



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



THURSDAY, October 24, 2013

Meeting Time: 4:00 P.M.

AGENDA

Call Meeting to Order:

The Stanislaus County *Fish & Wildlife Committee (F&WC)* encourages public participation and welcomes the public's interest.

Members of the public may be heard on any item of the Fish and Wildlife Committee's agenda. A person addressing the Committee will be limited to five (5) minutes, unless the Chairperson of the Committee grants a longer period of time. The Committee will allow comments by members of the public on an agenda item only during consideration of the item.

Requests for Funds:

1. No request was received.

Project Updates (Projects which received funds from the Committee):

1. No updates.

Correspondence:

1. Notice of proposed regulatory action relative to Mountain Lions. *Department of Fish and Wildlife, 7/23/2013.*
2. Notice of proposed regulatory action relative to White Sturgeon report card and tagging requirements. *California Fish and Game Commission, 8/6/2013*
3. Notice of proposal for a grant allocation for riparian restoration work located at the confluence of Tuolumne and San Joaquin rivers in Stanislaus County (Dos Rios Riparian Restoration Project). *State Wildlife Conservation Board, 8/20/2013*
4. Notice of fees adjustment relating to FGC Section 1600. *Department of Fish and Wildlife, 9/10/2013*
5. Notice of availability of a draft environmental impact report regarding the proposed salmon conservation and research facility and related management actions project. *Department of Fish and Wildlife, 10/15/2013*

Agenda Items:

1. Public Comment(s)
2. Approval of July 25th, 2013 Meeting Minutes FW Members
3. Approval of 2014 Meeting Calendar
4. Wildlife Report DFG
5. Fishery Report
6. Fine Money Status Phil McKay, DFG
7. Wood Duck Report Ed Ayers
8. Great Valley Museum Sandra Vanwey
9. Approval of Fund Procedures, Application, and Correspondence Letter
10. Approval of Bylaws
11. Election of Chairperson effective January 2014
12. Appointment of Dave Doubledde and Cody Johnsen as regular members effective October 24, 2013.
13. Old Business
14. Committee Comments

Adjourn: Next meeting – Thursday, January 23rd, 2014 at 4:00 p.m.

*Please notify the Department of Parks and Recreation at 525-6723 to let us know if you **will** be attending this meeting and/or require special accommodation for access or transportation to the meeting.*

Agendas can also be found online at <http://www.stancounty.com/er/parks/fish-wildlife-committee.shtml> subject to staff's ability to post prior to the meeting. Materials related to an item on this Agenda submitted to the Committee after distribution of the agenda packet are available for public inspection during normal business hours at the main office of the Department of Parks and Recreation, 3800 Cornucopia Way, Suite C, Modesto, CA 95358.



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE



PARKS AND RECREATION

Jami Aggers, Director

Merry Rorabaugh, Asst. Director

Ed Ayers, Chair

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



MINUTES

JULY 25, 2013 AT 4:00 P.M.

3800 CORNUCOPIA WAY, 2ND FLOOR, CONFERENCE ROOM

(Agendas can be found online at <http://www.stancounty.com/er/parks/fish-wildlife-committee.shtm>)

COUNTY FISH & WILDLIFE MEMBERS PRESENT:

Ed Ayers
Dave Doubleddee
Red Bartley
Sandra Vanwey
Ken Meidl

STATE FISH & WILDLIFE REPRESENTATIVE:

Nathan Graveline

PARKS & RECREATION STAFF PRESENT:

Cathy Gomez

MEMBERS ABSENT:

Cody Johnsen
Don Vanwey (ALT)
Ed Channing (ALT)
Jason Guignard
Anthony Maxwell
Jim Atherstone

GUESTS PRESENT:

Wilson Tsai

A. CALL TO ORDER & INTRODUCTIONS

1. Ed Ayers called the meeting to order and those in attendance introduced themselves.

B. REQUESTS FOR FUNDS

No request for fund was submitted.

REPORTER & ACTIONS

C. CORRESPONDENCE

The Committee acknowledged the correspondences received, and suggested further action or comment be directed to the corresponding agency:

1. Notice of proposed regulatory action relative to Depredation Permit Application and Form, and Bobcat Depredation. *Fish and Game Commission, 5/7/2013.*
2. Notice of proposed regulatory action relative to practice of falconry in California. *California Department of Fish and Wildlife, 7/2/2013.*

ACTIONS

D. PUBLIC COMMENTS

Wilson Tsai, is representing a California fish farm, *Gina's Fish Farm*. The farm raises black bass, sturgeon, catfish, carps. The farm is planning to expand from Sacramento to the bay area and the central valley. Availability of red ear and blue gills were discussed.

ACTIONS/REPORTER

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F. PROJECT UPDATES	ACTIONS/REPORTER
Modesto and Woodward Reservoir has each received approximately \$3,650 worth of fish plant. The Parks Department and the Army Corp worked with the fish vendor to save on delivery cost however, due to unforeseen circumstances, the Kids Fishing Day event was cancelled.	<i>Cathy Gomez</i>
E. APPROVAL OF MINUTES	ACTIONS
Minutes for the April 25, 2013 meeting was approved upon motion and second with a correction to section J: replace the last sentence of this section to, "Sandy has retired from <i>Modesto Junior College</i> but will still continue her membership <i>with the Great Valley Museum Board and this Committee.</i> "	<i>Bartley, Doubledde, unanimous approval</i>
F. WILDLIFE REPORT	ACTIONS/REPORTER
Nathan and Cristen will be alternating attending the Committee meetings to provide the wildlife report. The deer louse study is still in progress. Current findings may show that lice may not be the main cause of mortality or hair loss. The study involves 43 yearlings; 16 collared does. Monitoring occurs a few times a month. Study includes monitoring summer range areas and mortality statistics. A future project may involve more adult deer/doe captures. The expected number of capture will be at a minimum of 40. The migration study was interesting with the weather effects. Migration may have occurred sooner than expected. The scheduled GPS collar drops were found beyond the estimated vicinity.	<i>Nathan Graveline</i>
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Salmonid predation studies are currently set at UC Davis on Mondays and Tuesdays. Irrigator requests to raise water levels caused concerns for potential fish kills on the trinity. Sacramento migration is looking good. The San Joaquin migration may not occur until the end of the month. Some Spring run fish has shown up on the Tuolumne. The San Joaquin is currently closed for Salmon.	<i>Red Bartley</i>
H. FINE MONEY STATUS	REPORTER
No report was received.	
I. WOOD DUCK REPORT	ACTIONS & REPORTER
This year's wood duck project has five groups participating at five different ranches. Successful hatches were accounted for with twenty hatchings on average. No final reports have been compiled yet. The first round checks after the end of the student program was just recently completed. In this check, three hens were found still nesting. There will be a final round check. One additional ranch is still in need of check that has not been monitored regularly this season. The Waterford ranch did well with hatchings, but is still in need of checks. If any unhatched eggs are found in the post mid-July checks, these can be cleared out in the next fall maintenance routine. An inquiry was made to include a claims report on mileage reimbursements to the student wood duck program. One of the groups did not submit for any mileage reimbursement.	<i>Ed Ayers</i>
J. GREAT VALLEY MUSEUM	ACTIONS & REPORTER
The Department of State Architect (DSA) has given project commencement approval. The architect has been in contact to include new revisions to the exhibit. Speculated time of completion may not be until next year. Classes will resume in Fall at this location. Some non-native wildlife specimens will be stored in a newly built storage and rotated within the lobby area. A brief discussion emphasized the importance of museums to kids and education.	<i>Sandra Vanwey</i>
K. DRAFT BYLAWS & FUND PROCEDURES & APPLICATION	ACTIONS & REPORTER
Members reviewed the draft fund procedures, application, and correspondence template with changes as noted.	

L. COMMITTEE COMMENTS**ACTIONS & REPORTER**

1. A reminder was given to members to confirm their attendance status to the Committee Secretary in advance.
2. Anthony Maxwell will not be able to attend the October meeting.

*Ed Ayers***M. ADJOURNMENT & NEXT MEETING**

There being no further business, the meeting was adjourned upon motion and second.
The next regular meeting of the Fish and Wildlife Committee will be held on:

*Bartley, Maxwell,
unanimous approval*

Thursday, October 24, 2013 at 4:00 p.m.
Conference Room, 2nd Floor
 3800 Cornucopia Way, Modesto

Prepared By: Mae Song, Fish and Wildlife Secretary

209-525-6723

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Stanislaus County Fish and Wildlife Committee Bylaws

Effective: 10/24/2013

Page 1 of 2

PURPOSE:

The Fish and Wildlife Committee shall review and vote to approve all fund request proposals related to fish and wildlife matters within Stanislaus County and shall provide recommendations to the Board of Supervisors and/or Department of Fish and Wildlife under the provisions set forth in the California Fish and Wildlife Code sections 13100-13104.

MEMBERSHIP:

The Fish and Wildlife Committee will consist of nine members and nine alternate members. Alternate members will attend a meeting in the absence of a Committee member. Of the nine members, there shall be appointed one resident of each of the five supervisorial districts of the county and four members appointed from the county at large. Members may live or work in the appointed district to be a representative of that district. All members of the Committee shall be residents or work within Stanislaus County.

TERMS AND ELECTION:

The members of the Fish and Wildlife Committee shall be nominated by the chairperson of the Committee and approved by the voting members of the Committee. The chairperson of the Committee shall be elected by the Committee and will serve for a four-year term. Elections may occur upon a vacancy. Alternate members may fill a vacancy in the Committee. (October—every 4 years)

COMPENSATION:

All of the members of the Fish and Wildlife Committee shall serve without compensation, except that they shall be entitled to be reimbursed for mileage upon approval of the Committee.

