

**State of California  
FISH AND GAME COMMISSION**

**Staff Summary, Meeting of June 24, 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 Lake Natoma Inn, 702 Gold Lake Drive, Folsom, California, on June 24, 2010. The meeting was called to order at 10:10 a.m. by Commissioner Richards.

**FISH AND GAME COMMISSION**

Jim Kellogg	President	<b>Absent</b>
Richard Rogers	Vice-President	<b>Absent</b>
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
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**DEPARTMENT OF FISH AND GAME**

John McCamman	Director
Kevin Hunting	Chief Deputy Director
Sonke Mastrup	Deputy Director, Resources Management & Policy Division (RMPD)
Nancy Foley	Deputy Director, Law Enforcement Division
Tom Gibson	General Counsel
Dr. Eric Loft	Chief, Wildlife Branch
Rob Allen	Law Enforcement Division
Brian Naslund	Law Enforcement Division

The following persons were present and heard:

Robert Deitz	Concerned Citizen
David Clark	Concerned Citizen

Kim Thomas	The Frog Ranch LLC
Andrew Wyatt	USARK
Bill Bernard	NCUWH
Darla Guenzler	CA Council of Land Trusts
Brad Olson	EBRPD
Cliff Moriyama	CA Building Industry Association
Nicole Byrd	Solano Land Trust
Jun Lee	Desert Tortoise Preserve Committee
Patrick Shea	Wildlife Heritage Foundation
Mark Charlton	Placer-Fitzgerald Ranch Mitigation Bank
Gregg McKenzie	Placer Land Trust
Dr. Deborah Rogers	Center for Natural Lands Management
Charles Peck	Sierra Foothill Conservancy
Nita Vail	California Rangeland Trust
Jim Whalen	BIA San Diego
Adrienne Vargas	The San Diego Foundation
Jeff Lawrence	Braddock and Logan
L. Ryan Brodrick	Wildlands, Inc.
Tim DiCintio	National Fish and Wildlife Foundation
Jim Martin	County of Mendocino
Kaitilin Gaffney	Ocean Conservancy
Karen Garrison	Natural Resources Defense Council
Emilio Valencia	Kashia Tribe
Derrick Anbue	Kashia Tribe
Walter Autone	Kashia Tribe
Scott Williams	Kashia Tribe
Reno Franklin	KashiaTribe
Ed Worley	National Rifle Association
Pamela Flick	Defenders of Wildlife
Anthony Canales	Concerned Citizen
Tom Pedersen	California Rifle and Pistol Association
Jordan Wellwood	Audubon California
Bill Gaines	California Outdoor Heritage Alliance
Greg Helms	For Megan Wylie/San Diego Coastkeeper
Rick Gutierrez	Concerned Citizen
Guy Robinson	S.B.C.F. Inc

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

13. NEW BUSINESS

**The Commission directed staff to work with appropriate parties to schedule a scoping meeting for MLPA recommendations for the South Coast at the appropriate time. No public testimony.**

14. CONTINUATION OF PUBLIC FORUM.

**Received public testimony from the following: Robert Deitz, David Clark, Kim Thomas, Andrew Wyatt, and Bill Bernard.**

15. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.  
**Deputy Attorney General Thalhammer reported that the Commission did not take action on rehearing because there is no procedure for the Commission to conduct a rehearing. Deputy Executive Director Fischer reported that the Commission upheld the Department's decision on the denial of Ms. Heather Sears' application to transfer her Dungeness Crab Vessel Permit.**
16. SCOPING OF THE DEPARTMENT'S LAND MANAGEMENT ENDOWMENT POLICY.  
**Director McCamman and Chief Deputy Director Hunting provided reports. Received public testimony.**
17. REQUEST BY THE KASHIA BAND OF POMO INDIANS FOR EMERGENCY ACTION TO AMEND SUBSECTION 632(b)(11), TITLE 14, CCR: RE: STEWARTS POINT MARINE RESERVE.  
**Mr. Reno Franklin provided a background of the Kashia tribe, their proposal, and their upcoming July 1 ceremony. Received public testimony.**

