

**State of California  
FISH AND GAME COMMISSION**

**Staff Summary, Meeting of April 7-8, 2010**

This is staff's best effort to summarize the actions of the meeting.

For more specific information go to [www.Cal-span.org](http://www.Cal-span.org).

Pursuant to the call of the President, the Commission met at the Best Western Beach Resort, 2600 Sand Dunes Drive, La Grande Room, Monterey, California, on April 7, 2010. The meeting was called to order at 10:10 a.m. by President Kellogg.

**FISH AND GAME COMMISSION**

|                  |                |               |
|------------------|----------------|---------------|
| Jim Kellogg      | President      | Present       |
| Richard Rogers   | Vice-President | Present       |
| Michael Sutton   | Member         | Present       |
| Daniel Richards  | Member         | <b>Absent</b> |
| Don Benninghoven | Member         | Present       |

Persons present:

**COMMISSION STAFF**

|                  |  |
|------------------|--|
| John Carlson     | Executive Director                     |
| Jon K. Fischer   | Deputy Executive Director              |
| Craig Shuman     | Marine Advisor                         |
| Sherrie Fonbuena | Associate Governmental Program Analyst |
| Anita Biedermann | Associate Governmental Program Analyst |
| Carol Horn       | Executive Assistant                    |

**OFFICE OF THE ATTORNEY GENERAL**

|                 |                         |
|-----------------|-------------------------|
| Rick Thalhammer | Deputy Attorney General |
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**DEPARTMENT OF FISH AND GAME**

|                   |  |
|-------------------|--|
| John McCamman     | Director   |
| Sonke Mastrup     | Deputy Director, Resources Management & Policy Division (RMPD) |
| Nancy Foley       | Deputy Director, Law Enforcement Division                      |
| Susan LaGrande    | Deputy Director, Legislative Affairs                           |
| Dr. Eric Loft     | Chief, Wildlife Management Branch                              |
| Don Kelly         | Law Enforcement Division                                       |
| Jeff Heitzenrater | Law Enforcement Division                                       |
| Kyle Kroll        | Law Enforcement Division                                       |
| Steve Snyder      | Law Enforcement Division                                       |
| Robert Gaske      | Law Enforcement Division                                       |
| Becky Ota         | Marine Region  |
| Susan Ashcraft    | Marine Region  |

The following persons were present and heard:

|                  |                                 |
|------------------|---------------------------------|
| Justin Augustine | Center for Biological Diversity |
| Dave Zaches      | Commercial Fisherman            |

|                     |   |
|---------------------|---|
| Steven Fukuto       | United Anglers of Southern California             |
| Chris Voss          | California Abalone Association                    |
| Scott Williams      | Attorney, Kashia Pomo Indian Tribe                |
| Steve Shimek        | Monterey Coastkeeper                              |
| Jason Peltier       | Westlands Water District                          |
| Ara Azhderian       | San Luis-Delta Mendota Water Authority            |
| Paul Romanowski     | Los Angeles Fathomiers                            |
| Paul Weakland       | Commercial Fisherman                              |
| Chad Alexander      | Fish and Game Warden                              |
| George Osborn       | Coastside Fishing Club                            |
| Ben Rubin           | Coalition for a Sustainable Delta                 |
| Gary Adams          | California Striped Bass Association               |
| Cheri Recchia       | MPA Monitoring Enterprise                         |
| Samantha Murray     | Ocean Conservancy                                 |
| Francesca Koe       | Farallons National Marine Sanctuary               |
| Karen Garrison      | Natural Resources Defense Council                 |
| Bill Gaines         | California Outdoor Heritage Alliance              |
| Reginald Barrett    | U.C. Berkeley                                     |
| Pamela Flick        | Defenders of Wildlife                             |
| Tom Pedersen        | California Rifle and Pistol Association           |
| Rich Klug           | Roseburg Resource Company                         |
| Gary Rynearson      | Green Diamond Resource Company                    |
| Tom Engstrom        | Sierra Pacific Industry                           |
| Stuart Farber       | Timber Products Company                           |
| David Bischel       | California Forestry Association                   |
| Dave Schaub         | California State Parks, Natural Resource Division |
| Grace Chan          | Sanitation Districts of Los Angeles County        |
| Shelly Walther      | Sanitation Districts of Los Angeles County        |
| Sara Aminzadeh      | California Coastkeeper Alliance                   |
| Rodger Healy        | California Lobster & Trap Association             |
| Jamie Padgett       | Concerned Citizen                                 |
| Kyle Parker         | Concerned Citizen                                 |
| Rene Rojas          | Commercial Diver                                  |
| Jim Curlund         | Defenders of Wildlife                             |
| Leila Monroe        | Natural Resources Defense Council                 |
| Lothar Schmitz      | Concerned Citizen                                 |
| Zola Berger-Schmitz | The Archer School of Los Angeles                  |
| Shelley Berger      | Concerned Citizen                                 |
| Brian Meux          | Santa Monica Baykeeper                            |
| Whitney Graves      | Concerned Citizen                                 |
| Allison Ford        | The Otter Project                                 |
| Jinger Wallace      | Concerned Citizen                                 |
| Michael Beanan      | South Laguna Civic Association                    |
| Joe Exline          | Oceanside Anglers Club                            |
| Sean Guthrie        | King Harbor Marina                                |
| Douglas Gaxiola     | Kayak Fisherman                                   |
| Megan Wylie         | San Diego Coastkeeper                             |
| Calla Allison       | City of Laguna Beach                              |
| Santino Bernazzani  | Concerned Citizen                                 |
| Raymond Hiemstra    | Orange County Coastkeeper                         |
| Jeff Russell        | Concerned Citizen                                 |
| Brennon Flahive     | South Orange County Wastewater Authority          |

|                    |  |
|--------------------|--|
| Craig Gentry       | Concerned Citizen                            |
| Greg Helms         | Ocean Conservancy                            |
| Marcela Gutierrez  | Wildcoast                                    |
| Bruce Steele       | Concerned Citizen                            |
| Leslie Page        | Redondo Beach Chamber and King Harbor        |
| Michael Sheehy     | Santa Barbara Channelkeeper                  |
| Kaitilin Gaffney   | Ocean Conservancy                            |
| Sandy Dildine      | Laguna Bluebelt Coalition                    |
| Louise Thornton    | Laguna Ocean Foundation                      |
| Sarah Sikich       | Heal the Bay                                 |
| Jeremy Addis-Mills | San Diego Coastkeeper                        |
| Paul Hobi          | Ocean Conservancy                            |
| Darrell Stevenson  | California Fish and Game Wardens Association |
| Tony Morton        | NOAA Fisheries                               |

President Kellogg introduced members of the Commission, its staff, Directorate and Rick Thalhammer of the Attorney General's Office.