MEETINGS:

The Fish and Wildlife Committee shall establish a time and place for regular meetings which shall be held at least once every three months. Special meetings may be held upon the call of the chairperson. The date and location of the regular meetings will be decided at the end of each calendar year. All meetings of the Committee shall be conducted in an orderly and systematic manner to permit the input of interested parties and the resolution of all matters coming before the Committee.

ATTENDANCE AND VACANCY:

The Fish and Wildlife Committee members must attend a minimum of three meetings a year. Alternate members must attend a minimum of two meetings per year. After a member fails to attend three consecutive meetings, unless excused by the Committee, membership thereon shall be automatically terminated and a successor shall be appointed by the chairperson to serve as a member. Alternate members may serve in the absence of any Committee member. Members shall inform an alternate member to attend in their place should they be unable to attend a meeting.

QUORUM:

The majority of members shall constitute a quorum for the transaction of business by the Fish and Wildlife Committee, but a lesser number may adjourn from time to time. Alternate members will stand



Developed By: Fish and Wildlife Committee, Mae Song
Revisions:

FISH AND WILDLIFE COMMITTEE

Stanislaus County Fish and Wildlife Committee Bylaws

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in the place of a member in their absence to obtain a quorum. All transactions of business will be recorded and filed as permanent record of the Committee.

POWERS AND DUTIES:

The Fish and Wildlife Committee shall have the following powers and duties:

1. It shall have charge of promoting and communicating all matters related to fish and wildlife, including the proposing of concerns or recommendations to the board of supervisors and/or California Department of Fish and Wildlife;
2. It shall promote present and future fish and wildlife preservation in Stanislaus County including coordinating with other public authorities;
3. It shall inventory and review County fish and wildlife habitats and recommend/participate in developing/restoring the identified areas;
4. It shall have the authority to expend from the County Fish and Wildlife Fund up to \$3,000 or to not exceed three percent of the average amount received by the fund during the previous three-year period annually, whichever is greater, excluding any funds carried over from a previous fiscal year, for reasonable administrative costs pursuant to the provisions of the California Fish and Wildlife codes § 13103-j;
5. It shall adopt rules and regulations for its proceedings and for such other purposes as may be helpful in carrying on of a fish and wildlife management program under its supervision;
6. It shall have charge of approving or disapproving fund requests for the purpose of fish and wildlife preservation in accordance to the California Department of Fish and Wildlife codes § 13100 – 13104.

ALLOCATION OF GIFTS

1. Stanislaus County shall annually allocate for fish and wildlife purposes the proceeds from all gifts, legacies, or bequests received for purpose of fish and wildlife management and preservation.
2. All monies allocated to the Stanislaus Fish and Wildlife Fund 1727 shall be expended for the purpose of protection, conservation, propagation, and preservation of fish and wildlife, and for the payment of salaries of persons employed for said work. (*Section 13100-13103, California Fish and Wildlife Code*)

DIRECTOR OF PARKS AND RECREATION DUTIES

The Director of Parks and Recreation, when required by the Fish and Wildlife Committee, shall attend requested meetings of the Committee and shall make such reports to the Committee chairperson or the Board of Supervisors, as shall be required from time to time.

DISCLAIMER

The Stanislaus Fish and Wildlife Bylaws may be subject to change. A change proposition may be submitted at a Stanislaus Fish and Wildlife Committee meeting. The chairperson will approve or deny the proposal for change to be placed on the following meeting agenda for review and approval. Upon placement on the agenda, the Committee will have the period between the current meeting and the next meeting to review and consider the proposition for adoption.



Developed By: Fish and Wildlife Committee, Mae Song
Revisions:

FISH AND WILDLIFE COMMITTEE

Fund Request Procedures

Effective: 10/24/2013

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PURPOSE

The Stanislaus County Fish and Wildlife Committee is an ad hoc committee established by the Board of Supervisors to manage collected fine monies from the State of California Department of Fish and Wildlife. The Committee shall review and approve all fund request proposals relating to fish and wildlife matters within the jurisdiction of Stanislaus County. The Committee may provide recommendations to the Board of Supervisors and/or California of Fish and Wildlife relative to public education and fish and wildlife. Matters pertaining to fish and wildlife will be addressed according to the California Fish and Wildlife Codes.

POLICY

Available funds will support projects for purposes of protection, conservation, propagation, and preservation of fish and wildlife in accordance with the State of California Fish and Wildlife Code Section 13100-13104. The Committee retains the right to limit funding based on available funds. Individuals, agencies or organizations seeking financial support/funding from the Stanislaus County Fish and Wildlife Committee shall adhere to the following:

PROCEDURES

1. Request for fund application packet shall be submitted at least three weeks prior to any scheduled meeting.
2. A fund request application must be completed in full.
3. The application packet shall include a written cover letter signed by the authorized agency or person and printed on agency or organization letterhead.
4. Include a detailed list of items to be purchased.
5. Include a detailed itemized list of costs/fees. Estimates should include tax and delivery fees. The "total project cost" must be stated.
6. Specify the purpose of the request and its benefits (i.e. benefits to the organization/community/ students, learning tool, habitat restoration, etc.). The Committee may approve specific qualified items in accordance with the Fish and Wildlife Code. An allowable purpose must be stated on the requests for consideration.
7. Purchase requests less than \$5,000 require one written estimate from a vendor.
8. Purchase requests \$5,000 or more require written estimates from three different vendors. Single purchases above \$1,000 will be paid direct to the vendor upon an invoice receipt.
9. If the funding request is in association with a special event (e.g. Fish Day, Kids Pheasant Hunt, etc.), all event specifics should be included as well (i.e. date of event, times, location, etc.). Available event flyers may also be included.
10. Prior to submitting the fund request, sections 13100-13104 of the Fish and Wildlife code shall be referenced to as a guideline. The applicant shall review and identify the code section matching their request and indicate it on the application.
11. The application request should be sent to:
Stanislaus County Fish & Wildlife Committee
c/o Stanislaus County Parks and Recreation
Attn: Parks Administration
3800 Cornucopia Way, Suite C
Modesto, CA 95358
12. Properly documented fund requests will be placed on the agenda for the next regularly scheduled meeting.



Developed By: Fish and Wildlife Committee, Mae Song
Revisions:

FISH AND WILDLIFE COMMITTEE

Fund Request Procedures

Effective: 10/24/2013

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13. The applicant will be required to attend a Committee meeting (three weeks advance notice is required) to present their fund request proposal.
14. The Committee will review and vote on the fund request. The applicant will be sent a confirmation letter to confirm the action taken. Applicants are encouraged to submit their fund request two meetings in advance prior to their event in the case the applicant is asked to provide further information at a second meeting prior to a decision being reached. All fund request approvals must meet the requirements of sections 13100-13104 of the California Fish and Wildlife code.
15. The applicant will be required to follow-up with the Committee to report the status and progress at the following quarterly meeting or no later than one year from the fund approval date. Status includes performance period progress and whether the anticipated completion date was met. Any remaining or unused funds shall be returned to the Committee immediately. Any changes to the original application must be approved by the Committee at a regular public meeting; an exception may be made only in urgent cases through the approval of the Chair. To schedule a presentation follow-up, the applicant may contact the Fish and Wildlife Secretary at (209) 525-6723.
16. Restrictions to funding:
 - a. Fund requests which confer a private benefit upon the applicant are not eligible for funds.
 - b. Deficit financing—Payment for something already purchased or reimbursement for an event that has already taken place will not be eligible for funds.
 - c. Fund requests for commercial ventures are not eligible for funds. (Private business)
 - d. Fund requests must demonstrate and document some measurable public benefit.
 - e. Applicant from previous fund requests through this Committee or other groups that have not submitted a final report for previously awarded funds will not be eligible for funds.
 - f. No funding will be awarded for payment of administrative fees, office overhead, or other similar charges.
 - g. The Committee does not approve multi-year funding of projects. Requests must be submitted for consideration each year and, the fact that funds were awarded in one year shall not be construed as a guarantee of funding in subsequent years.
 - h. Funds are limited to funds available.
 - i. Funds may be available to applicants only once a year.

For questions, the Stanislaus County Department of Parks and Recreation may be contacted at (209) 525-6750.



Fund Request Application

Stanislaus County Fish and Wildlife



Applicant Name _____

Agency _____

Mailing Address _____

City, State, Zip _____

Phone _____ E-mail _____

Requesting Fund Amount \$ _____ Funds needed by _____

Project Performance Period _____

Event Name (if applicable) _____

Purpose _____

Fish and Wildlife Code(s) Met (CFG Code Section 13100-13104) _____

Public Benefit _____

Detail Items to be Purchased (include cost per item, and/or attach quote(s). Additional sheets may be attached.)

Vendor to be purchased from _____

Will you accept partial funding? ☐ YES ☐ NO

This application may be fax to (209) 525-6773 or mailed to:

Stanislaus County Fish & Wildlife Committee
c/o Stanislaus County Parks and Recreation
Attn: Parks Administration
3800 Cornucopia Way, Suite C
Modesto, CA 95358

I have read and understand the Fund Request Procedures and agree to utilize the funds I am approved for to purchase items listed in this packet for said purposes and in accordance to California Fish and Wildlife Codes and Regulations. I understand I will follow-up with the Committee on the outcome of this fund request by attendance at a Fish and Wildlife Committee meeting within one year.

Signature: _____ Date: _____

OFFICE USE ONLY:

APPROVED FOR \$ _____ DATE: _____



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



Date

Name of Applicant

Address of Applicant

Dear Applicant:

Thank you for your interest and initiative in promoting fish and wildlife. We appreciate you taking the time to attend the recent Stanislaus Fish and Wildlife Committee meeting. The Committee supports projects for purposes of protection, conservation, propagation, and preservation of fish and wildlife in accordance with California Department of Fish and Wildlife codes section 13100-13104. Our mission is to assist in managing California's fish, wildlife, and plant resources for their ecological values and for their use and enjoyment by the public.