***MOVED BY M. SUTTON, SECOND BY D. BENNINGHOVEN, TO APPROVE EMERGENCY ACTION TO AMEND STEWARTS POINT STATE MARINE RESERVE INCLUDING A SEAWARD BOUNDARY 1000' OFFSHORE.  
AYES: D. BENNINGHOVEN, D. RICHARDS, M. SUTTON.  
ABSENT: J. KELLOGG, R. ROGERS.  
MOTION PASSED.***

***MOVED BY M. SUTTON, SECOND BY D. BENNINGHOVEN, TO AUTHORIZE STAFF TO PUBLISH NOTICE OF ITS INTENT TO AMEND REGULATIONS REGARDING STEWARTS POINT STATE MARINE RESERVE, PURSUANT TO STANDARD RULEMAKING PROCEDURES.  
AYES: D. BENNINGHOVEN, D. RICHARDS, M. SUTTON.  
ABSENT: J. KELLOGG, R. ROGERS.  
MOTION PASSED.***

18. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 300, TITLE 14, CCR, RE: UPLAND GAME BIRDS. (Note: The adoption hearing is scheduled for the August 5, 2010, meeting in Santa Barbara.)  
**Received the Department's report from Dr. Eric Loft. Received public testimony.**
19. CONSIDERATION AND POSSIBLE APPROVAL OF 2010-2011 CALIFORNIA DUCK STAMP PROJECTS.  
**Received the Department's report from Dr. Eric Loft. No public testimony.**

***MOVED BY M. SUTTON, SECOND BY D. BENNINGHOVEN, TO APPROVE THE 2010-2011 CALIFORNIA DUCK STAMP PROJECTS.  
AYES: D. BENNINGHOVEN, D. RICHARDS, M. SUTTON.  
ABSENT: J. KELLOGG, R. ROGERS.  
MOTION PASSED.***

20. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO THE MIGRATORY GAME BIRD (WATERFOWL) REGULATIONS FOR 2010-2011, SECTIONS 502 AND 507, TITLE 14, CCR. (Note: The adoption hearing is scheduled for the August 5, 2010, meeting in Santa Barbara.)

**Received the Department's report from Dr. Eric Loft. Received public testimony.**

21. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 29.80, TITLE 14, CCR, RE: GEAR RESTRICTIONS FOR SALTWATER CRUSTACEANS (RECREATIONAL LOBSTER HOOP NET). (Note: The adoption hearing is scheduled for the August 5, 2010, meeting in Santa Barbara.)

**Received the Department's report from Assistant Chief Allen. No public testimony.**

22. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTIONS 125 AND 125.1, TITLE 14, CCR, RE: COMMERCIAL ROCK CRAB REGULATIONS.

**Received an update from Marine Advisor Dr. Shuman. Received public testimony.**

***MOVED BY M. SUTTON, SECOND BY D. BENNINGHOVEN, TO ADOPT PROPOSED CHANGES INCLUDING AMENDING THE TRANSER FEE FROM \$500 TO \$1000.***

***AYES: D. BENNINGHOVEN, D. RICHARDS, M. SUTTON.***

***ABSENT: J. KELLOGG, R. ROGERS.***

***MOTION PASSED.***

23. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO 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.

**Deputy Director Mastrup explained that the changes were administrative clean-up. No public testimony.**

***MOVED BY D. BENNINGHOVEN, SECOND BY M. SUTTON, TO ADOPT PROPOSED CHANGES REGRDING IDENTIFICATION FOR LICENSES ISSUED IN THE AUTOMATED LICENSE DATA SYSTEM AND ADMINISTRATION OF COMMERCIAL FISHING PERMIT APPLICATIONS AND FEES.***