1. PUBLIC FORUM.  
**Received public testimony from the following: Justin Augustine, Dave Zaches, Steven Fukuto, Chris Voss, Scott Williams, Steve Shimek, Jason Peltier, Ara Azhderian, Paul Romanowski, and Paul Weakland.**
  
2. PRESENTATION OF THE WARDEN OF THE YEAR AWARD.  
**Deputy Director Foley recognized Warden Chad Alexander and presented him with the Warden of the Year award. The Commission presented a resolution to Warden Alexander.**
  
3. (A) PURSUANT TO FISH AND GAME CODE SECTIONS 2075 AND 2075.5, CONSIDERATION AND POSSIBLE ACTION ON THE PETITION AND THE DEPARTMENT'S ONE YEAR STATUS REPORT/RECOMMENDATION ON THE PETITION TO LIST THE PACIFIC FISHER (*Martes pennanti*) AS A THREATENED OR ENDANGERED SPECIES AND ADOPTION OF COMMISSION FINDINGS.  
**Received the Department's report from Dr. Eric Loft. Received public testimony.**

***MOVED BY M. SUTTON, SECOND BY R. ROGERS, TO REAGENDIZE THIS ITEM IN THE SAME FORMAT FOR THE MAY FISH AND GAME COMMISSION MEETING.***  
***AYES: D. BENNINGHOVEN, J. KELLOGG, R. ROGERS, M. SUTTON.***  
***ABSENT: D. RICHARDS.***  
***MOTION PASSED.***
  
- (B) REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 670.5, TITLE 14, CCR, RE: ADDITION OF PACIFIC FISHER (*Martes pennanti*) TO THE LIST OF ANIMALS OF CALIFORNIA DECLARED TO BE ENDANGERED OR THREATENED.  
**No action necessary.**

4. REVIEW OF AND POSSIBLE ACTION TO REVISE COMMISSION FINDINGS REGARDING THE PETITION TO LIST THE AMERICAN PIKA (*Ocotona princeps*) AS A THREATENED SPECIES.

**Deputy Attorney General Thalhammer reported that this item was only to clarify the findings to accurately reflect the decision that was made on October 1, 2009. No public testimony.**

***MOVED BY D. BENNINGHOVEN, SECOND BY R. ROGERS, TO APPROVE THE REVISED COMMISSION FINDINGS REGARDING THE PETITION TO LIST THE AMERICAN PIKA AS A THREATENED SPECIES.***

***AYES: D. BENNINGHOVEN, J. KELLOGG, R. ROGERS, M. SUTTON.***

***ABSENT: D. RICHARDS.***

***MOTION PASSED.***

5. COMMISSION CONSIDERATION AND DIRECTION TO STAFF REGARDING POSSIBLE AMENDMENT OF STRIPED BASS SPORT FISHING REGULATIONS. **Executive Director Carlson summarized the item. Received public testimony. The Commission requested the Department to report back on the various stressors affecting the Delta.**

6. ADOPTION OF THE NORTH CENTRAL COAST MARINE PROTECTED AREAS MONITORING PLAN AS AN APPENDIX TO THE DRAFT MARINE LIFE PROTECTION ACT MASTER PLAN.

**Received a review from Dr. Cheri Recchia, Director, MPA Monitoring Enterprise. Received public testimony.**

***MOVED BY D. BENNINGHOVEN, SECOND BY M. SUTTON, TO ADOPT THE NORTH CENTRAL COAST MARINE PROTECTED AREAS MONITORING PLAN AS AN APPENDIX TO THE DRAFT MARINE LIFE PROTECTION ACT MASTER PLAN.***

***AYES: D. BENNINGHOVEN, J. KELLOGG, R. ROGERS, M. SUTTON.***

***ABSENT: D. RICHARDS.***

***MOTION PASSED.***

7. SCOPING OF POSSIBLE 2010 UPLAND GAME REGULATION CHANGES. **Dr. Eric Loft explained the item. The Commission requested to add an item in the upcoming regulations regarding the addition of .177 caliber pellet guns to the methods of take for wild turkeys. Received public testimony.**

8. SCOPING OF POSSIBLE 2010 AND 2011 WILDLIFE AREA AND ECOLOGICAL RESERVE REGULATION CHANGES.

**Dr. Eric Loft explained the item. The Commission requested to add an item in the upcoming regulations regarding the use of lead free shot on all state managed lands. No public testimony.**

9. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 632, TITLE 14, CCR, RE: SOUTH COAST MARINE PROTECTED AREAS.  
**Received Department updates from Becky Ota and Susan Ashcraft. Received update from Dave Schaub, California State Parks. Received public testimony.**
- MOVED BY M. SUTTON, SECOND BY R. ROGERS, TO AUTHORIZE STAFF TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 632, REGARDING SOUTH COAST MARINE PROTECTED AREAS. FURTHER, IT REQUESTED THAT THE DEPARTMENT WORK WITH THE BRTF TO DEVELOP A DECISION MATRIX FOR USE AT THE NEXT MEETING.***  
***AYES: D. BENNINGHOVEN, J. KELLOGG, R. ROGERS, M. SUTTON.***  
***ABSENT: D. RICHARDS.***  
***MOTION PASSED.***
10. RECEIPT OF LEGISLATIVE REPORTS.
- (A) DEPARTMENT OF FISH AND GAME REPORT.  
**Received report from Susan LaGrande. No public testimony. Commissioner Sutton reviewed four bills which are of special interest to the Commission (AB 2125, AB 2223, AB 2376, AB 2503).**
- (B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.  
**No report.**
11. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
- (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.  
**Received report from Director McCamman. No public testimony.**
- (B) UPDATE ON ENFORCEMENT.  
**Received report from Chief Foley. No public testimony.**
- (C) OTHER.  
**Received report from Scott Barrow regarding hatchery EIR/EIS. Received public testimony.**
12. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
- (A) UPDATE ON CALIFORNIA BIODIVERSITY COUNCIL MARCH 10-11, 2010 MEETING.  
**Executive Director Carlson reported he attended the meeting which focused on the Delta. The next meeting to be scheduled spring 2011, possibly in Monterey. No public testimony.**

- (B) UPDATE AND POSSIBLE ACTION ON CHANGING DATES AND/OR LOCATIONS FOR THE SEPTEMBER, OCTOBER, NOVEMBER, AND DECEMBER 2010 MEETINGS.  
**Executive Director Carlson reviewed changing the fall meeting dates and locations. No public testimony.**

***MOVED BY (INAUDIBLE ON VIDEO), SECOND BY R. ROGERS, TO ADOPT CHANGING THE FALL MEETING DATES TO THE FOLLOWING DATES: SEPTEMBER 15-16, OCTOBER 20-21, NOVEMBER 17-18 AND DECEMBER 15-16, 2010.***

***AYES: D. BENNINGHOVEN, J. KELLOGG, R. ROGERS, M. SUTTON.***

***ABSENT: D. RICHARDS.***

***MOTION PASSED.***

- (C) OTHER.  
**No report.**

13. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.