- ☐ We are glad to inform you that we have agreed to fund your request in the amount of \$_____ for _____

If the approved fund amount is not fully expended by the end of the project performance period, please immediately return the remaining funds payable to Stanislaus County Fish and Wildlife at 3800 Cornucopia Way, Suite C, Modesto, CA 95358. To obtain funds, please have the vendor where you will be making your purchases send us an invoice. If you are making the purchases yourself, you will need to submit to us a claim for reimbursement. The claim form is attached for your convenience.

After completion of the project, please schedule a time to provide a summary of your accomplishments to the committee. This can be done through contacting the Committee Secretary at (209) 525-6723.

Congratulations and we look forward to a successful project!

- ☐ We regret to inform you that we were unable to provide funding for your request at this time as it does not meet the requirements stated under the California Fish and Wildlife codes section 13100-13104 and/or for the following reasons: (state reason if applicable)

We hope you will continue to consider submitting an application in the future.

We wish you well in the progress of your project.

Sincerely,

Chairperson, Stanislaus County Fish and Wildlife Committee



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



INFORMATION FOR APPOINTMENT

Mark your interest in membership below. (Final member status is subject for review by Committee.)

☐ **Regular Member**

Member Appointed Date: _____

☐ **Alternate Member**

Member Appointed Date: _____

I, _____ hereby make application for consideration by Stanislaus County Fish and Wildlife Committee to the above-named public office.

Representing District No. _____ by Residence in City: _____

Representing District No. _____ by Work in City: _____

Residence: _____

City: _____ State: CA Zip: _____

Work: _____

City: _____ State: CA Zip: _____

Main Phone: _____

Other Phone: _____

Email: _____

Particular strengths, background, experience, perspective, and talents which might contribute significantly to the Committee and its goals: _____

Reason for Application: _____

Date: _____ Signature: _____

Applicant Certification: PLEASE READ BEFORE SIGNING. I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief. I understand that statements made are subject to verification and that any misrepresentation, fraud, or omission of material facts may result in denial of appointment.



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE



PARKS AND RECREATION

Jami Aggers, Director

Merry Rorabaugh, Asst. Director

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3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



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Developed By: Fish and Wildlife Committee, Mae Song
Revisions:

FISH AND WILDLIFE COMMITTEE

Stanislaus County Fish and Wildlife Committee Bylaws

Effective: 10/24/2013

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The Director of Parks and Recreation, when required by the Fish and Wildlife Committee, shall attend requested meetings of the Committee and shall make such reports to the Committee chairperson or the Board of Supervisors, as shall be required from time to time.

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FISH AND WILDLIFE COMMITTEE

Fund Request Procedures

Effective: 10/24/2013

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1. Request for fund application packet shall be submitted at least three weeks prior to any scheduled meeting.
2. A fund request application must be completed in full.
3. The application packet shall include a written cover letter signed by the authorized agency or person and printed on agency or organization letterhead.
4. Include a detailed list of items to be purchased.
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Attn: Parks Administration
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FISH AND WILDLIFE COMMITTEE

Fund Request Procedures

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 - h. Funds are limited to funds available.
 - i. Funds may be available to applicants only once a year.

For questions, the Stanislaus County Department of Parks and Recreation may be contacted at (209) 525-6750.



Fund Request Application

Stanislaus County Fish and Wildlife



Applicant Name _____

Agency _____

Mailing Address _____

City, State, Zip _____

Phone _____ E-mail _____

Requesting Fund Amount \$ _____ Funds needed by _____

Project Performance Period _____

Event Name (if applicable) _____

Purpose _____

Fish and Wildlife Code(s) Met (CFG Code Section 13100-13104) _____

Public Benefit _____

Detail Items to be Purchased (include cost per item, and/or attach quote(s). Additional sheets may be attached.)

Vendor to be purchased from _____

Will you accept partial funding? ☐ YES ☐ NO

This application may be fax to (209) 525-6773 or mailed to:

Stanislaus County Fish & Wildlife Committee
c/o Stanislaus County Parks and Recreation
Attn: Parks Administration
3800 Cornucopia Way, Suite C
Modesto, CA 95358

I have read and understand the Fund Request Procedures and agree to utilize the funds I am approved for to purchase items listed in this packet for said purposes and in accordance to California Fish and Wildlife Codes and Regulations. I understand I will follow-up with the Committee on the outcome of this fund request by attendance at a Fish and Wildlife Committee meeting within one year.

Signature: _____ Date: _____

OFFICE USE ONLY:

APPROVED FOR \$ _____ DATE: _____



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



Date

Name of Applicant

Address of Applicant

Dear Applicant:

Thank you for your interest and initiative in promoting fish and wildlife. We appreciate you taking the time to attend the recent Stanislaus Fish and Wildlife Committee meeting. The Committee supports projects for purposes of protection, conservation, propagation, and preservation of fish and wildlife in accordance with California Department of Fish and Wildlife codes section 13100-13104. Our mission is to assist in managing California's fish, wildlife, and plant resources for their ecological values and for their use and enjoyment by the public.

- ☐ We are glad to inform you that we have agreed to fund your request in the amount of \$_____ for _____

If the approved fund amount is not fully expended by the end of the project performance period, please immediately return the remaining funds payable to Stanislaus County Fish and Wildlife at 3800 Cornucopia Way, Suite C, Modesto, CA 95358. To obtain funds, please have the vendor where you will be making your purchases send us an invoice. If you are making the purchases yourself, you will need to submit to us a claim for reimbursement. The claim form is attached for your convenience.

After completion of the project, please schedule a time to provide a summary of your accomplishments to the committee. This can be done through contacting the Committee Secretary at (209) 525-6723.

Congratulations and we look forward to a successful project!

- ☐ We regret to inform you that we were unable to provide funding for your request at this time as it does not meet the requirements stated under the California Fish and Wildlife codes section 13100-13104 and/or for the following reasons: (state reason if applicable)

We hope you will continue to consider submitting an application in the future.

We wish you well in the progress of your project.

Sincerely,

Chairperson, Stanislaus County Fish and Wildlife Committee



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



INFORMATION FOR APPOINTMENT

Mark your interest in membership below. (Final member status is subject for review by Committee.)

☐ **Regular Member**

Member Appointed Date: _____

☐ **Alternate Member**

Member Appointed Date: _____

I, _____ hereby make application for consideration by Stanislaus County Fish and Wildlife Committee to the above-named public office.

Representing District No. _____ by Residence in City: _____

Representing District No. _____ by Work in City: _____

Residence: _____

City: _____ State: CA Zip: _____

Work: _____

City: _____ State: CA Zip: _____

Main Phone: _____

Other Phone: _____

Email: _____

Particular strengths, background, experience, perspective, and talents which might contribute significantly to the Committee and its goals: _____

Reason for Application: _____

Date: _____ Signature: _____

Applicant Certification: PLEASE READ BEFORE SIGNING. I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief. I understand that statements made are subject to verification and that any misrepresentation, fraud, or omission of material facts may result in denial of appointment.



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



THURSDAY, October 24, 2013

Meeting Time: 4:00 P.M.

AGENDA

Call Meeting to Order:

The Stanislaus County *Fish & Wildlife Committee (F&WC)* encourages public participation and welcomes the public's interest.

Members of the public may be heard on any item of the Fish and Wildlife Committee's agenda. A person addressing the Committee will be limited to five (5) minutes, unless the Chairperson of the Committee grants a longer period of time. The Committee will allow comments by members of the public on an agenda item only during consideration of the item.

Requests for Funds:

1. No request was received.

Project Updates (Projects which received funds from the Committee):

1. No updates.

Correspondence:

1. Notice of proposed regulatory action relative to Mountain Lions. *Department of Fish and Wildlife, 7/23/2013.*
2. Notice of proposed regulatory action relative to White Sturgeon report card and tagging requirements. *California Fish and Game Commission, 8/6/2013.*
3. Notice of proposal for a grant allocation for riparian restoration work located at the confluence of Tuolumne and San Joaquin rivers in Stanislaus County (Dos Rios Riparian Restoration Project). *State Wildlife Conservation Board, 8/20/2013.*

Agenda Items:

1. Public Comment(s)
 2. Approval of July 25th, 2013 Meeting Minutes
 3. Approval of 2014 Meeting Calendar
 4. Wildlife Report
 5. Fishery Report
 6. Fine Money Status
 7. Wood Duck Report
 8. Great Valley Museum
 9. Approval of Fund Procedures, Application, and Correspondence Letter
 10. Approval of Bylaws
 11. Old Business
 12. Committee Comments
- FW Members
- DFG
- Phil McKay, DFG
- Ed Ayers
- Sandra Vanwey

Adjourn: Next meeting – Thursday, January 23rd, 2014 at 4:00 p.m.

*Please notify the Department of Parks and Recreation at 525-6723 to let us know if you **will** be attending this meeting and/or require special accommodation for access or transportation to the meeting.*

Agendas can also be found online at <http://www.stancounty.com/er/parks/fish-wildlife-committee.shtml> subject to staff's ability to post prior to the meeting. Materials related to an item on this Agenda submitted to the Committee after distribution of the agenda packet are available for public inspection during normal business hours at the main office of the Department of Parks and Recreation, 3800 Cornucopia Way, Suite C, Modesto, CA 95358.



STANISLAUS COUNTY

FISH AND WILDLIFE COMMITTEE



PARKS AND RECREATION

Jami Aggers, Director

Merry Rorabaugh, Asst. Director

Ed Ayers, Chair

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



MINUTES

JULY 25, 2013 AT 4:00 P.M.

