |                               |                  | Michel & Associates  | Commission procedures and rules      | T14, Chapter 5                  | Request two changes regarding transparency and financial disclosure requirements.   | <b>Petition accepted</b> 12/3/2014; referred to FGC staff for evaluation and recommendation.                    | <b>Staff Update</b> (for 4/8/15 FGC meeting): Staff is developing a potential rulemaking with FGC guidance. No further action required by FGC on the petition. | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Commission procedures                              |
|              | 10/8/2014             |                                     |                               |                  | Mack Demachi, Tradewind Seafood                              | Sea urchin dive permits              |                                 | Request for a delay in a decision on the CA Sea Urchin Commission's request to decrease the number of permits from 300 to 150 to allow discussion with buyers/processors.   | <b>Petition accepted</b> with modification 12/3/2014; refer to staff for consideration in rulemaking.           |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Sea urchin   |
|              | 10/1/2014             |                                     |                               |                  | Colusa County Fish and Game Advisory Commission              | Elk hunts                            |                                 | Request to increase elk hunting in Stonyford to control growing size of herd.   | Referred to mammal hunting rulemaking for 2015-16 season 12/3/2014  |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Schedule for 2016 rulemaking: Mammals   |
|              | 10/17/2014            |                                     |                               |                  | Joseph Kleitman  | Automated License Data System (ALDS) |                                 | Request to reduce the difficulty with disabled hunter license delivery system and enforcement ID verification process.  | <b>Referred to DFW</b> on 2/11/2015 for recommendation.   | <b>Pending;</b> still under review.  |   |
|              | 11/4/2014             |                                     |                               |                  | Dan Fox, Animal Pest Management Services                     | Trapping regulations                 |                                 | Requests change to permit licensed commercial animal pest control operators conducting business under pest control contract to place traps within 150 yards of a structure. | <b>Petition granted</b> 2/11/2015 and moved to WRC for consideration during predator policy discussions         | <b>Staff Update</b> (for 4/8/15 FGC meeting): Proposal is being considered during WRC deliberations. No further action required by FGC on the petition.        | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for Predator Workgroup discussions                                      |
|              | 12/18/2014            |                                     |                               |                  | Brian Russell  | Mammal hunting                       |                                 | Request to include harvesting of 3-point or better bucks in zone C4, and to prohibit bear hunting during rifle season.  | <b>Granted</b> 4/8/2015. Consider in next mammal hunting rulemaking.  |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Mammals  |
|              | 2/6/2015              |                                     |                               |                  | Michel & Associates, representing National Rifle Association | Methods of take - small game         | T14, Sec. 311                   | Requests removing improper restrictions on possession of firearms necessary for self-defense.   | <b>Referred on 4/8/2015 to DFW</b> for recommendation.  | Response 6/10-11/2015: Refer to 2016 upland game rulemaking.   | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Upland game  |
|              | 2/4/2015              |                                     |                               |                  | James Moore  | Restricted fishing                   |                                 | Requests lifting the fishing restrictions from the banks of the Sacramento River, immediately below the Red Bluff Diversion Dam.  | <b>Referred on 4/8/2015 to DFW.</b> Proposal currently under review by DFW.                                     | Response 6/10-11/2015; Will be included in Aug 2015 notice for 2016 sport fish rulemaking.   | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Sport fishing                                      |
|              | 2/12/2015 FGC meeting |                                     |                               |                  | Robert Moore   | Take of wild turkey                  | T14, Sec. 354                   | Requests language be added to section 354(c) to include wild turkeys, so as to require the proper point when archery hunting wild turkeys.                                  | <b>Referred on 4/8/2015 to DFW</b> for recommendation.  | Response 6/10-11/2015; Refer to 2016 upland game rulemaking.   | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Upland game  |