- (A) MARINE RESOURCES COMMITTEE.  
**Dr. Craig Shuman reported that the next MRC meeting scheduled for April 28 is tentatively changed to May 25 in Monterey. No public testimony.**

- (B) AL TAUCHER'S PRESERVING HUNTING AND SPORT FISHING OPPORTUNITIES ADVISORY COMMITTEE.  
**Executive Director Carlson reported that the next Al Taucher meeting was scheduled for May 4 in the Sacramento area. No public testimony.**

- (C) AQUACULTURE COMMITTEE.  
**Executive Director Carlson reported that staff was working on this item and a public meeting would be scheduled in the near future.**

- (D) OTHER.  
**No report.**

14. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.  
**Received report from Tony Morton. No public testimony.**

15. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.  
**No report.**

16. NEW BUSINESS.  
**No report.**

There being no further business, the meeting recessed at 6:22 p.m. to reconvene on April 8, 2010 at 8:30 a.m.

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EXECUTIVE SESSION  
(NOT OPEN TO PUBLIC)

PURSUANT TO THE AUTHORITY OF GOVERNMENT CODE SECTION 11126(a)(1) AND (e)(1), AND SECTION 309 OF THE FISH AND GAME CODE, THE COMMISSION WILL MEET IN CLOSED EXECUTIVE SESSION. THE PURPOSE OF THIS EXECUTIVE SESSION IS TO CONSIDER:

- A. PENDING LITIGATION TO WHICH THE COMMISSION IS A PARTY.
    - I. BIG CREEK LUMBER COMPANY AND CENTRAL COAST FOREST ASSOC. vs. CALIFORNIA FISH AND GAME COMMISSION RE: COHO LISTING, SOUTH OF SAN FRANCISCO.
    - II. LINDY O'LEARY vs. CALIFORNIA FISH AND GAME COMMISSION RE: R.R.S.A.C. AND R.R.S.S. PERMIT DENIALS.
    - III. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
    - IV. KERN COUNTY WATER AGENCY vs. CALIFORNIA FISH AND GAME COMMISSION, DEPARTMENT OF FISH AND GAME, DEPARTMENT OF WATER RESOURCES RE: STATE WATER PROJECT AND CALIFORNIA ENDANGERED SPECIES ACT.
    - V. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION RE: AMERICAN PIKA.
  
  - B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.
  
  - C. STAFF PERFORMANCE AND COMPENSATION.
  
  - D. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS.
    - I. TIM SULLIVAN – APPEAL OF TRANSFER AND RENEWAL DENIALS OF NONTRANSFERABLE MARKET SQUID VESSEL PERMIT, F/V PACIFIC ROSE.
    - II. CHRISTIAN IVERSEN – DENIAL OF REINSTATEMENT OF APPLICATION FOR A SEA URCHIN DIVING PERMIT.
    - III. HARVEY GONZALEZ – PERMANENTLY REVOKE COMMERCIAL FISHING LICENSE AND SOUTHERN ROCK CRAB, TIDAL INVERTEBRATE AND GENERAL TRAP PERMITS.
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**State of California  
FISH AND GAME COMMISSION**

**Staff Summary, Meeting of April 7-8, 2010**

This is staff's best effort to summarize the actions of the meeting.  
For more specific information go to [www.Cal-span.org](http://www.Cal-span.org).

Pursuant to the call of the President, the Commission met at the Best Western Beach Resort, 2600 Sand Dunes Drive, La Grande Room, Monterey, California, on April 8, 2010. The meeting was called to order at 8:45 a.m. by President Kellogg.

**FISH AND GAME COMMISSION**

|                  |                |               |
|------------------|----------------|---------------|
| Jim Kellogg      | President      | Present       |
| Richard Rogers   | Vice-President | Present       |
| Michael Sutton   | Member         | Present       |
| Daniel Richards  | Member         | <b>Absent</b> |
| Don Benninghoven | Member         | Present       |

Persons present:

**COMMISSION STAFF**

|                  |  |
|------------------|--|
| John Carlson     | Executive Director                     |
| Jon K. Fischer   | Deputy Executive Director              |
| Craig Shuman     | Marine Advisor                         |
| Sherrie Fonbuena | Associate Governmental Program Analyst |
| Anita Biedermann | Associate Governmental Program Analyst |
| Carol Horn       | Executive Assistant                    |

**OFFICE OF THE ATTORNEY GENERAL**

|                 |                         |
|-----------------|-------------------------|
| Rick Thalhammer | Deputy Attorney General |
|-----------------|-------------------------|

**DEPARTMENT OF FISH AND GAME**

|                 |  |
|-----------------|--|
| John McCamman   | Director   |
| Sonke Mastrup   | Deputy Director, Resources Management & Policy Division (RMPD) |
| Nancy Foley     | Deputy Director, Law Enforcement Division                      |
| Jordan Traverso | Deputy Director, Communications, Education and Outreach        |
| John Maddox     | Office of the General Counsel                                  |
| Eric Loft       | Chief, Wildlife Management Branch                              |
| Doug Updike     | Wildlife Management Branch                                     |
| Scott Barrow    | Fisheries Programs Branch                                      |
| Don Kelly       | Law Enforcement Division                                       |
| Chris Stoots    | Law Enforcement Division                                       |
| Steve Snyder    | Law Enforcement Division                                       |
| Kyle Kroll      | Law Enforcement Division                                       |

The following persons were present and heard:

|              |                   |
|--------------|-------------------|
| Marc Shargel | Concerned Citizen |
|--------------|-------------------|



|                          |   |
|--------------------------|---|
| E.B. Duggan              | In-River Fishing/Trinity River Guide        |
| Sarah Sikich             | Heal the Bay                                |
| Peter Kaiser             | Concerned Citizen                           |
| Tom Weseloh              | California Trout                            |
| Eric Mills               | Action for Animals                          |
| Mario Armando Ghio       | Commercial Fisherman                        |
| Dick Dasmann             | Arroyo Grande Sportsmen                     |
| Karen Benzel             | Concerned Citizen                           |
| Paul Weakland            | Commercial Fisherman                        |
| Bill Douros              | Monterey Bay National Marine Sanctuary      |
| Paul Michel              | Monterey Bay National Marine Sanctuary      |
| Dennis Long              | Monterey Bay Sanctuary Foundation           |
| Lauren Gulligan          | Save Our Shores                             |
| Kaitilin Gaffney         | Ocean Conservancy                           |
| Steve Shimek             | Monterey Coastkeeper                        |
| Allison Ford             | The Otter Project                           |
| Chuck Tribolef           | Monterey Diver                              |
| Dana Jones               | California State Parks, Monterey            |
| Calla Allison            | Orange County Marine Protected Council      |
| Tom Mattusch             | Commercial Fisherman                        |
| Robin Bernseih           | Concerned Citizen                           |
| Nicole Paquette          | The Humane Society of U.S.                  |
| Pat Cuviallo             | Concerned Citizen                           |
| Deniz Bolbol             | Concerned Citizen                           |
| Ed Worley                | National Rifle Association                  |
| Gerald Hillier           | San Bernardino County                       |
| Tom Pedersen             | California Rifle & Pistol Association       |
| Sammarye Lewis           | Concerned Citizen                           |
| Jeff Kuyper              | Los Padres Forest Watch                     |
| Daniel Mullins           | Concerned Citizen                           |
| Sue Williamson           | Ojai Wildlife League                        |
| Kim Flaherty             | In Defense of Animals                       |
| Alexandra Allman-Van Zee | Bear League                                 |
| Susan Devine             | San Luis Obispo County Board of Supervisors |
| Spencer Lennard          | Big Wildlife/Earth Island Institute         |
| Virginia Handley         | PAWPAC                                      |
| Raymond Hiemstra         | Concerned Hunter                            |
| Kevin Collins            | Concerned Citizen                           |
| Dan Tichenor             | California Houndsmen for Conservation       |
| Bill Gaines              | California Outdoor Heritage Alliance        |
| Mark Eglington           | Bluebeyond Fisheries                        |
| Stephen Angeli           | Reptile Breeder                             |
| Aja Waford               | IAWA  |
| Michael Luhrs            | Commercial Breeder                          |
| Patrick Ciocca           | Attorney, Assorted Permit Holders           |
| Josh Goldman             | Australis Acquaculture                      |
| Ima Chelette             | Concerned Citizen                           |
| David Muth               | Concerned Citizen                           |
| Doug Price               | U. S. Association of Reptile Keepers        |
| Rob Dicely               | Wild Cat Education and Conservation Fund    |
| Robin King               | Coastside Fishing Club                      |
| Samantha Murray          | Ocean Conservancy                           |