3800 CORNUCOPIA WAY, 2ND FLOOR, CONFERENCE ROOM

(Agendas can be found online at <http://www.stancounty.com/er/parks/fish-wildlife-committee.shtm>)

COUNTY FISH & WILDLIFE MEMBERS PRESENT:

Ed Ayers
Dave Doubleddee
Red Bartley
Sandra Vanwey
Ken Meidl

STATE FISH & WILDLIFE REPRESENTATIVE:

Nathan Graveline

PARKS & RECREATION STAFF PRESENT:

Cathy Gomez

MEMBERS ABSENT:

Cody Johnsen
Don Vanwey (ALT)
Ed Channing (ALT)
Jason Guignard
Anthony Maxwell
Jim Atherstone

GUESTS PRESENT:

Wilson Tsai

A. CALL TO ORDER & INTRODUCTIONS

1. Ed Ayers called the meeting to order and those in attendance introduced themselves.

B. REQUESTS FOR FUNDS

No request for fund was submitted.

REPORTER & ACTIONS

C. CORRESPONDENCE

The Committee acknowledged the correspondences received, and suggested further action or comment be directed to the corresponding agency:

1. Notice of proposed regulatory action relative to Depredation Permit Application and Form, and Bobcat Depredation. *Fish and Game Commission, 5/7/2013.*
2. Notice of proposed regulatory action relative to practice of falconry in California. *California Department of Fish and Wildlife, 7/2/2013.*

ACTIONS

D. PUBLIC COMMENTS

Wilson Tsai, is representing a California fish farm, *Gina's Fish Farm*. The farm raises black bass, sturgeon, catfish, carps. The farm is planning to expand from Sacramento to the bay area and the central valley. Availability of red ear and blue gills were discussed.

ACTIONS/REPORTER

Wilson Tsai

F. PROJECT UPDATES	ACTIONS/REPORTER
Modesto and Woodward Reservoir has each received approximately \$3,650 worth of fish plant. The Parks Department and the Army Corp worked with the fish vendor to save on delivery cost however, due to unforeseen circumstances, the Kids Fishing Day event was cancelled.	<i>Cathy Gomez</i>
E. APPROVAL OF MINUTES	ACTIONS
Minutes for the April 25, 2013 meeting was approved upon motion and second with a correction to section J: replace the last sentence of this section to, "Sandy has retired from <i>Modesto Junior College</i> but will still continue her membership <i>with the Great Valley Museum Board and this Committee.</i> "	<i>Bartley, Doubledde, unanimous approval</i>
F. WILDLIFE REPORT	ACTIONS/REPORTER
Nathan and Cristen will be alternating attending the Committee meetings to provide the wildlife report. The deer louse study is still in progress. Current findings may show that lice may not be the main cause of mortality or hair loss. The study involves 43 yearlings; 16 collared does. Monitoring occurs a few times a month. Study includes monitoring summer range areas and mortality statistics. A future project may involve more adult deer/doe captures. The expected number of capture will be at a minimum of 40. The migration study was interesting with the weather effects. Migration may have occurred sooner than expected. The scheduled GPS collar drops were found beyond the estimated vicinity.	<i>Nathan Graveline</i>
G. FISHERY REPORT	ACTIONS & REPORTER
Salmonid predation studies are currently set at UC Davis on Mondays and Tuesdays. Irrigator requests to raise water levels caused concerns for potential fish kills on the trinity. Sacramento migration is looking good. The San Joaquin migration may not occur until the end of the month. Some Spring run fish has shown up on the Tuolumne. The San Joaquin is currently closed for Salmon.	<i>Red Bartley</i>
H. FINE MONEY STATUS	REPORTER
No report was received.	
I. WOOD DUCK REPORT	ACTIONS & REPORTER
This year's wood duck project has five groups participating at five different ranches. Successful hatches were accounted for with twenty hatchings on average. No final reports have been compiled yet. The first round checks after the end of the student program was just recently completed. In this check, three hens were found still nesting. There will be a final round check. One additional ranch is still in need of check that has not been monitored regularly this season. The Waterford ranch did well with hatchings, but is still in need of checks. If any unhatched eggs are found in the post mid-July checks, these can be cleared out in the next fall maintenance routine. An inquiry was made to include a claims report on mileage reimbursements to the student wood duck program. One of the groups did not submit for any mileage reimbursement.	<i>Ed Ayers</i>
J. GREAT VALLEY MUSEUM	ACTIONS & REPORTER
The Department of State Architect (DSA) has given project commencement approval. The architect has been in contact to include new revisions to the exhibit. Speculated time of completion may not be until next year. Classes will resume in Fall at this location. Some non-native wildlife specimens will be stored in a newly built storage and rotated within the lobby area. A brief discussion emphasized the importance of museums to kids and education.	<i>Sandra Vanwey</i>
K. DRAFT BYLAWS & FUND PROCEDURES & APPLICATION	ACTIONS & REPORTER
Members reviewed the draft fund procedures, application, and correspondence template with changes as noted.	

L. COMMITTEE COMMENTS**ACTIONS & REPORTER**

1. A reminder was given to members to confirm their attendance status to the Committee Secretary in advance.
2. Anthony Maxwell will not be able to attend the October meeting.

*Ed Ayers***M. ADJOURNMENT & NEXT MEETING**

There being no further business, the meeting was adjourned upon motion and second.
The next regular meeting of the Fish and Wildlife Committee will be held on:

*Bartley, Maxwell,
unanimous approval*

Thursday, October 24, 2013 at 4:00 p.m.
Conference Room, 2nd Floor
3800 Cornucopia Way, Modesto

Prepared By: Mae Song, Fish and Wildlife Secretary

209-525-6723

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Stanislaus County Fish and Wildlife Committee Bylaws

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PURPOSE:

The Fish and Wildlife Committee shall review and vote to approve all fund request proposals related to fish and wildlife matters within Stanislaus County and shall provide recommendations to the Board of Supervisors and/or Department of Fish and Wildlife under the provisions set forth in the California Fish and Wildlife Code sections 13100-13104.

MEMBERSHIP:

The Fish and Wildlife Committee will consist of nine members and nine alternate members. Alternate members will attend a meeting in the absence of a Committee member. Of the nine members, there shall be appointed one resident of each of the five supervisorial districts of the county and four members appointed from the county at large. Members may live or work in the appointed district to be a representative of that district. All members of the Committee shall be residents or work within Stanislaus County.

TERMS AND ELECTION:

The members of the Fish and Wildlife Committee shall be nominated by the chairperson of the Committee and approved by the voting members of the Committee. The chairperson of the Committee shall be elected by the Committee and will serve for a four-year term. Elections may occur upon a vacancy. Alternate members may fill a vacancy in the Committee. (October—every 4 years)

COMPENSATION:

All of the members of the Fish and Wildlife Committee shall serve without compensation, except that they shall be entitled to be reimbursed for mileage upon approval of the Committee.

MEETINGS:

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For questions, the Stanislaus County Department of Parks and Recreation may be contacted at (209) 525-6750.



Fund Request Application

Stanislaus County Fish and Wildlife



Applicant Name _____

Agency _____

Mailing Address _____

City, State, Zip _____

Phone _____ E-mail _____

Requesting Fund Amount \$ _____ Funds needed by _____

Project Performance Period _____

Event Name (if applicable) _____

Purpose _____

Fish and Wildlife Code(s) Met (CFG Code Section 13100-13104) _____

Public Benefit _____

Detail Items to be Purchased (include cost per item, and/or attach quote(s). Additional sheets may be attached.)

Vendor to be purchased from _____

Will you accept partial funding? ☐ YES ☐ NO

This application may be fax to (209) 525-6773 or mailed to:

Stanislaus County Fish & Wildlife Committee
c/o Stanislaus County Parks and Recreation
Attn: Parks Administration
3800 Cornucopia Way, Suite C
Modesto, CA 95358

I have read and understand the Fund Request Procedures and agree to utilize the funds I am approved for to purchase items listed in this packet for said purposes and in accordance to California Fish and Wildlife Codes and Regulations. I understand I will follow-up with the Committee on the outcome of this fund request by attendance at a Fish and Wildlife Committee meeting within one year.

Signature: _____ Date: _____

OFFICE USE ONLY:

APPROVED FOR \$ _____ DATE: _____



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



Date

Name of Applicant

Address of Applicant

Dear Applicant:

Thank you for your interest and initiative in promoting fish and wildlife. We appreciate you taking the time to attend the recent Stanislaus Fish and Wildlife Committee meeting. The Committee supports projects for purposes of protection, conservation, propagation, and preservation of fish and wildlife in accordance with California Department of Fish and Wildlife codes section 13100-13104. Our mission is to assist in managing California's fish, wildlife, and plant resources for their ecological values and for their use and enjoyment by the public.

- ☐ We are glad to inform you that we have agreed to fund your request in the amount of \$_____ for _____

If the approved fund amount is not fully expended by the end of the project performance period, please immediately return the remaining funds payable to Stanislaus County Fish and Wildlife at 3800 Cornucopia Way, Suite C, Modesto, CA 95358. To obtain funds, please have the vendor where you will be making your purchases send us an invoice. If you are making the purchases yourself, you will need to submit to us a claim for reimbursement. The claim form is attached for your convenience.

After completion of the project, please schedule a time to provide a summary of your accomplishments to the committee. This can be done through contacting the Committee Secretary at (209) 525-6723.

Congratulations and we look forward to a successful project!

- ☐ We regret to inform you that we were unable to provide funding for your request at this time as it does not meet the requirements stated under the California Fish and Wildlife codes section 13100-13104 and/or for the following reasons: (state reason if applicable)

We hope you will continue to consider submitting an application in the future.

We wish you well in the progress of your project.

Sincerely,

Chairperson, Stanislaus County Fish and Wildlife Committee



STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



INFORMATION FOR APPOINTMENT

Mark your interest in membership below. (Final member status is subject for review by Committee.)

☐ **Regular Member**

Member Appointed Date: _____

☐ **Alternate Member**

Member Appointed Date: _____

I, _____ hereby make application for consideration by Stanislaus County Fish and Wildlife Committee to the above-named public office.