|              | 2/18/2015             |                                     |                               |                  | William Toth   | Feather River spring salmon          |                                 | Request to release low flow provisions up to the Hwy 62 bridge to permit increased fishing opportunities.   | <b>Refer</b> 6/10-11/2015; Refer to 2016 Central Valley Salmon rulemaking.                                      |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Central Valley salmon                              |
|              | 3/8/2015              |                                     |                               |                  | Jim Jackson  | Sportfish - Inyo Cnty. Limits        |                                 | Requests limits on fishing for Pine Creek including size and possession restrictions.   | <b>Refer</b> 6/10-11/2015; Refer to Fishery Management Council for consideration in 2017 sport fish rulemaking. |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2017 rulemaking: Sport fishing                                      |
|              | 2/19/2015             |                                     |                               |                  | Kieth Riggerberg, Outdoor Sportsman Coalition of California  | Method of take                       | Section 311, T14                | Requests removing improper restrictions on possession of firearms necessary for self-defense.   | <b>Refer</b> 6/10-11/2015; Refer to 2016 upland game rulemaking.  |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Upland game  |
|              | 2/19/2015             |                                     |                               |                  | Randy Walker, The California Sportsman Lobby                 | Method of take                       | Section 311, T14                | Requests removing improper restrictions on possession of firearms necessary for self-defense.   | <b>Refer</b> 6/10-11/2015; Refer to 2016 upland game rulemaking.  |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Upland game  |

| Tracking No. | Date Received  | Date Response Due (10 working days) | Response letter to Petitioner | Accept or Reject | Name of Petitioner  | Subject of Request   | Code or Title 14 Section Number | Short Description  | FGC Decision   | DFW/FGC Staff Response  | Final Action, Other Outcomes  |
|--------------|--|-------------------------------------|-------------------------------|------------------|---|--|---------------------------------|--|--|---|---|
|              | 3/4/2015   |                                     |                               | Reject           | Ronald LaForce, United Outdoor Sportsmen  | Feather River salmon                                       |                                 | Request and early run salmon season to commence May 2, 2015, with a possession limit of 1 fish per day.  | Refer 6/10-11/2015; Refer to 2016 Central Valley salmon rulemaking.  |   | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Central Valley salmon  |
|              | 3/23/2015  |                                     |                               |                  | California Department of Water Resources (DWR)  | Central Valley Salmon                                      |                                 | Requests elimination of the size and bag limits for Striped Bass to reduce predation on Central Valley Spring Run Chinook Salmon, Central Valley Steelhead, and Green Sturgeon.  | Refer 6/10-11/2015; Refer to 2016 Central Valley salmon rulemaking.  |   | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Central Valley salmon  |
|              | 3/5/2015   |                                     |                               |                  | Sonoma County Fish and Wildlife Commission  | Inland Filleting of Salmonoids                             | Section 1.45, T14               | Request to abolish fillet requirements for inland salmonoids.  | Refer 6/10-11/2015; Refer to 2016 sport fish rulemaking.   |   | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Sport fishing  |
|              | 3/8/2015   |                                     |                               |                  | Gary Hansen, Glenn County Fish, Game and Recreation Commission  | Inland filleting of salmonoids                             | Section 1.45, T14               | Request to abolish fillet requirements for inland salmonoids.  | Refer 6/10-11/2015; Refer to 2016 sport fish rulemaking.   |   | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Sport fishing  |
|              | 4/8/2015   |                                     |                               |                  | Charlie Beck<br>Neil Light<br>Erik Owen<br>David Misakign<br>Dan Brown<br>Ed Given  | Steelhead fishing  |                                 | Request for review of low flow regulation in Region 3 to permit more opportunity including: lowering low flow guidelines on the Guala River to 75 cfs and the Navaro to 100 cfs, extend trout fishing from fourth Saturday in May to September 30. | Refer 6/10-11/2015; Refer to DFW for evaluation and recommendation.  | DFW Response: Deny for 2016 sportfish cycle as the proposal has been fully vetted. DFW remains open to discussion of this matter during future rulemakings. | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Deny for 2016 sportfish cycle as the proposal has been fully vetted. DFW remains open to discussion of this matter during future rulemakings. |