President Kellogg introduced members of the Commission, its staff, Directorate and Rick Thalhammer of the Attorney General's Office.

17. CONTINUATION OF PUBLIC FORUM.  
**Received public testimony from the following: Mark Shargel, E. B. Duggan, Sarah Sikich, Peter Kaiser, Tom Weseloh, Eric Mills, Mario Armando Ghio, Dick Dasmann, Karen Benzel, and Paul Weakland.**
18. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.  
**Deputy Attorney General Thalhammer reported on the Executive Session held on April 7, 2010, that the Commission adopted the proposed decisions for Tim Sullivan and Christian Iversen. No public testimony.**
19. REPORT ON PARTNER ASSISTANCE WITH MARINE PROTECTED AREAS EDUCATION, OUTREACH, MONITORING, AND ENFORCEMENT ON THE CENTRAL COAST.  
**Received reports from Bill Douros and Paul Michel, Monterey Bay National Marine Sanctuary and Dennis Long, Monterey Bay Sanctuary Foundation. Received the Department's report form Jordan Traverso. Received public testimony.**
20. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED AMENDMENTS OF THE 2010-2012 MAMMAL HUNTING AND TRAPPING REGULATIONS. (Note: The adoption hearing is scheduled for April 21, 2010, at a special meeting via teleconference call.)  
**Received Department's review from Doug Updike. Received public testimony.**
21. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTIONS 671, 671.1, 671.7 AND 703, TITLE 14, CCR, RE: NEW RESTRICTED SPECIES PERMITS AND REQUIREMENTS.  
**Received Department's overview from Scott Barrow. Received public testimony.**  
  
***MOVED BY M. SUTTON, SECOND BY R. ROGERS, TO AMEND NEW RESTRICTED SPECIES PERMITS AND REQUIREMENTS BY ADOPTING OPTION 2, NO CHANGE TO GILA MONSTERS AND STRIKING SECTION 671.1(c)(2)(F)3.***  
***AYES: D. BENNINGHOVEN, ROGERS, M. SUTTON.***  
***ABSENT: D. RICHARDS.***  
***RECUSED: J. KELLOGG.***  
***MOTION PASSED.***
22. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SUBSECTION (b)(91.1) OF SECTION 7.50, TITLE 14, CCR, RE: KLAMATH-TRINITY SPORT FISHING REGULATIONS. (Note: The adoption hearing is scheduled for April 21, 2010, at a special meeting via teleconference call.)  
**Received the Department's review from Scott Barrow. Received public testimony.**
23. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 7.50, TITLE 14, CCR, RE: CENTRAL VALLEY SPORT FISHING REGULATIONS. (Note: The adoption hearing is scheduled for April 21, 2010, at a special meeting via teleconference call.)  
**Received the Department's review from Scott Barrow. Received public testimony.**

24. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 27.80, TITLE 14, CCR, RE: OCEAN SALMON SPORT FISHING REGULATIONS. (Note: The adoption hearing is scheduled for April 21, 2010, at a special meeting via teleconference call.)  
**Received the Department's review from Scott Barrow. Received public testimony.**
25. POSSIBLE ADOPTION OF COMMISSION POLICY, RE: NON-NATIVE FROGS AND TURTLES.  
**Executive Director Carlson read the proposed policy. Received public testimony.**

**MOVED BY M. SUTTON, SECOND BY R. ROGERS, TO ADOPT A NEW COMMISSION POLICY FOR NON-NATIVE FROGS AND TURTLES.**

**AYES: D. BENNINGHOVEN, R. ROGERS, M. SUTTON.**

**RECUSED: J. KELLOGG.**

**ABSENT: D. RICHARDS.**

**MOTION PASSED.**

### **CONSENT CALENDAR**

**MOVED BY D. BENNINGHOVEN, SECOND BY (INAUDIBLE ON VIDEO), TO APPROVE CONSENT CALENDAR ITEM NOS. 26 & 27, AS RECOMMENDED BY THE DEPARTMENT. RECEIVED PUBLIC TESTIMONY.**

**AYES: D. BENNINGHOVEN, J. KELLOGG, R. ROGERS, M. SUTTON.**

**ABSENT: D. RICHARDS.**

**MOTION PASSED.**

26. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 125 AND 125.1, TITLE 14, CCR, RE: COMMERCIAL ROCK CRAB REGULATIONS. (Note: The discussion and adoption hearing is scheduled for June 24, 2010.)  
**Approved. Received public testimony.**
27. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 105, 105.1, 106, 107, 110, 112, 116, 119, 120.2, 120.3, 120.6, 120.7, 122, 123, 124.1, 125, 126, 147, 149.1, 150, 150.02, 150.3, 150.05, 180.3, 180.15, 700.4 AND 705; AND ADD SECTION 700.3 RE: IDENTIFICATION FOR LICENSES ISSUED IN THE AUTOMATED LICENSE DATA SYSTEM AND ADMINISTRATION OF COMMERCIAL FISHING PERMIT APPLICATIONS AND FEES. (Note: The discussion and adoption hearing is scheduled for June 24, 2010.)  
**Approved. No public testimony.**
28. POSSIBLE CONFIRMATION OF COMMISSION'S AUGUST 5, 2009, ACTION TO AMEND SECTION 632, TITLE 14, CCR: RE: NORTH CENTRAL COAST MARINE PROTECTED AREAS. (Note: This item is tentatively scheduled to consider any comments on the Commission's March 15, 2010 continuation notice. Public comments are due to the Commission, in writing, by 5:00 p.m. on April 1, 2010.)  
**Executive Director Carlson summarized the item. Received public testimony.**
- MOVED BY R. ROGERS, SECOND BY M. SUTTON, TO APPROVE CONFIRMATION TO AMEND SECTION 632, RE: NORTH CENTRAL COAST MARINE PROTECTED AREAS TO BE EFFECTIVE MAY 1, 2010.**
- AYES: D. BENNINGHOVEN, J. KELLOGG, R. ROGERS, M. SUTTON.**
- ABSENT: D. RICHARDS.**
- MOTION PASSED.**

**OTHER**

- 29. COMMISSION FOLLOW-UP, MEETING REVIEW, AND STAFF DIRECTION.  
**List to be established.**
- 30. ANNOUNCEMENT OF FUTURE MEETINGS.