Representing District No. _____ by Residence in City: _____

Representing District No. _____ by Work in City: _____

Residence: _____

City: _____ State: CA Zip: _____

Work: _____

City: _____ State: CA Zip: _____

Main Phone: _____

Other Phone: _____

Email: _____

Particular strengths, background, experience, perspective, and talents which might contribute significantly to the Committee and its goals: _____

Reason for Application: _____

Date: _____ Signature: _____

Applicant Certification: PLEASE READ BEFORE SIGNING. I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief. I understand that statements made are subject to verification and that any misrepresentation, fraud, or omission of material facts may result in denial of appointment.

**Title 14 Department of Fish and Wildlife
Published July 12, 2013**

BOARD OF SUPERVISORS

NOTICE OF PROPOSED RULEMAKING

2013 JUL 12 A 9:59

In response to recent legislation, the California Department of Fish and Wildlife (Department) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Department will hold a public hearing meeting on September 19, 2013, at 1416 9th Street, Sacramento, California, at 1:30 PM in the first floor auditorium. The auditorium is wheelchair accessible. At the public hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that persons making oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. All written comments must be received by the Department at the office below no later than 5:00 PM on September 19, 2013. All written comments must include the true name and mailing address of the commenter.

Written comments may be submitted by mail, facsimile or email as follows:

California Department of Fish and Wildlife
Wildlife Branch
Mountain Lion Possession
1812 Ninth Street
Sacramento, CA 95814
Fax: (916) 445-4048
Email: wildlifemgt@wildlife.ca.gov

AUTHORITY AND REFERENCE

Fish and Game Code Section 702 authorizes the Department to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific Sections 702 and 4800 of the Fish and Game Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Under current regulations (Section 251.4, Title 14, CCR), a mountain lion, or parts thereof, may only be possessed by a person with a permit from the Department of Fish and Wildlife (Department), and only for animals that were in a person's possession on or before June 6, 1990. The current regulations require a \$5.00 permit fee and tagging by the Department.

Senate Bill 769 (Fuller, Chapter 388, Statutes of 2011, Fish and Game Code section 4800) authorized an exemption to possess a mountain lion carcass or a part or product of a mountain lion carcass if it is prepared or being prepared for display, exhibition, or storage, for a bona fide scientific or educational purpose, at a nonprofit museum or government-owned facility generally open to the public or at an educational institution, if the mountain lion was taken in California consistent with the requirements of the California Wildlife Protection Act of 1990, and any other applicable law.

The purpose of this regulation proposal is to implement and make specific Fish and Game Code Section 4800 through a permitting modification related to possession of mountain lion carcasses or mountain lion parts or products for scientific and educational purposes; and to make consistent, and clarify, the overall permitting requirements for possession of mountain lion carcasses or mountain lion parts or products. The proposed regulation will authorize entities to possess mountain lion carcasses or parts or products thereof for scientific or educational purposes.

The proposed regulation requires that mountain lion carcasses or products or parts thereof be uniquely identified using a method approved in advance by the Department

The proposed regulation would establish a Mountain Lion Possession Permit to be issued in the form of a letter from the Department, provided the applicant submits the following information:

- (1) Name of the person requesting a permit. If an entity is requesting a permit, the request must be made on official letterhead.
- (2) Physical address where the mountain lion carcass or part or product thereof shall be located.
- (3) Description of the mountain lion carcass or mountain lion part or product subject to the permit.
- (4) Description of how the mountain lion carcass or mountain lion part or product will be uniquely identified by the applicant.
- (5) Description of how the mountain lion carcass or part or product shall be used and the anticipated length of time for use.

The permit will not be transferable. Any person not wishing to continue possessing a mountain lion, or parts or products thereof, shall transfer possession to the Department. The Department is proposing to repeal the \$5.00 permit fee and tagging requirement.

The Department anticipates benefits to the State's environment in that the display of mountain lion carcasses in museums and government-owned facilities open to the public will enable a better understanding by the public of mountain lions and their role in the ecosystem. The

Department anticipates benefits to the State's environment though information gleaned from scientific research of mountain lion carcasses or parts.

The Department is unaware of any inconsistencies or incompatibilities with state regulations. The Department has searched the California Code of Regulations and finds no other state agency with authority to promulgate mountain lion regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandates on local agencies or school districts: NONE

Costs or savings to any state agency: NONE

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: NONE

Other nondiscretionary cost or savings imposed on local agencies: NONE

Costs or savings in federal funding to the state: NONE

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulation change will allow a small number of educational institutions or non-profit entities to display or store mountain lion carcasses or parts or products thereof for bona fide scientific or educational purposes.

Cost impacts on a representative private person or business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action

Significant effect on housing costs: NONE

Small Business Determination: The Department has determined that the proposed regulations do not affect small businesses. The Department did not identify any for-profit entities adversely affected by the proposed regulation.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in

other states. The proposed regulation change will allow a small number of educational institutions or non-profit entities to display or store mountain lion carcasses or parts or products thereof for bona fide scientific or educational purposes. Since the effected parties are small and/or non-profit businesses the regulatory action is anticipated to generate only minor direct, indirect and induced economic impacts. The environmental education services provided are specific to California eco-systems, and thus not in competition with other states.

The Department anticipates benefits to the State's environment in that the display of mountain lion carcasses in museums and government-owned facilities open to the public will enable a better understanding by the public of mountain lions and their role in the ecosystem. The Department anticipates benefits to the State's environment though information gleaned from scientific research on mountain lion carcasses or parts.

The Department does not anticipate benefits to worker safety, the prevention of discrimination, the promotion of fairness and social equity, or to the increase in openness and transparency in business and government.

Because of the small number of permits likely to be issued to individuals, nonprofit museums, or educational institutions, the Department does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to the affected private persons than the proposed regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department invites interested persons to present statements or arguments with respect to alternatives to the regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name	Eric Loft
Address	1812 Ninth Street Sacramento, CA 95814
Tel. No.:	(916) 445-3555
Fax No.:	(916) 445-4048
Email:	wildlifemgt@wildlife.ca.gov

The back- up contact person is:

Name: Marc Kenyon
Address: 1812 Ninth Street
Sacramento, CA 95814
Tel. No.: (916) 445-3515
Fax No: (916) 445-4048
Email: wildlifemgt@wildlife.ca.gov

Website Access: Material regarding this proposal can be found at:
www.dfg.ca.gov/news/pubnotice/regulations.html.

Please direct requests for copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to the above address.

AVAILABILITY OF THE STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at 1812 Ninth Street, Sacramento, CA 95811. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Copies may be obtained by contacting Dr. Eric Loft.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Dr. Eric Loft at the address above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Dr. Eric Loft at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at:
www.dfg.ca.gov/news/pubnotice/regulations.html.

Commissioners
Michael Sutton, President
Monterey
Richard Rogers, Vice President
Santa Barbara
Jim Kellogg, Member
Discovery Bay
Jack Baylis, Member
Los Angeles
Jacque Hostler-Carmesin, Member
McKinleyville

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

Fish and Game Commission



BOARD OF SUPERVISORS

2013 JUL 29 A 11:35

July 24, 2013

To all Interested and Affected Parties

This is to provide you with a copy of the notice of proposed regulatory action relative to Amending Sections 5.79 and 27.92, Title 14, California Code of Regulations, relating to White Sturgeon Report Card and Tagging Requirements, which are published in the California Regulatory Notice Register on August 26, 2013.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

Additional information and all associated documents may be found on the Fish and Game Commission website at www.fgc.ca.gov.

Captain David Bess, Enforcement Branch, Department of Fish and Wildlife, phone (916) 651-9982, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,


Jon D. Snellstrom
Associate Governmental Program Analyst

Attachment

**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, and 205, Fish and Game Code and to implement, interpret or make specific sections 200, 202, and 205 of said Code, proposes to amend sections 5.79 and 27.92, Title 14, California Code of Regulations, White Sturgeon Report Card and Tagging Requirements.

Informative Digest/Policy Statement Overview

Current regulations require that a Sturgeon Report Card be purchased prior to fishing for white sturgeon in both inland and ocean waters. Attached to the report card are three white sturgeon tags. After a white sturgeon is caught and retained, the tag must be detached from the card and information such as date, size of fish and location caught must be written on the tag. The tag must then be attached to the fish. The daily bag limit for white sturgeon is one and the annual bag limit is three. Only one card may be issued to an angler per year.

Wildlife Officers in the field are finding many white sturgeon cards and tags that appear to be used more than once. The ink on the card and tags appear to be erased and written over with a new date and other info reinserted on the card and tag. Wildlife Officers have also witnessed this activity taking place during surveillances of white sturgeon anglers.

Currently, if a person fills out their white sturgeon card and tag and then makes it home without being checked by a Wildlife Officer, they can erase the information written on the tag and card and reuse the same line on the white sturgeon card and reuse the same tag. This activity is illegal. When this takes place undetected, the angler can catch and tag more than the annual limit of three white sturgeon.

Anglers are required to return Sturgeon Report Cards to the Department at the end of the year. Information from the report cards is used to assist in the management of the fishery.

Benefits of the Regulations.

This proposal changes the design and marking requirements to prevent some anglers from 'reusing' the tags by creating a permanent marking method.

The new tag would be changed to become similar to existing punch style tags for other species. The new tag will have months and days listed with a small bubble or circle shape next to each month and date and an area on the tag to document the time of catch. The angler must punch out the month and date and document the time of the catch. When the angler fills out the tag and punches out the date of catch, the tag cannot be reused. The angler will be in violation if the date of the catch is not punched out when a white sturgeon is kept and may be cited if caught by a wildlife officer.

This change will facilitate enforcement of daily and annual bag limits and fisheries management.

This proposed regulation change must become effective January 1, 2014. This will ensure only one type of Sturgeon Report Card will be available and valid at the beginning of the 2014 calendar year. This will coincide with the availability of 2014 fishing licenses.

Non-monetary benefits to the public.