***AYES: D. BENNINGHOVEN, D. RICHARDS, M. SUTTON.***

***ABSENT: J. KELLOGG, R. ROGERS.***

***MOTION PASSED.***

24. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 551 AND 630, TITLE 14, CCR, RE: AUTHORIZED METHODS OF TAKE ON DEPARTMENT MANAGED WILDLIFE AREAS AND ECOLOGICAL RESERVES. (Note: The discussion hearing is scheduled for the August 5, 2010, meeting in Santa Barbara and the adoption hearing is scheduled for the September 16, 2010, meeting in McClellan.)  
**Received the Department's report from Deputy Director Mastrup. Received public testimony.**

**MOVED BY M. SUTTON, SECOND BY D. BENNINGHOVEN, TO AUTHORIZE STAFF TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND AUTHORIZED METHODS OF TAKE ON DEPARTMENT MANAGED WILDLIFE AREAS AND ECOLOGICAL RESERVES.**

**AYES: D. BENNINGHOVEN, D. RICHARDS, M. SUTTON.**

**ABSENT: J. KELLOGG, R. ROGERS.**

**MOTION PASSED.**

### **CONSENT CALENDAR**

**MOVED BY D. BENNINGHOVEN, SECOND BY M. SUTTON, TO APPROVE CONSENT CALENDAR ITEMS NOS. 25, 26, 28-30, AS RECOMMENDED BY THE DEPARTMENT. ITEM No. 27 WAS REMOVED FROM THE CONSENT CALENDAR AND WILL BE RESCHEDULED FOR THE AUGUST MEETING.**

**AYES: D. BENNINGHOVEN, D. RICHARDS, M. SUTTON.**

**ABSENT: J. KELLOGG, R. ROGERS.**

**MOTION PASSED.**

25. RECEIPT OF DEPARTMENT'S EVALUATION REPORT ON THE PETITION TO LIST THE MOUNTAIN YELLOW-LEGGED FROG (*Rana muscosa* and *Rana sierrae*) AS AN ENDANGERED SPECIES. (Note: It is anticipated that the Department will provide its report at the meeting. Public testimony and possible Fish and Game Commission action are scheduled for the August 5, 2010, meeting in Santa Barbara.)

**Received report. No public testimony.**

26. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 163 AND 164, TITLE 14, CCR, RE: HARVEST OF HERRING AND HERRING EGGS. (Note: The discussion hearing is scheduled for the August 5, 2010, meeting in Santa Barbara and the adoption hearing is scheduled for the September 16, 2010, meeting in McClellan.)

**Approved. No public testimony.**

27. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 238.5, TITLE 14, CCR, RE: STOCKING OF AQUACULTURE PRODUCTS. (Note: The discussion hearing is scheduled for the August 5, 2010, meeting in Santa Barbara and the adoption hearing is scheduled for the September 16, 2010, meeting in McClellan.)

**Removed from Consent Calendar and to be rescheduled for the August meeting.**

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

- (A) ALEXANDER RANCH, MONTEREY COUNTY
- (B) AVENALES RANCH, SAN LUIS OBISPO COUNTY
- (C) BIG MORONGO SPRINGS RANCH, SAN BERNARDINO COUNTY
- (D) BLACK RANCH, SHASTA COUNTY