|              | 4/20/2015  |                                     |                               |                  | James Keeling   | Klamath River - Blue Creek Closure                         |                                 | Request Commission reconsider the Blue Creek decision, and hold a hearing on the matter in the region.   | Refer to DFW 8/4/2015; per commitments made at June 2015 meeting in Mammoth.   | DFW Response: Provided direction by FGC in Dec 2015 to consider in 2016 rulemaking  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Klamath River  |
|              | 6/11/2015  |                                     |                               |                  | Rebecca Dymytrk   | Pest Control Reporting Requirements                        |                                 | Requests regulation to require pest control operators to annually report the number, type, location, and method used to kill animals.  | Refer on 8/4/2015 to FGC staff for evaluation and recommendation.  |   |   |
|              | 6/11/2015  |                                     |                               |                  | Ed Woorley (NRA), Tom Pederson (CRPA)   | Correspondence   |                                 | Requests regulation to require all (1) FGC and (2) DFW staff conduct correspondence concerning official business via government issued email addresses.  | (1) Refer on 8/4/2015 to FGC staff for evaluation and recommendation.<br>(2) Deny 8/4/2015; FGC has no authority over the administration of DFW. |   |   |
|              | 6/5/2015<br>7/8/2015   |                                     |                               |                  | Michel & Associates, on behalf of the National Rifle Association of America and the California Rifle and Pistol Association | Correspondence   |                                 | Requests regulation to require all (1) FGC and (2) DFW staff conduct correspondence concerning official business via government issued email addresses.  | (1) Refer on 10/7 to legal counsel for evaluation, and, (2) Deny; FGC has no authority over DFW staff.   |   |   |
|              | 6/24/2015<br>6/24/2015<br>7/1/2015<br>7/6/2015<br>7/13/2015<br>7/28/2015 |                                     |                               |                  | Joan Jones Holtz<br>Dave Master<br>Georganne Walker<br>Elisabeth Lamar<br>Erica Stanojevic<br>Kimberlee Goebel              | Crab fishing nets and traps in coastal waters              |                                 | Requests ban on all crab fishing nets and crab traps in coastal waters due to whale entanglement risk.   | Action on 10/7-8/2015<br>Commercial-- Deny; FGC has no authority over this matter.<br>Recreational-- Refer to DFW.                               |   |   |
|              | 7/27/2015<br>8/4/2015  |                                     |                               |                  | Center for Biological Diversity, et al.<br>Oceana   | Whale entanglement in commercial fishing gear              |                                 | Request for actions to ensure CA fisheries are no longer responsible for whale entanglements.  | Action on 10/7-8/2015<br>Refer to DFW.   |   |   |
|              | 7/15/2015  |                                     |                               |                  | Dennis Fox  | Salmon restoration, take of predators in San Joaquin River |                                 | (1) Requests a review of the salmon restoration program; and (2) liberalized take of salmon predators in the San Joaquin River.  | Action on 10/7-8/2015<br>(1) Deny; FGC has no authority over the administration of DFW, and (2) Refer to DFW.                                    | DFW Response: will consider during 2016 sport fish rulemaking.  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Sport fishing  |
|              | 7/12/2015  |                                     |                               |                  | Terr Jelcick  | Shark feeding  |                                 | Requests ban on shark feeding and baiting for research, education, etc., within the Monterey Bay National Marine Sanctuary and West Coast of the U.S.  | Action on 10/7-8/2015<br>Refer to staff for evaluation.  |   | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Deny; outside FGC authority.  |
|              | 8/4/2015<br>8/24/2015  |                                     |                               |                  | April Wakeman, The Sport Fishing Conservancy  | Fishing and hunting license possession                     | Sec. 700, Title 14              | Request to amend regulations to specifically include a digital license viewable on a cell phone or tablet as being 'in possession' if and when such digital licenses are authorized.   | Action on 10/7-8/2015<br>Refer to DFW.   |   |   |
|              | 8/5/2015   |                                     |                               |                  | Lynn Boulton  | Trapping   |                                 | Requests regulations to require hunters and trappers to provide all the same information required for bobcats to apply to all furbearers and nongame predators.  | Action on 10/7-8/2015<br>Refer to WRC  |   |   |

| Tracking No. | Date Received | Date Response Due (10 woking days) | Response letter to Petitioner | Accept or Reject | Name of Petitioner                    | Subject of Request                  | Code or Title 14 Section Number | Short Description   | FGC Decision   | DFW/FGC Staff Response   | Final Action, Other Outcomes  |
|--------------|---------------|------------------------------------|-------------------------------|------------------|---------------------------------------|-------------------------------------|---------------------------------|---|--|--|---|