The Commission anticipates that the proposed amendments to the regulations will provide non-monetary benefits to the public by improving enforcement of daily and annual bag limits, as well as preventing the illegal harvest of white sturgeon by anglers re-using tags.

The Commission anticipates non-monetary benefits to the health and welfare of California residents. Maintaining sustainable populations of white sturgeon in California will benefit the residents of the state by providing continued recreational angling opportunities.

The commission does not anticipate significant non-monetary benefits to the protection of public health, worker safety, the prevention of discrimination, the promotion of fairness and social equity, or to the increase in openness and transparency in business and government.

Evaluation of incompatibility with existing regulations

The proposed regulations in this rulemaking action are neither inconsistent nor incompatible with existing state or federal regulations. Key word search in California Code of Regulations resulted in no other agency having authority for Sturgeon Regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Embassy Suites, 333 Madonna Road, San Luis Obispo, California, on Wednesday, August 7, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Crowne Plaza Ventura Beach Hotel, 450 East Harbor Blvd., Ventura, California on Wednesday, October 2, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard. Written comments must be submitted by noon, September 20, 2013 to be included in Commission briefing binders at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. All comments (oral or written) must be received no later than October 2, 2013, at the hearing in Ventura. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Jon Snellstrom at the preceding address or phone number.

Captain David Bess, Enforcement Branch, Department of Fish and Wildlife, phone (916) 651-9982, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person

interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Analysis

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Proposed changes in the design of the White Sturgeon Report Card will not limit or expand the ability of people to fish for white sturgeon in inland and ocean waters.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The proposed regulation will have no impact on the creation or elimination of jobs or the creation/elimination/expansion of businesses in California because the amended provisions do not limit the ability of people to fish for white sturgeon in inland and ocean waters.

The Commission anticipates benefits to the environment in the form of improved enforcement of daily and annual bag limits, as well as preventing the illegal harvest of white sturgeon by anglers re-using tags.

The Commission anticipates benefits to the health and welfare of California residents. Maintaining sustainable populations of white sturgeon in California will benefit the residents of the state by providing continued recreational angling opportunities.

The Commission does not anticipate any benefits to worker safety.

- (c) Cost Impacts on a Representative Private Person or Business:

The commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None

- (f) Programs Mandated on Local Agencies or School Districts:

None

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None

- (h) Effect on Housing Costs:

None

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Sonke Mastrup
Executive Director

Dated: July 9, 2013



Edmund G. Brown Jr., Governor
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
1807 13th Street, Suite 103
Sacramento, California 95811-7137
www.wcb.ca.gov
(916) 445-8448
Fax (916) 323-0280

BOARD OF SUPERVISORS

2013 AUG 14 P 2:41

Stanislaus County Board of Supervisors
1010 10th Street, Suite 6700
Modesto, California 95354

AUG 13 2013

Dear Ladies and Gentlemen:

Dos Rios Riparian Restoration Project
Stanislaus County
Project ID 2013075

The Wildlife Conservation Board (WCB), in addition to other responsibilities, carries out a program that includes the enhancement or restoration of fish and wildlife habitat.

At this time and in response to a request from the River Partners, the WCB proposes to consider the allocation for a grant for riparian restoration work located at the confluence of the Tuolumne and San Joaquin rivers, in Stanislaus County. This proposal is presently scheduled for the September 4, 2013, Board meeting. A copy of the preliminary agenda is enclosed for your review. A full agenda will follow within two weeks. You may view all agendas and minutes, and/or subscribe to receive them via email, on our website at www.wcb.ca.gov.

If you have any questions about this proposal or need additional information, please feel free to contact me at (916) 445-0137.

Sincerely,

A handwritten signature in black ink that reads "John P. Donnelly". The signature is fluid and cursive, with the first name "John" being the most prominent.

John P. Donnelly
Executive Director

Enclosure

cc: The Honorable Anthony Cannella Montague Water Conservation District
Member of the Senate Post Office Box 247
State Capitol, Room 3048 Montague, California 96064
Sacramento, California 95814

The Honorable Adam Gray
Member of the Assembly
State Capitol, Room 6012
Sacramento, California 95814

Neil Mangi, Regional Manager
CDFW, Northern Region



EDMUND G. BROWN JR, Governor
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
1807 13th Street, Suite 103
Sacramento, California 95811-7137
www.dfg.ca.gov
(916) 445-8448
Fax (916) 323-0280

BOARD OF SUPERVISORS

Stanislaus County Board of Supervisors
1010 10th Street
Modesto, California 95354

AUG 14 P 2:41

AUG 13 2013

Dear Ladies and Gentlemen:

San Joaquin River, Hidden Valley Ranch
Stanislaus County
Project ID: 2013096

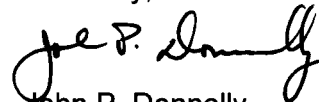
The California Department of Fish and Wildlife (CDFW), through the Wildlife Conservation Board (WCB), is involved in a land acquisition program that is focused on the long-range protection and enhancement of habitat for fish and wildlife. Possible sites for acquisition are identified by the CDFW in response to public interest, legislative mandate and departmental goals.

This letter is to advise you that the WCB will consider the allocation of a grant for a cooperative project with the River Partners, Reclamation District No. 2092 and the Department of Water Resources to assist in the fee acquisition of 466± acres of land for the preservation and enhancement of wildlife habitat, located in Stanislaus County and identified as Assessor's Parcel No. 017-066-003. This proposal is scheduled for the September 4, 2013, Board meeting. A copy of the preliminary agenda is enclosed for your review. A full agenda will follow within two weeks. You may view all agendas and minutes, and/or subscribe to receive them via email, on our website at www.wcb.ca.gov.

We would also like to inform you that the property involved in this project is encumbered by a Land Conservation Contract under the Williamson Act. The WCB's proposed grant is to assist in the acquisition of the property for the purposes of providing ecosystem and habitat protection and allows for continuation of agricultural practices. At this time it is the intent of the partners to continue growing crops on the property; therefore, the agricultural intent of the Land Conservation Contract will still apply.

If you have any questions about this proposal or need additional information, please feel free to contact me at (916) 445-0137.

Sincerely,


John P. Donnelly
Executive Director

Enclosure

cc: The Honorable Anthony Cannella
Member of the Senate
State Capitol, Room 3048
Sacramento, California 95814

John Carlon, Executive Director
River Partners, Chico Office
580 Vallombrosa Avenue
Chico, California 95926

Jeffrey R. Single, Regional Manager
CDFW, Central Region

The Honorable Adam Gray
Member of the Assembly
State Capitol, Room 6012
Sacramento, California 95814

The Honorable Kristin Olsen
Member of the Assembly
State Capitol, Room 2111
Sacramento, California 95814

STATE OF CALIFORNIA NATURAL RESOURCES AGENCY

DEPARTMENT OF FISH AND WILDLIFE

WILDLIFE CONSERVATION BOARD

1807 13TH STREET, SUITE 103
SACRAMENTO, CALIFORNIA 95811
(916) 445-8448
FAX (916) 323-0280
www.wcb.ca.gov

BOARD OF SUPERVISORS EDMUND G. BROWN JR., Governor

2013 AUG 14 P 2:41

NOTICE OF MEETING
WILDLIFE CONSERVATION BOARD

September 4, 2013
1:00 PM
1/ State Capitol, Room 2040
Sacramento, California 95814

PRELIMINARY AGENDA ITEMS

ITEM NO.

1. Roll Call
2. Funding Status — Informational
3. Special Project Planning Account — Informational
4. Proposed Consent Calendar (Items 4—11)
- *5. Approval of Minutes — June 4, 2013
- *6. Recovery of Funds

* Proposed Consent Calendar

1/ These facilities are accessible to persons with disabilities; more information on page vii

Preliminary Agenda for September 4, 2013, WCB Board Meeting

- *7. Leininger and C&R Ranches \$60,000.00
Habitat Improvement, CEQA and Design
Tehama County

To consider the allocation for a grant to the Tehama County Resource Conservation District, for a cooperative project with the landowners and the Natural Resources Conservation Service to initiate planning, design, and environmental review on two ranches in Tehama County: the Leininger Ranch and the C&R Ranch, located approximately 10 miles east and 17 miles west of the City of Corning, respectively. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for projects to assist farmers in integrating agricultural activities with ecosystem restoration and wildlife protection. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(d)(4)]

- *8. CDFW Land Management Plan Knoxville Wildlife Area \$172,500.00
Napa County

To consider the allocation for a grant to the California Wildlife Foundation for a cooperative project with the California Department of Fish and Wildlife (CDFW) to complete and deliver a land management plan for the CDFW's Knoxville Wildlife Area located north of Lake Berryessa in Napa County. The purposes of this project are consistent with the proposed funding source that allows for the preparation of land management plans for properties acquired in fee by the Wildlife Conservation Board. [California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 (Proposition 40), Public Resources Code Section 5096.650(a)]

- *9. Puma Canyon, Expansions 3 and 4 \$558,000.00
San Bernardino County

To consider the allocation for a grant to the Transition Habitat Conservancy for a cooperative project with the California Department of Fish and Wildlife, Office of Spill Prevention and Response to acquire two separate properties totaling 137± acres, to conserve lower montane chaparral and woodland habitat for the benefit of deer, mountain lion and other wildlife species, located in Puma Canyon on the lower northern slopes of the San Bernardino Mountains, near the community of Pinon Hills in San Bernardino County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition and protection of habitat to protect deer and mountain lions. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]

Preliminary Agenda for September 4, 2013, WCB Board Meeting

- *10 Burcham and Wheeler Flat, \$225,000.00
Expansion 1 (Winter)
Mono County

To consider the fee title acquisition of 75± acres of land as an expansion to the California Department of Fish and Wildlife's Burcham and Wheeler Flat for the protection of eastern sierra mountain sagebrush scrub areas that provide important habitat for mule deer and the greater sage grouse, located 15 miles northwest of Bridgeport, near the intersection of U.S. 395 and S.R. 108, commonly referred to as Sonora Junction in unincorporated Mono County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition and protection of habitat to protect deer and mountain lions. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]