- (E) CAPISTRAN RANCH, MENDOCINO COUNTY
- (F) CEDAR CANYON RANCH, SAN LUIS OBISPO COUNTY
- (G) CHIMNEY ROCK RANCH, SAN LUIS OBISPO COUNTY
- (H) CLARK AND WHITE RANCH, SAN LUIS OBISPO COUNTY
- (I) COON CAMP SPRINGS, LASSEN COUNTY
- (J) CORNING LAND AND CATTLE CO., TEHAMA COUNTY
- (K) COTTRELL RANCH, HUMBOLDT COUNTY
- (L) DE FRANCESCO AND EATON RANCH, MERCED COUNTY
- (M) DIAMOND C OUTFITTERS, HUMBOLDT COUNTY
- (N) EDEN VALLEY RANCH, MENDOCINO COUNTY
- (O) FOUR PINES RANCH, MENDOCINO COUNTY
- (P) GABILAN RANCH, MONTEREY COUNTY
- (Q) HARTNELL RANCH, MONTEREY COUNTY
- (R) LEWIS RANCH, SAN BENITO COUNTY
- (S) LONE RANCH, SAN BENITO COUNTY
- (T) MEISSNER RANCH, SHASTA COUNTY
- (U) ORDWAY RANCH, CALAVERAS COUNTY
- (V) PINE RANCH, YOLO/COLUSA COUNTIES
- (W) RED ROCK RANCH, LASSEN COUNTY
- (X) REDWOOD HOUSE RANCH, HUMBOLDT
- (Y) ROOSTERCOMB RANCH, STANISLAUS COUNTY
- (Z) R-R RANCH, MENDOCINO COUNTY
- (AA) SANTA CATALINA ISLAND, LOS ANGELES COUNTY
- (BB) SCHNEIDER RANCH, MENDOCINO COUNTY
- (CC) SL RANCH, MODOC COUNTY
- (DD) SOUTH KNOB RANCH, LASSEN COUNTY
- (EE) SPRING VALLEY RANCH, MENDOCINO COUNTY
- (FF) TEJON RANCH, KERN COUNTY
- (GG) TEMBLOR WILDLIFE MANAGEMENT AREA, SAN LUIS OBISPO COUNTY
- (HH) TRINCHERO RANCH, SAN BENITO COUNTY
- (II) TRIPLE B RANCH, SHASTA COUNTY
- (JJ) WILLIAMS RANCH, SHASTA COUNTY

**Approved. No public testimony.**

29. POSSIBLE APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2010-2015) AND 2010-2011 MANAGEMENT PLANS FOR:

- (A) BIG BLUFF RANCH, TEHAMA COUNTY
- (B) BURROWS RANCH, TEHAMA COUNTY
- (C) CARLEY RANCH, MENDOCINO COUNTY
- (D) CARNAZA WILDLIFE MANAGEMENT AREA, SAN LUIS OBISPO COUNTY
- (E) CHRISTENSEN RANCH, MENDOCINO COUNTY
- (F) EAGLE ROCK RANCH, MENDOCINO COUNTY
- (G) ENG RANCH, SAN LUIS OBISPO COUNTY
- (H) FIVE DOT – WILLOW CREEK RANCH, LASSEN COUNTY
- (I) JS RANCH, SHASTA COUNTY
- (J) STEWART RANCH, TRINITY COUNTY
- (K) TG&C CARRISA RANCH, SAN LUIS OBISPO COUNTY

**Approved. No public testimony.**

30. POSSIBLE APPROVAL OF ANNUAL REPORT AND 2010 PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA PLAN FOR BUCKEYE RANCH, SOLANO COUNTY.  
**Approved. No public testimony.**

**OTHER**

31. COMMISSION FOLLOW-UP, MEETING REVIEW, AND STAFF DIRECTION.  
**To be compiled by staff.**
32. ANNOUNCEMENT OF FUTURE MEETINGS.  
**Executive Director Carlson reported that the Commission’s August meeting in Santa Barbara may be postponed due to no state budget. No public testimony.**

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

<b>August 4 (Wed.) August 5 (Thurs.)</b>	Hotel Mar Monte 1111 East Cabrillo Blvd. <b>Santa Barbara</b>
<b>September 15 (Wed.) September 16 (Thurs.)</b>	Lion’s Gate Hotel & Conference Center Club Ballroom 3410 Westover Street <b>McClellan</b>
<b>October 20 (Wed.) October 21 (Thurs.)</b>	Four Points by Sheraton 8110 Aero Drive <b>San Diego</b>
<b>November 17 (Wed.) November 18 (Thurs.)</b>	<b>Greater Sacramento Area</b>
<b>December 15 (Wed.) December 16 (Thurs.)</b>	State of California East End Complex Auditorium 1500 Capitol Mall <b>Sacramento</b>

There being no further business, the Fish and Game Commission adjourned at 12:33 p.m.