|              | 8/10/2015     |                                    |                               |                  | Jason Robinson                        | Rock Crab Transfer Process          |                                 | Requests to amend the south coast rock crab permit process to allow for transfer permits on a first come first serve basis or to give applicants that have been attempting for consecutive years more points in the lottery as is the case with the sea urchin lottery. | Action on 12/9-10/2015<br>Refer to DFW for evaluation      |  |   |
|              | 8/21/2015     |                                    |                               |                  | Greg Ross                             | Tehama Wildlife Area Rules          |                                 | Requests revocation of the rules banning ATVs in the Tehama Wildlife Area because use does not impact wildlife or plants.   | Action on 12/9-10/2015<br>Refer to DFW for evaluation      |  |   |
|              | 8/28/2015     |                                    |                               |                  | Del Norte County Board of Supervisors | Klamath River -- Blue Creek Closure |                                 | Requests FGC repeal or amend the closure of Blue Creek to fishing because the decision was made without consideration of science or the impact on residents, including small businesses.  | Action on 12/9-10/2015<br>Deny; pending evaluation by DFW. | DFW Response: Provided direction by FGC in Dec 2015 to consider in 2016 rulemaking | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking:<br>Klamath River |

**CALIFORNIA FISH AND GAME COMMISSION**  
**PENDING NON-MARINE REQUESTS FOR NON-REGULATORY ACTION**  
 Revised 01-26-2016

FGC - California Fish and Game Commission DFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee

**Grant (previously Accept):** FGC is *willing to consider* the petition through a process      **Deny (previously Reject):** FGC is *not willing to consider* the petition  
**Refer:** FGC *needs more information* before deciding whether to grant or deny the petition

 **Green cells:** Referrals to DFW for more information       **Blue cells:** Referrals to FGC staff or committee for more information  
 **Lavender cells:** Accepted and moved to a rulemaking       **Yellow cells:** Current action items

| Date Received         | Name of Petitioner                                     | Subject of Request  | Short Description   | FGC Decision   | DFW/FGC Staff Response | Final Action, Other Outcomes   |
|-----------------------|--|---|---|--|------------------------|--|
| 6/19/2014             | Don Armentrout, Lassen County Fish and Game Commission | Non-lead Ammunition   | Five requests, including working with manufacturers to increase the volume and selection of non-lead ammunition, working with ATF to define armor piercing ammunition, and not requiring certification of hand loaders  | Referred 10/8/2014 to non-lead rulemaking.   |                        | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>See 2015 non-lead rulemaking responses to comments in the Final Statement of Reasons.                                    |
| 8/30/2014             | Eric Hartman   | Pier Fishing - Manhattan Beach                                | Request for assistance to restore pier fishing opportunities at Manhattan Beach   | Referred to MRC on 12/3/2014 for review and recommendation.  |                        | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>FGC approved MRC recommendation to undertake a southern California pier and jetty review project in 2015.                |
| 10/10/2014            | David Dickerson, California Sport fishing League       | Pier and Jetty Fishing  | Requests FGC take appropriate action to prevent municipalities from enacting rules and ordinances that restrict public fishing activities on piers.   | Referred to MRC 2/11/2015; previously referred to MRC and marine advisor.  |                        | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>FGC approved MRC recommendation to undertake a southern California pier and jetty review project in 2015.                |
| 2/11/2015 FGC meeting | Josh Russo   | Nominations to Recreational Abalone Advisory Committee (RAAC) | Supports Central California Council of Diving Clubs' nomination of Dennis Hosler to the RAAC.   | Comment noted. RAAC is under the authority of the DFW director.  |                        | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>No further action necessary  |
| 2/11/2015 FGC meeting | Neal Desai   | Mariculture Lease Monitoring                                  | Requests FGC maintain a strong role in mariculture lease management and oversight, specifically ensuring each lease's clean-up costs are accurate and independently assessed with funds placed into escrow.   | Comment noted.   |                        | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>DFW and FGC will continue to monitor leases and make amendments to address petitioner concerns.                          |
| 2/12/2015 FGC meeting | Kathy Lynch  | Director's Report at FGC Meetings                             | (a) Requests FGC offer the Director's report on both days of meetings and move it to top of agenda; (b) alternate marine and nonmarine days for meetings; (c) disclose all communication among stakeholders, FGC members and staff, including all email and phone calls; and (d) provide guidance on what is allowed during public forum. | Denied (a) and (b) on 4/8/2015; inefficient and duplicative.<br><br>Accept (c) and (d) and move to commission procedures rulemaking. |                        | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Commission Procedures   |