**2010 FISH AND GAME COMMISSION  
MEETING SCHEDULE  
[www.fgc.ca.gov](http://www.fgc.ca.gov)**

| <b>April 21</b> (Teleconference)                           | <b>Sacramento</b> (Via Telephone)  |
|--|--|
| <b>May 5</b> (Wed.)  | Stockton Rod and Gun Club<br>3120 Monte Diablo Avenue<br><b>Stockton</b>                                 |
| <b>June 23</b> (Wed.)<br><b>June 24</b> (Thurs.)           | <b>Greater Sacramento Area</b>   |
| <b>August 4</b> (Wed.)<br><b>August 5</b> (Thurs.)         | <b>Santa Barbara</b>   |
| <b>September 15</b> (Wed.)<br><b>September 16</b> (Thurs.) | <b>Greater Sacramento Area</b>   |
| <b>October 20</b> (Wed.)<br><b>October 21</b> (Thurs.)     | <b>San Diego</b>   |
| <b>November 17</b> (Wed.)<br><b>November 18</b> (Thurs.)   | <b>Greater Sacramento Area</b>   |
| <b>December 15</b> (Wed.)<br><b>December 16</b> (Thurs.)   | State of California<br>Resources Agency Building<br>Auditorium<br>1416 Ninth Street<br><b>Sacramento</b> |

There being no further business, the Fish and Game Commission adjourned at 1:54 p.m.



**State of California  
FISH AND GAME COMMISSION**

**Staff Summary, Meeting of March 3, 2010**

This is staff's best effort to summarize the actions of the meeting.  
For more specific information go to [www.Cal-span.org](http://www.Cal-span.org).

Pursuant to the call of the President, the Commission met at the Double Tree Hotel Ontario Airport, Doubletree Ballroom, 222 N. Vineyard Avenue, Ontario, California, on March 3, 2010. The meeting was called to order at 8:40 a.m. by President Kellogg.

**FISH AND GAME COMMISSION**

|                  |                |         |
|------------------|----------------|---------|
| Jim Kellogg      | President      | Present |
| Richard Rogers   | Vice-President | Present |
| Michael Sutton   | Member         | Present |
| Daniel Richards  | Member         | Present |
| Don Benninghoven | Member         | Present |

Persons present:

**COMMISSION STAFF**

|                  |  |
|------------------|--|
| John Carlson     | Executive Director                     |
| Jon K. Fischer   | Deputy Executive Director              |
| Adrianna Shea    | Deputy Executive Director              |
| Craig Shuman     | Marine Advisor                         |
| Sherrie Fonbuena | Associate Governmental Program Analyst |
| Anita Biedermann | Associate Governmental Program Analyst |
| Carol Horn       | Executive Assistant                    |

**OFFICE OF THE ATTORNEY GENERAL**

|                 |                         |
|-----------------|-------------------------|
| Rick Thalhammer | Deputy Attorney General |
|-----------------|-------------------------|

**DEPARTMENT OF FISH AND GAME**

|                  |  |
|------------------|--|
| John McCamman    | Director   |
| Sonke Mastrup    | Deputy Director, Resources Management & Policy Division (RMPD) |
| Nancy Foley      | Deputy Director, Law Enforcement Division                      |
| Tony Warrington  | Law Enforcement Division                                       |
| Rob Allen        | Law Enforcement Division                                       |
| Marija Vojkovich | Regional Manager, Marine Region                                |
| Neil Manji       | Chief, Fisheries Programs Branch                               |
| Matt Robinson    | Legislative Affairs  |
| Scott Barrow     | Fisheries Programs Branch                                      |
| Dan Sforza       | Law Enforcement Division                                       |
| Larry Stephens   | Law Enforcement Division                                       |
| Bob Rojas        | Law Enforcement Division                                       |
| David McNair     | Law Enforcement Division                                       |
| Susan Ashcraft   | Marine Region  |

The following persons were present and heard:

|                     |   |
|---------------------|---|
| Steven Fukuto       | United Anglers of Southern California                                     |
| Jenny Armstrong     | The Sportfishing Conservancy  |
| Brian Dickenson     | Cal Fishing   |
| Dr. Fumio Ogoshi    | Cal Fishing   |
| Joel Greenberg      | Recreational Fishing Alliance   |
| Paul Weakland       | Commercial Fisherman  |
| Ileene Anderson     | Center for Biological Diversity   |
| Tim Schmelzer       | Wine Institute  |
| Dr. Glenn Stewart   | Cal Poly (ASIH, HL, SSAR, DTC)  |
| Mark Sanderson      | The Nature Conservancy  |
| Alfredo Gonzales    | The Nature Conservancy  |
| Kaitilin Gaffney    | Ocean Conservancy   |
| Eric Mills          | Action for Animals  |
| Christine Franco    | Animal Welfare Organizations  |
| George Osborn       | CA. Fish and Game Wardens Association/U.S. Association of Reptile Keepers |
| Bill Gaines         | California Outdoor Heritage Alliance                                      |
| Nicole Paquette     | Humane Society of U.S.  |
| Madeline Bernstein  | SPCA, Los Angeles   |
| Danny Stevenson     | CA. Fish and Game Wardens Association                                     |
| Don Thompson        | Former Commercial Abalone Diver   |
| Jim Marshall        | California Abalone Association  |
| Alicia Bonnette     | California Abalone Association  |
| Chris Voss          | California Abalone Association  |
| Tony Morton         | NOAA Fisheries  |
| Michael Luhrs       | Reptiles  |
| Scott Solar         | PIJAC/Amazon Reptile  |
| Andrew Wyatt        | U.S. Association of Reptile Keepers                                       |
| Philippo de Vasjoli | Advanced Visions  |
| Tim Samra           | Tribal Reptile Company  |
| Christine Roscher   | L.A. Reptile, Inc.  |
| Shane Bagnall       | Zoo Med Laboratories, Inc.  |
| Jordan Russell      | <b>(No card)</b>  |
| Susan Telum         | Amercian Tortoise Rescue  |
| Marshall Thompson   | American Turtle/Tortoise Rescue   |
| Karen Benzel        | American Turtle/Tortoise Rescue   |
| Bob Peters          | PCOC-Hunters  |
| Joe Dotterer        | California Bowmen Hunters   |
| Ronald Stephens     | National Varmint Hunters  |
| Don McGiffin        | So. Cal. Chapter Varmint Hunters  |
| Michael Moreno      | Southern California Houndsmen   |
| Ted Schultz         | Southern California Houndshunt Association                                |
| Anthony Canales     | Concerned Hunter  |
| Gary Clevenger      | Concerned Hunter  |
| Larry Lowell        | Southern California Houndsmen   |
| Gerald Hillier      | Consultant to San Bernardino County                                       |
| August Felando      | Representing Kingfisher Trading Company                                   |
| Mark Eglington      | California Abalone Association/Blue Beyond Fisheries                      |
| Jim Brockett        | Brockett's Film Fauna   |
| Randy Wright        | Gila Monster Breeder  |