- *11. Western Riverside County Multi-Species Habitat \$81,000.00
Conservation Plan (MSHCP) (2012) - Nelson
Riverside County

To consider the acceptance of a U.S. Fish and Wildlife Service (USFWS) Habitat Conservation Planning Land Acquisition grant (Section 6 Grant) and the approval to subgrant these federal funds to the Western Riverside County Regional Conservation Authority (Authority); and to consider a Wildlife Conservation Board grant to the Authority to acquire in fee 119± acres of land for protection and recovery of threatened and endangered species and expand regional wildlife habitat corridors and linkages located within the Western Riverside County MSHCP, north of the City of Wildomar, in southwestern Riverside County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition and protection of habitat that implements or assists in the establishment of Natural Community Conservation Plans. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c)]

Preliminary Agenda for September 4, 2013, WCB Board Meeting

12. Gray Lodge Wetland Enhancement and Pump Restoration Butte County \$1,038,000.00

To consider the allocation for a grant to Ducks Unlimited for a cooperative project with the California Department of Fish and Wildlife (CDFW) to enhance 560± acres of wetland habitat and install a pump that will help supply water to all of CDFW's 9,168-acre Gray Lodge Wildlife Area, located approximately six miles west of the City of Gridley in Butte County. The purposes of this project are consistent with the authorized uses of the proposed funding sources, which allow for the acquisition, enhancement or restoration of wetlands to protect or enhance a flood protection corridor or bypass in the Central Valley [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(d) (Proposition 1E), Inland Wetlands Conservation Program]; and for the acquisition, preservation, restoration or establishment of wetland habitat in the Central Valley. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12), Public Resources Code Section 5096.350(a)(1)(A)]

13. Dos Rios Riparian Restoration Stanislaus County \$1,392,000.00

To consider the allocation for a grant to the River Partners for a cooperative project with the Natural Resources Conservation Service, the Department of Water Resources and others to restore 599± acres of riparian habitat, located at the confluence of the Tuolumne and San Joaquin rivers in Stanislaus County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition, restoration or enhancement of riparian habitat and aquatic habitat for salmonids and trout to protect or enhance a flood protection corridor or bypass. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 1E)]

Preliminary Agenda for September 4, 2013, WCB Board Meeting

14. San Joaquin River, Hidden Valley Ranch \$3,010,000.00
Stanislaus County

To consider the allocation for a grant for a cooperative project with the River Partners, Department of Water Resources and the Packard Foundation, to acquire in fee 466± acres of valley floodplain and riverine habitat for protection of threatened and endangered species located approximately 10 miles west of the City of Modesto, just south of the confluence of the Tuolumne and San Joaquin rivers, in Stanislaus County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species, to protect or enhance a flood protection corridor or bypass and allow continued agricultural use. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c) (Proposition 1E)]

15. Palo Verde Ecological Reserve, Expansion 3 \$420,000.00
Riverside County

To consider the fee title acquisition of 36± acres of land for the protection of riparian and riverine habitat and a wildlife corridor supporting several threatened and endangered species as an expansion of the California Department of Fish and Wildlife's Palo Verde Ecological Reserve, located along the Colorado River near the City of Blythe in eastern Riverside County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition of habitat to protect unique species, natural communities and rare, endangered, threatened or fully protected species and enhance a flood protection corridor or bypass. [Habitat Conservation Fund (Proposition 117), Fish and Game Section 2786(b/c) (Proposition 1E)]

Preliminary Agenda for September 4, 2013, WCB Board Meeting

16. San Diego River (Palmer) \$676,000.00
San Diego County

To consider the acceptance of a U.S. Fish and Wildlife Service Recovery Land Acquisition grant and the approval to subgrant these federal funds to the Endangered Habitats League, and to consider a Wildlife Conservation Board grant to the Endangered Habitats League to acquire in fee 9± acres of land for the protection of watershed function, wildlife linkages and habitat that will support the continued recovery of the State and federally threatened and endangered species located near the community of Alpine, in central San Diego County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species, to acquire habitat on which unique species or natural communities naturally exist, and to protect or enhance a flood protection corridor or bypass. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786 (b/c)]

17. San Dieguito River Riparian Habitat Restoration \$1,005,000.00
San Diego County

To consider the allocation for a grant to the River Partners for a cooperative project with the City of San Diego to restore 100± acres of riparian and oak woodland habitat on the City of San Diego property located just upstream of Lake Hodges, near Escondido in San Diego County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition, restoration or enhancement of riparian habitat and aquatic habitat for salmonids and trout to protect or enhance a flood protection corridor or bypass. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(e/f) (Proposition 1E)]

18. Strategic Plan Update Informational

Preliminary Agenda for September 4, 2013, WCB Board Meeting

PERSONS WITH DISABILITIES

Persons with disabilities needing reasonable accommodation to participate in public meetings or other CDFW activities are invited to contact the Department's Reasonable Accommodation Coordinator Tina Johnson at (916) 651-1214 or Tina.Johnson@wildlife.ca.gov. Reasonable Accommodation requests for facility and/or meeting accessibility should be received by August 19, 2013. Requests for American Sign Language Interpreters should be submitted at least two weeks prior to the event, and requests for Real-Time Captioners at least four weeks prior to the event. These timeframes are to help ensure that the requested accommodation is met.

If a request for an accommodation has been submitted but due to circumstances is no longer needed, please contact the Reasonable Accommodation Coordinator immediately.

TITLE 14. DEPARTMENT OF FISH AND WILDLIFE

[Notice published August 23, 2013]

NOTICE OF PROPOSED RULEMAKING

BOARD OF SUPERVISORS

2013 AUG 26 A 10:41

NOTICE IS HEREBY GIVEN that the Department of Fish and Wildlife (Department) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action. The Department invites interested persons to present statements or arguments with respect to alternatives to the regulations at the scheduled hearing or during the written comment period.

PUBLIC HEARING

The Department will hold a public hearing meeting on October 8, 2013, from 1:30 p.m. to 3:30 p.m. in the 12th floor Conference Room, 1206, at the Resources Agency Building located at 1416 9th Street, Sacramento, California. The Conference Room is wheelchair accessible. At the public hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that the persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. All written comments must be received by the Department at the office below not later than 5:00 p.m. on October 8, 2013. All written comments must include the true name and mailing address of the commenter.

Written comments may be submitted by mail, fax, or e-mail as follows:

California Department of Fish and Wildlife
Micah Carnahan, Environmental Scientist
1416 9th Street, Room 1211B
Sacramento, CA 95814
Fax: (916) 653-9890
E-mail: regulations@wildlife.ca.gov

AUTHORITY: Sections 713 and 1609, Fish and Game Code. Section 21089, Public Resources Code.

REFERENCE: Section 1609, Fish and Game Code. Sections 4629.6(c) and 21089, Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Proposed Amendments to Section 699.5 Fees for Lake and Streambed Alteration Agreements:

Existing law allows the Department to charge a fee to recover the costs it incurs to administer and enforce Fish and Game Code (FGC) Section 1600 *et seq.* Subsections 699.5(b), (c), (e), (f), (i), (j), and (k) specify fees which are subject to annual price adjustments in accordance with Fish and Game Code Section 713. These fees have not been adjusted since 2009. The Department proposes to adjust these fees by applying the annual price index for the four years 2010, 2011, 2012, and 2013 to these. The resulting increase will be approximately 9.5%.

Subsections 699.5(d) and (g) include fees which as of July 1, 2013, are no longer chargeable for timber harvest agreements by the Department pursuant to Public Resources Code Section 4629.6(c). To avoid any confusion, these fees will be deleted from the fee schedule and the following statement will be added to both subsections: "Pursuant to Public Resources Code section 4629.6, subdivision (c), no fee shall be required if the department received the notification after July 1, 2013. This includes a notification made to the department pursuant to Fish and Game Code section 1602 or section 1611."

BENEFITS OF THE PROPOSED ACTION:

The Department needs to adjust for inflation the fees specified in Section 699.5 in order to recover the total costs it incurs to administer and FGC Section 1600 *et seq.* If the Department does not adjust the fees, it will experience a budget shortfall that will affect its ability to administer and enforce these sections, the purpose of which is to protect and conserve the state's fish and wildlife resources

The Department does not anticipate benefits to the protection of worker safety, the prevention of discrimination, the promotion of fairness or social equity, or to the increase in openness and transparency in business and government. The Department anticipates nonmonetary benefits to the health and welfare of California residents through the protection of aquatic and riparian habitats and the fish and wildlife resources that depend on them.

The Department anticipates benefits to the environment. It is the policy of this state to encourage the conservation and maintenance of lakes and streams, and the fish and wildlife resources that depend on aquatic and riparian habitats, for their use and enjoyment by the public. The fee increases included in this rulemaking will enable the Department to recover its costs to administer and enforce FGC Section 1600 *et seq.*

Evaluation of Incompatibility With Existing Regulations

The Department has reviewed Title 14, CCR and has determined that the proposed amendments are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION:

Mandate on local agencies or school districts: None

Costs or savings to any state agency: The proposed increase in fees will result in minor additional costs to state agencies conducting work subject to the Department's permitting jurisdiction under Section 1600 *et seq.*

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None

Other nondiscretionary costs or savings imposed on local agencies: None

Costs or savings in federal funding to the state: None

Significant effect on housing costs: None

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:

The proposed action to increase the fees in Section 699.5, Title 14, CCR, will affect a relatively small number of individuals, businesses, and agencies engaged in projects which would require lake and streambed alteration agreements with payment of the corresponding fees. The fees will increase by approximately 9.5%. The fee increase only takes into account the incremental Implicit Price Deflator over the past four years as authorized by statute. Considering the small number of agreements issued over the entire state, this proposal is economically neutral to business.