| 1/30/2015             | Jim Brockett James McCabe                              | Permit for Possession of Rattlesnakes                         | Requests permit to possess rattlesnakes for the purposes of (a) extracting venom for developing Anti-venom serums and (b) dog aversion training.  | Referred to DFW 6/10-11/2015 for evaluation and recommendation.  |                        | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Petitioners filed a petition for regulation change (2015-004) and the outcomes are being processed as regulation change. |

| Date Received | Name of Petitioner   | Subject of Request                              | Short Description  | FGC Decision   | DFW/FGC Staff Response   | Final Action, Other Outcomes  |
|---------------|--|---|--|--|--|---|
| 2/18/2015     | Jono Wilson<br>Nature Conservancy  | Abalone Fishery Management Plan                 | Management requests for consideration during the Abalone FMP process.  | Refer 6/10-11/2015; Will be considered by MRC. Refer proposal to DFW for consideration during FMP review.                        |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for consideration per the FMP workshop process.                             |
| 4/8/2015      | Richard James  | Tomales Bay Oyster Farming Oversight            | Request that the Commission provide better and more consistent oversight of the Tomales Bay oyster farming operations.   | Grant 6/10-11/2015; FGC is working with DFW and growers to determine how to provide more consistent oversight.                   |  |   |
| 4/9/2015      | Mark Hennely   | Humboldt Bay Mariculture Project                | Request that the Commission keep watching this development given it's potential impact on Black brandt, support a full EIR, and consider weighing in on the project.   | Grant 6/10-11/2015; FGC jurisdiction is limited, will monitor the issue.   |  |   |
| 8/5/2015      | Eric Mills   | Public Forum and Live Animal Food Markets       | Requests the Commission (1) add public forum to the end of the agenda, as well as to the beginning. There should be multiple opportunities for people to comment. And, (2) reauthorize live animal food markets for consideration. | Action on 10/7-8/2015<br>(1) Grant; refer to FGC meeting procedures rulemaking, and<br>(2) Deny; No new data to support request. |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Commission Procedures                                  |
| 6/19/2015     | Lisa Belenky, Center for Biological Diversity                            | Tricolored Blackbird                            | Request to reconsider the decision on whether listing the tricolored blackbird as threatened or endangered species may be warranted.   | Action on 10/7-8/2015<br>Grant; scheduled for consideration at October 2015 meeting.   |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Discussion held in Oct 2015. FGC to consider emergency petition at Dec 2015 meeting.  |
| 9/24/2015     | Sean Brady, Michel & Associates, representing National Rifle Association | Committee Procedures                            | Requests rules and procedures be established for the WRC through normal regulatory approval process before WRC takes any further action.   | Action on 12/9-10/2015<br>Grant; FGC is currently working on both regulations and policies/procedures for committee function     |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for 2016 rulemaking: Commission Procedures                                  |
| 8/6/2015      | Ilson New, representing Dan Yoakum                                       | Herring Eggs on Kelp (HEOK) Experimental Permit | Requests clarification on the definition of HEOK fishing.  | Action on 12/9-10/2015<br>Refer to legal counsel and DFW for evaluation  |  |   |
| 9/10/2015     | Michael Flores, Al Taucher Conservation Coalition                        | Predator Policy Workgroup                       | Requests clarification of actions from FGC Aug 2015 meeting in Fortuna whereby individuals were publicly appointed to the Predator Policy Workgroup in conflict with the process previously established by FGC.                    | Action on 12/9-10/2015<br>Grant; FGC will be implementing the approved process at its Dec 2015 meeting                           |  | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Appointments to Predator Workgroup occurred at Dec 2015 meeting and Feb 2015 meeting. |
| 9/25/2015     | George Osborn, et al.  | Fishing Licenses                                | Support for moving to a 12-month fishing license; requests FGC support SB 345 with this included.  | Action on 12/9-10/2015<br>Grant; FGC referred to MRC and WRC   |  |   |
| 10/8/2015     | Chris Smitz, Democrats of Napa Valley                                    | CA Wolf Pack                                    | Requests update on the status of California wolf packs, specifically an indication about whether DFW plans to collar them.   | Action on 12/9-10/2015<br>Grant; referred to DFW for update  | DFW Response: Able to provide presentation on Wolf Management Plan and other wolf issues at future meeting of FGC. | <b>Action scheduled Feb 2016</b><br><b>STAFF RECOMMENDATION:</b><br>Scheduled for April or June 2016 meeting  |