|                    |   |
|--------------------|---|
| Josh Goldman       | Australias Aquaculture                          |
| Kevin Fleming      | State Parks Department                          |
| Mary Jane Folley   | RSG Member, South Coast <b>(no card)</b>        |
| Susan Brodeur      | Orange County                                   |
| Michael Thornton   | San Elijo Joint Powers Authority                |
| Steve Meyer        | City of San Diego, Public Utilities Division    |
| Carmen White       | U.S. EPA  |
| Joe Gully          | Sanitation Districts of LA County               |
| Tom Rosales        | South Orange County Wastewater Authority        |
| Lia Protopapadakis | Santa Monica Bay Restoration Commission         |
| Shelley Luce       | Santa Monica Bay Restoration Commission         |
| Steve Maguin       | Sanitation Districts of LA County               |
| Rob Mandel         | Concerned Citizen                               |
| Gary Villalobos    | Concerned Citizen                               |
| Boun Prasert       | Local Anglers                                   |
| Otto Allen         | Concerned Citizen                               |
| Joe Exline         | Oceanside Anglers Club                          |
| Mia Davidson       | Concerned Citizen                               |
| Thomas Gruber      | San Diego Rod and Reel Club                     |
| Sara Aminzadeh     | California Coastkeeper Alliance                 |
| Whitney Graves     | Concerned Citizen                               |
| Mark Sellers       | Concerned Citizen                               |
| Sonia Diaz         | Concerned Citizen                               |
| Douglas Gaxiola    | Kayak Fishing Interests                         |
| Phyllis Grifman    | University of Southern California Sea Grant     |
| Meagan Wylie       | San Diego Coastkeeper                           |
| Sarah Sikich       | Heal the Bay                                    |
| Merit McCrea       | Concerned Citizen                               |
| Tom Ford           | Santa Monica Baykeeper                          |
| Brian Meux         | Santa Monica Baykeeper                          |
| Jinger Wallace     | Concerned Citizen                               |
| Michael Beanan     | South Laguna Civic Association                  |
| Joe Geever         | Surfrider Foundation                            |
| Dr. Joe Farlo      | Concerned Citizen                               |
| Michael Hansen     | Dana Wharf Sportfishing                         |
| Bob Fletcher       | Advisor, Sportfishing Association of California |
| Wendy Tochihara    | SCRSC, Izorline Int.                            |
| Richard Martin     | Concerned Citizen                               |
| George Osborn      | PSO   |
| William Raus, Jr.  | United Anglers of Southern California           |
| Paul Lebowitz      | Kayak Fishing Association of California         |
| Karen Garrison     | Natural Resources Defense Council               |
| Joseph Nguyen      | Concerned Citizen                               |
| Bruce Steele       | Concerned Citizen                               |
| Mati Waiya         | Wistoyo-Ventura Coastkeeper                     |
| Raymond Hiemstra   | Orange County Coastkeeper                       |
| Melinda Stanton    | Concerned Citizen                               |
| Sandy Dildine      | Concerned Citizen                               |
| Yasumichi Kato     | Concerned Citizen                               |
| Calla Allison      | Concerned Citizen                               |
| Richard Picheny    | Concerned Citizen                               |
| Ed Almanza         | Laguna Ocean Foundation                         |



|                   |  |
|-------------------|--|
| Barbara Picheny   | Concerned Citizen                      |
| Ginger Osborne    | Concerned Citizen                      |
| Michael Hoag      | Concerned Citizen                      |
| Sharon Larimer    | Concerned Citizen                      |
| Barbara Metzger   | Concerned Citizen                      |
| Charlotte Masarik | Concerned Citizen                      |
| Johanna Felder    | Concerned Citizen                      |
| Darrylin Girvin   | Concerned Citizen                      |
| Judy Teverbaugh   | Concerned Citizen                      |
| Jeff Sporcich     | Concerned Spearfisherman               |
| Don Bell          | Concerned Citizen                      |
| Marcela Gutierrez | Wildcoast                              |
| Dr. Kristian Jon  | Concerned Citizen                      |
| Scott Sebastian   | Concerned Citizen                      |
| Lisa Marks        | Concerned Citizen                      |
| Tyler Webb        | Kayak Fisherman                        |
| Daniel Burke      | Concerned Citizen                      |
| Brandon Slater    | KFACA Kayak Fisherman                  |
| Kyle Parker       | Concerned Citizen                      |
| Ken Franke        | Sportfishing Association of California |
| Sean Guthrie      | King Harbor Marina                     |
| Kevin Ketchum     | Concerned Citizen                      |
| Michael Ploessel  | Seniors Who fish                       |
| Michael Sheehy    | Santa Barbara Channelkeeper            |
| Paul Romanowski   | Los Angeles Fathomiers                 |
| Greg Helms        | Ocean Conservancy                      |
| Debbie Karimoto   | Non-consumptive SCUBA                  |

President Kellogg introduced members of the Commission, its staff, Directorate and Rick Thalhammer of the Attorney General's Office.

1. PUBLIC FORUM.  
**Received public testimony from the following: Steven Fukoto, Jenny Armstrong, Brian Dickenson, Dr. Fumio Ogoshi, Joel Greenberg and Paul Weakland.**
  
2. (A) PURSUANT TO FISH AND GAME CODE SECTIONS 2075 AND 2075.5, CONSIDERATION AND POSSIBLE ACTION ON THE PETITION AND THE DEPARTMENT'S ONE YEAR STATUS REPORT/RECOMMENDATION ON THE PETITION TO LIST THE CALIFORNIA TIGER SALAMANDER (*Ambystoma californiense*) AS A THREATENED SPECIES AND ADOPTION OF COMMISSION FINDINGS.  
**Received the Department's report from Deputy Director Mastrup. Received public testimony.**

***MOVED BY M. SUTTON, SECOND BY R. ROGERS, FINDS THAT THE PETITION TO LIST THE CALIFORNIA TIGER SALAMANDER AS A THREATENED SPECIES STATUS WARRANTS LISTING.  
AYES: D. BENNINGHOVEN, R. ROGERS, M. SUTTON.  
NOES: J. KELLOGG, D. RICHARDS.  
MOTION PASSED.***

- (B) REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 670.5, TITLE 14, CCR, RE: ADDITION OF CALIFORNIA TIGER SALAMANDER (*Ambystoma californiense*) TO THE LIST OF ANIMALS OF CALIFORNIA DECLARED TO BE ENDANGERED OR THREATENED. (Note: This Item will only be considered if the Commission makes a finding that listing the California tiger salamander as threatened or endangered is warranted.)