Results of the Economic Impact Analysis

The results of the Economic Impact Analysis do not indicate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses, the expansion of businesses in California, or benefits to the health and welfare of California residents or worker safety.

The Department anticipates benefits to the environment. It is the policy of this state to encourage the conservation and maintenance of lakes and streams, and the fish and wildlife resources that depend on aquatic and riparian habitats, for their use and enjoyment by the public. The fee increases included in this rulemaking will enable the Department to recover its costs to administer and enforce FGC Section 1600 *et seq.*

Cost impacts on a representative private person or business:

The Department does not anticipate any significant cost impact to private persons or businesses who must comply with this proposed rulemaking. The fees are presently set forth in Section 699.5 and were last updated in 2009. The increase over the past four years amounts to approximately 9.5% and will affect a relatively small number of individuals, businesses, and agencies engaged projects which would require lake and streambed alteration agreements.

Business reporting requirement: None.

Effect on small business: The Department concludes that the proposed increase in fees is likely to have minor effects on small business. The increase over the past four years amounts to approximately 9.5% and will affect a relatively small number of individuals and businesses engaged projects which would require lake and streambed alteration agreements.

CONSIDERATION OF ALTERNATIVES:

The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

MITIGATION MEASURES REQUIRED BY REGULATORY ACTION:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

CONTACT PERSONS

Department of Fish and Wildlife
Micah Carnahan, Environmental Scientist
1416 9th Street, Room 1211B
Sacramento, CA 95814
Office: (916) 651-8797 Fax: (916) 653-9890
E-mail: micah.carnahan@wildlife.ca.gov

The backup contact person is:
Department of Fish and Wildlife
Cathie Vouchilas
1416 9th Street, Room 1260
Sacramento, CA 95814
Fax: (916) 653-9890
E-mail: cathie.vouchilas@wildlife.ca.gov

AVAILABILITY OF THE INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE:

The Department will have the entire rulemaking file available for inspection and copying at its office at 1416 9th Street, Room 1260, Sacramento. As of the publication date of this notice, the rulemaking file consists of this notice, the proposed text of the regulations, the Economic Impact Analysis, the Economic and Fiscal Impact Assessment (STD. Form 399) and the Initial Statement of Reasons. Please direct requests for copies of the rulemaking file to Micah Carnahan as indicated above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT:

After holding the hearing and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Micah Carnahan as indicated above. The Department will accept written comments on any modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS:

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Micah Carnahan as indicated above.

AVAILABILITY OF DOCUMENTS ON THE INTERNET:

Website Access: The entire rulemaking file can be found at: www.dfg.ca.gov/news/pubnotice



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
1234 E. Shaw Avenue
Fresno, CA 93710
<http://www.dfg.ca.gov>

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

October 7, 2013

BOARD OF SUPERVISORS

**Re: Notice of Availability of a Draft Environmental Impact Report Regarding the
Proposed Salmon Conservation and Research Facility and Related Management
Actions Project**

2013 OCT 10 A 10:23

To Interested Parties:

NOTICE IS HEREBY GIVEN that the California Department of Fish and Wildlife (CDFW), as lead agency under the California Environmental Quality Act (CEQA), is making available a draft environmental impact report (DEIR) for public review. CDFW, formerly known as the California Department of Fish and Game, has prepared this DEIR to provide the public, responsible agencies, and trustee agencies with information about the potential environmental effects of the proposed Salmon Conservation and Research Facility (SCARF) and Related Fisheries Management Actions Project (Project or Proposed Project). This DEIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended) and the State CEQA Guidelines (California Code of Regulations [CCR] title 14, section (§) 15000 et seq.). CDFW hereby invites comments on the adequacy and completeness of the environmental analyses in the DEIR.

PROJECT LOCATION: The SCARF would be located at the address currently listed as 17372 Brook Trout Drive in Friant, Fresno County, California. The SCARF site is adjacent to the San Joaquin River approximately 1.1 miles downstream of Friant Dam, immediately west of CDFW's existing San Joaquin Fish Hatchery (SJFH). The Project Area also includes other locations where physical actions that are part of the Proposed Project would take place, including broodstock collection sites, quarantine sites, Chinook salmon production and reintroduction sites, and fisheries management and research areas. The DEIR also makes reference to the Restoration Area, which includes the San Joaquin River below Friant Dam to the confluence of the Merced River, and the Potentially Affected Area, including the portions of the San Joaquin River watershed, Sacramento River watershed, Sacramento-San Joaquin Delta (Delta), San Francisco Bay, and Pacific Ocean that are accessible to salmon released under the Proposed Project.

PROJECT DESCRIPTION AND ENVIRONMENTAL REVIEW: The Proposed Project, as analyzed in this DEIR, consists of evaluation of the proposed construction and operation of the SCARF and associated improvements and activities. The primary purpose of the SCARF is to produce Chinook salmon for reintroduction to the San Joaquin River. The SCARF would provide CDFW with the ability to use relatively small numbers of Chinook salmon eggs and juveniles collected from various donor populations to develop a broodstock. This broodstock would enable CDFW to produce a conservation stock that is genetically diverse, while minimizing impacts to source populations. Thus, the SCARF would play an important role in achieving the SJRRP spring-run Chinook salmon population objectives established in the FMP.

The DEIR evaluates the potential environmental impacts of the Proposed Project and four project alternatives: the No Project Alternative (CDFW would not construct the SCARF or other facilities to propagate spring-run or fall-run Chinook salmon); the Spring-Run Only Alternative (which would reintroduce only spring-run Chinook salmon to the Restoration Area; no fall-run Chinook salmon would be actively reintroduced); the Hatchery Broodstock Only Alternative (only the Feather River Fish Hatchery would be used to provide a source of spring-run broodstock; no

Conserving California's Wildlife Since 1870

To Interested Parties
October 7, 2013
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wild sources of broodstock would be used); and the SCARF siting Alternative (the SCARF would be constructed at an alternative site).

In accordance with CEQA Guidelines §415087, given the size of the Proposed Project area, it is possible that hazardous waste sites or listed toxic sites listed by the Department of Toxic Substances Control (Cal-EPA) may be present in the area. The analysis in the DEIR concluded that the location for the SCARF facility does not overlap with listed sites and did not identify any potentially significant impacts that would require mitigation to reduce effects to a less-than-significant level, or that would be significant and unavoidable. Other facilities to be constructed under the Proposed Project would be evaluated for their potential to be located on a hazardous waste site or listed toxic site listed by the Department of Toxic Substances Control (Cal-EPA) once their specific locations have been identified.

DOCUMENT AVAILABILITY: The DEIR and supporting documents are available for download from the CDFW's website: <http://www.dfg.ca.gov/news/pubnotice/>.

Printed copies of the DEIR and supporting documents are available to review during regular business hours at CDFW's offices in Fresno and Sacramento (listed below). Copies are also available to review at county libraries in Davis, Fresno, Los Banos, Sacramento, Visalia, Willows, and Yolo (listed below). CDs are available on request by phoning (510) 986-1850 or emailing REG4SCARFCEQA@wildlife.ca.gov. They will also be available at the public meetings in Fresno and Sacramento. Printed copies are also available at cost plus postage, upon request using the above contact information.

PUBLIC REVIEW PERIOD: The DEIR is available for a 45-day public review and comment period, which begins on October 7, 2013 and ends at 5 p.m. on November 21, 2013. **Please send comments on the DEIR at the earliest possible date, but postmarked no later than 5 p.m. on November 21, 2013 in order for your comments to be considered.**

Comments may be mailed to the following address:

California Department of Fish and Wildlife
ATTN: Gerald Hatler, SCARF Draft EIR Comments
1234 E. Shaw Avenue
Fresno, CA 93710

Written comments may also be submitted by email to: REG4SCARFCEQA@wildlife.ca.gov. Emailed comments are preferred, and should include your name, address, and daytime telephone number so a representative of CDFW can contact you if clarifications regarding your comments are required.

All comments received, including names and addresses, will become part of the official public record. A Final Environmental Impact Report will be prepared which will include responses to comments received during the public review period.

PUBLIC MEETINGS: All interested persons are encouraged to attend the public meetings to present written and/or verbal comments on the DEIR. Two public meetings will be held at the following locations and times:

- Fresno, CA: Monday, November 4, 2013 from 6:00 to 8:00 p.m. at the California Retired Teachers Association Building (3930 E. Saginaw Way, Fresno, CA 93726)

To Interested Parties
October 7, 2013
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- Sacramento, CA: Wednesday, November 6, 2013 from 6:00 to 8:00 p.m. at the Department of Health Care Services and Department of Public Health Building (1500 Capitol Avenue, Sacramento, CA 95814).

Sincerely,

A handwritten signature in black ink, appearing to read 'JRS', with a long horizontal flourish extending to the right.

Jeffrey R. Single, Ph.D.
Regional Manager

Locations where DEIR copies can be reviewed:

- California Department of Fish and Wildlife, Fresno Office, 1234 East Shaw Avenue, Fresno, CA 93710
- California Department of Fish and Wildlife, Fresno Office, 1130 East Shaw Avenue, Suite 206, Fresno, CA 93710
- California Department of Fish and Wildlife, Sacramento Office, 1416 9th Street, 12th Floor, Sacramento, CA 95814
- Fresno Central Branch Library, 2420 Mariposa Street, Fresno, CA 93721
- Los Banos Public Library, 1312 South 7th Street, Los Banos, CA 93635
- Sacramento Public Library, 828 I Street, Sacramento, CA, 95814
- Visalia Branch Library, 200 West Oak Avenue, Visalia, CA 93291-4931
- Willows Public Library, 201 North Lassen Street, Willows, CA 95988
- Yolo County Library, 37750 Sacramento Street, Yolo, CA 95697
- Yolo County Library, Davis Branch, 315 East 14th Street, Davis, CA 95616