**MOVED BY M. SUTTON, SECOND BY R. ROGERS, TO AUTHORIZE STAFF TO AMEND REGULATIONS TO LIST CALIFORNIA TIGER SALAMANDER AS A THREATENED SPECIES.**

**AYES: D. BENNINGHOVEN, R. ROGERS, M. SUTTON.**

**NOES: J. KELLOGG, D. RICHARDS.**

**MOTION PASSED.**

3. CONSIDERATION OF COMMISSION SUPPORT FOR PROPOSED 2010 STATE PARKS INITIATIVE.

**Received summary reports from Commissioner Sutton, Mark Sanderson and Alfredo Gonzales of The Nature Conservancy. Received public testimony.**

**MOVED BY M. SUTTON, SECOND BY R. ROGERS, THAT THE COMMISSION SIGN THE ORGANIZATIONAL FORM SUPPORTING THE PROPOSED 2010 STATE PARKS INITIATIVE.**

**AYES: D. BENNINGHOVEN, J. KELLOGG, R. ROGERS, M. SUTTON.**

**ABSTAIN: D. RICHARDS.**

**MOTION PASSED.**

4. RECEIPT OF LEGISLATIVE REPORTS.

- (A) DEPARTMENT OF FISH AND GAME REPORT.

**Received the Department's report from Matt Robinson. Received public testimony.**

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

**There was no report.**

5. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.

- (A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.

**Received the Department's report from Director McCamman. No public testimony.**

- (B) OPTIONS FOR FUTURE DUCK STAMPS AND DUCK STAMP ARTWORK PRINTS.

**Received the Department's report from Deputy Director Mastrup indicating that other states were being surveyed and will report back when survey is completed. Received public testimony.**

- (C) UPDATE ON ENFORCEMENT.

**Received the Department's update from Chief Foley. Received public testimony.**

- (D) SCOPING FOR POSSIBLE AMENDMENTS TO ANIMAL CARE AND INSPECTION REGULATIONS.  
**Received the Department's report from Deputy Director Mastrup. Received public testimony.**
  - (E) UPDATE ON PACIFIC FISHERIES MANAGEMENT COUNCIL GROUND FISH MANAGEMENT.  
**Received the Department's update from Marija Vojkovich. No public testimony.**
  - (F) OTHER.  
**Received the Department's update from Neil Manji regarding three hatchery lawsuits. No public testimony.**
6. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.
- (A) UPDATE ON POSSIBLE FISH AND GAME COMMISSION MEETING DATE/LOCATION CHANGES FOR SEPTEMBER, OCTOBER, NOVEMBER, AND DECEMBER 2010.  
**Executive Director Carlson provided an update on the tentative changes in the fall meeting locations. No public testimony.**
  - (B) UPDATE ON CALIFORNIA LEGISLATURE, ASSEMBLY COMMITTEE ON WATER, PARKS AND WILDLIFE, INFORMATIONAL OVERSIGHT HEARING OF FEBRUARY 9, 2010.  
**Executive Director Carlson reported on the oversight hearing he attended in February and that a copy of the results was in the Commissioners meeting binders. Received public testimony.**
  - (C) OTHER.  
**None.**
7. SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
- (A) MARINE RESOURCES COMMITTEE.  
**Received report from Dr. Craig Shuman on the February 16 MRC meeting. Next meeting scheduled for April 28 in Monterey. Received public testimony.**
  - (B) AL TAUCHER'S PRESERVING HUNTING AND SPORT FISHING OPPORTUNITIES ADVISORY COMMITTEE.  
**Deputy Executive Director Fischer reported that the committee had not met since the February meeting. Next meeting scheduled for May 4 in Sacramento.**
  - (C) AQUACULTURE COMMITTEE.  
**Executive Director reported that the committee had not met recently. Received public testimony.**
8. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.  
**Received report from Tony Morton. Received public testimony.**

9. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.  
**There were no legal counsel informational items to report.**
10. NEW BUSINESS.  
**Status of the recovery plan for striped bass was discussed. Received public testimony.**
11. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.  
**Deputy Attorney General Thalhammer reported that the Commission adopted the proposed decision for Tom Hafer. He also reported that the Commission authorized a conflict of interest waiver after hiring an outside law firm to handle litigation against the Commission.**
12. CONSIDERATION AND POSSIBLE ACTION ON THE DEPARTMENT'S DRAFT FINDINGS REGARDING THE DETRIMENTAL EFFECTS OF NON-NATIVE FROGS AND TURTLES.  
**Received Department's update from Deputy Director Mastrup. Received public testimony.**  
  
***MOVED BY M. SUTTON, SECOND BY UNKNOWN COMMISSIONER, TO APPROVE THE DEPARTMENT'S PROPOSED RESOLUTION AND REQUEST THAT IT BE DRAFTED INTO COMMISSION POLICY FORMAT AND TO BE SCHEDULED FOR ADOPTION AT THE APRIL COMMISSION MEETING.***  
***AYES: D. BENNINGHOVEN, J. KELLOGG, D. RICHARDS, R. ROGERS, M. SUTTON.***  
***MOTION PASSED.***
13. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED AMENDMENTS OF 2010-2012 MAMMAL HUNTING AND TRAPPING REGULATIONS. (Note: Additional public testimony is scheduled for the Commission's April 8, 2010, meeting. The adoption hearing is scheduled for April 21, 2010, at a special teleconference meeting.)  
**No report from the Department. Received public testimony.**
14. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED AMENDMENTS TO SECTIONS 671, 671.1, 671.7 AND 703, TITLE 14, CCR, RE: NEW RESTRICTED SPECIES PERMITS AND REQUIREMENTS. (Note: Additional public testimony is scheduled for the April 8, 2010, meeting in Monterey. The adoption hearing is scheduled for the May 5, 2010, meeting in Stockton.)  
**Received Department's brief recap from Scott Barrow. Received public testimony.**
15. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SUBSECTION (b)(91.1) OF SECTION 7.50, TITLE 14, CCR, RE: KLAMATH-TRINITY SPORT FISHING REGULATIONS. (Note: Additional public testimony is scheduled for the Commission's April 8, 2010, meeting. The adoption hearing is scheduled for April 21, 2010, at a special teleconference meeting.)  
**Received Department's report from Scott Barrow. No public testimony.**
16. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 7.50, TITLE 14, CCR, RE: CENTRAL VALLEY SPORT FISHING REGULATIONS. (Note: Additional public testimony is scheduled for the Commission's April 8, 2010, meeting. The adoption hearing is scheduled for April 21, 2010, at a special teleconference meeting.)  
**Received Department's report from Scott Barrow. No public testimony.**

17. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 27.80, TITLE 14, CCR, RE: OCEAN SALMON SPORT FISHING REGULATIONS. (Note: Additional public testimony is scheduled for the Commission's April 8, 2010, meeting. The adoption hearing is scheduled for April 21, 2010, at a special teleconference meeting.)  
**Received Department's report from Marija Vojkovich. No public testimony.**
18. RECEIPT OF DEPARTMENT UPDATE AND POSSIBLE COMMISSION DIRECTION ON UNRESOLVED ISSUES AND POTENTIAL OPTIONS FOR THE INTEGRATED PREFERRED ALTERNATIVE OF THE MARINE LIFE PROTECTION ACT IN THE SOUTH COAST STUDY REGION.  
**Received Department's update from Susan Ashcraft. Received public testimony.**

***MOVED BY M. SUTTON, SECOND BY D. BENNINGHOVEN, TO DIRECT STAFF TO PREPARE THE REQUIRED REGULATORY DOCUMENTS FOR POSSIBLE COMMISSION AUTHORIZATION TO PUBLISH NOTICE OF ITS INTENT TO AMEND REGULATIONS REGARDING MPA'S IN THE SOUTH COAST FOR THE COMMISSION'S APRIL 7-8, 2010, MEETING. SPECIFICALLY CONFIRMING THE IPA AS THE PROPOSED PROJECT AND TO ADD THE RECOMMENDATIONS FROM DFG AS SUBOPTIONS (INCLUDING ANY OPTIONS FROM PARKS). FURTHER, RECOGNIZING THE IMPORTANCE OF THE WORK OF THE BRTF, AND THE CONSTRAINTS OF THE DEPARTMENT AND COMMISSION STAFF, THIS MOTION WOULD SPECIFY THAT ONLY THE IPA BE GIVEN FURTHER REGULATORY CONSIDERATION***

***AYES: D. BENNINGHOVEN, R. ROGERS, M. SUTTON.***

***NOES: J. KELLOGG, D. RICHARDS.***

***MOTION PASSED.***

### **CONSENT CALENDAR**

***MOVED BY R. ROGERS, SECOND BY D. BENNINGHOVEN, TO APPROVE CONSENT CALENDAR ITEMS 19-22, AS RECOMMENDED BY THE DEPARTMENT. NO PUBLIC TESTIMONY.***

***AYES: D. BENNINGHOVEN, J. KELLOGG, D. RICHARDS, R. ROGERS, M. SUTTON.***

***MOTION PASSED UNANIMOUSLY.***

19. APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2010-2015) AND 2010-2011 MANAGEMENT PLAN FOR SPURLOCK RANCH, GLENN COUNTY.  
**Approved. No public testimony.**
20. REQUEST FOR A 180-DAY EXTENSION FOR STATE WATER BOTTOM LEASES, M-614-01, PARCEL 1, AND M-614-02, GRASSY BAR OYSTER COMPANY, MORRO BAY, SAN LUIS OBISPO COUNTY.  
**Approved. No public testimony.**
21. RECEIPT OF PETITION FROM THE CENTER FOR BIOLOGICAL DIVERSITY TO LIST THE MOUNTAIN YELLOW-LEGGED FROG (*Rana muscosa* and *Rana sierrae*) AS ENDANGERED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT. (Note: The petition was forwarded to the Department on February 4, 2010, for its 90-day review. The Commission will take public testimony and consider the petition at a future meeting.)  
**Received petition. No public testimony.**

22. RECEIPT OF DEPARTMENT'S REPORT ON THE PETITION TO LIST THE PACIFIC FISHER (*Martes pennanti*) AS A THREATENED OR ENDANGERED SPECIES. (Note: Public testimony and possible Fish and Game Commission action is scheduled for April 2010.)  
**Received Department's report. No public testimony.**

**OTHER**

23. COMMISSION FOLLOW-UP, MEETING REVIEW, AND STAFF DIRECTION.  
**To be compiled by staff.**
24. ANNOUNCEMENT OF FUTURE MEETINGS.

**2010 FISH AND GAME COMMISSION  
 MEETING SCHEDULE  
 www.fgc.ca.gov**

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|  |  |
| <b>April 7</b> (Wed.)<br><b>April 8</b> (Thurs.)         | Monterey Best Western<br>Beach Resort Monterey<br>2600 Sand Dunes Drive<br><b>Monterey</b>               |
| <b>April 21</b> (Teleconference)                         | <b>Sacramento</b> (Via Telephone)  |
| <b>May 5</b> (Wed.)                                      | Stockton<br>Stockton Rod and Gun Club<br>3120 Monte Diablo Avenue<br><b>Stockton</b>                     |
| <b>June 23</b> (Wed.)<br><b>June 24</b> (Thurs.)         | <b>Greater Sacramento Area</b>   |
| <b>August 4</b> (Wed.)<br><b>August 5</b> (Thurs.)       | <b>Santa Barbara</b>   |
| <b>September 1</b> (Wed.)<br><b>September 2</b> (Thurs.) | <b>Greater Sacramento Area</b>   |
| <b>October 6</b> (Wed.)<br><b>October 7</b> (Thurs.)     | <b>San Diego</b>   |
| <b>November 3</b> (Wed.)<br><b>November 4</b> (Thurs.)   | <b>Greater Sacramento Area</b>   |
| <b>December 1</b> (Wed.)<br><b>December 2</b> (Thurs.)   | State of California<br>Resources Agency Building<br>Auditorium<br>1416 Ninth Street<br><b>Sacramento</b> |

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EXECUTIVE SESSION  
(NOT OPEN TO PUBLIC)

PURSUANT TO THE AUTHORITY OF GOVERNMENT CODE SECTION 11126(a)(1) AND (e)(1), AND SECTION 309 OF THE FISH AND GAME CODE, THE COMMISSION WILL MEET IN CLOSED EXECUTIVE SESSION. THE PURPOSE OF THIS EXECUTIVE SESSION IS TO CONSIDER:

- A. PENDING LITIGATION TO WHICH THE COMMISSION IS A PARTY.
- I. BIG CREEK LUMBER COMPANY AND CENTRAL COAST FOREST ASSOC. vs. CALIFORNIA FISH AND GAME COMMISSION RE: COHO LISTING, SOUTH OF SAN FRANCISCO.
  - II. LINDY O'LEARY vs. CALIFORNIA FISH AND GAME COMMISSION RE: R.R.S.A.C. AND R.R.S.S. PERMIT DENIALS.
  - III. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
  - IV. KERN COUNTY WATER AGENCY vs. CALIFORNIA FISH AND GAME COMMISSION, DEPARTMENT OF FISH AND GAME, DEPARTMENT OF WATER RESOURCES RE: STATE WATER PROJECT AND CALIFORNIA ENDANGERED SPECIES ACT.
  - V. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION RE: AMERICAN PIKA.
- B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.
- C. STAFF PERFORMANCE AND COMPENSATION.
- D. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS.
- I. TOM HAFER – DENIAL TO TRANSFER MR. JOE W. LOISEAU'S SOUTH-CENTRAL COAST REGION NEARSHORE FISHERY PERMIT TO MR. TOM HAFER'S SON, MR. LUCAS O. HAFER.

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There being no further business, the Fish and Game Commission meeting was adjourned at 8:05 p.m.