

**State of California
FISH AND GAME COMMISSION**

Staff Summary, Teleconference Meeting of July 19, 2010

This is staff's best effort to summarize the actions of the meeting.
For more specific information go to www.Cal-span.org.

Pursuant to the call of the President, the Commission met by teleconference on July 19, 2010. The teleconference meeting originated at the Resources Building, 1416 Ninth Street, Room 1320, Sacramento, California. The meeting was audible to the public at the following additional locations: Department of Fish and Game, Santa Barbara Field Office and Laboratory, 1933 Cliff Dr., Suite 9, Santa Barbara, CA 93109; Department of Fish and Game, Inland Deserts Region, 3602 Inland Empire Boulevard, Suite C-220, Ontario, CA 91764; and Center for the Future of the Oceans Monterey Bay Aquarium, 99 Pacific Street, Suite 100A, Monterey, CA 93940. The teleconference meeting was called to order at 2:10 p.m. by President Kellogg.

FISH AND GAME COMMISSION

Jim Kellogg	President	Present at Sacramento location
Richard Rogers	Vice-President	Via Telephone from Santa Barbara
Michael Sutton	Member	Via Telephone from Monterey
Daniel Richards	Member	Via Telephone from Ontario (joined at 2:40 p.m.)
Don Benninghoven	Member	Via Telephone from Santa Barbara

Persons present:

COMMISSION STAFF

Jon K. Fischer	Acting Executive Director
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

Nancy Foley	Deputy Director, Law Enforcement Division
Lt. Mike Stefanak	Law Enforcement Division (Ontario Location)
Lt. Weston Boyle	Law Enforcement Division (Santa Barbara Location)
Warden Brian Huber	Law Enforcement Division (Santa Barbara Location)

The following persons were present and heard:

George Osborn	Partnership for Sustainable Oceans, California Association of Recreational Fishing and Coastside Fishing Club (Sacramento location)
Noelle Cremers	California Farm Bureau Federation (Sacramento location)
Paul Weakland	Commercial Fisherman (Santa Barbara location)

Anthony Canales

San Fernando Valley Chapter, National Rifle Association (Ontario location)

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

Item 2 was heard first and then the Commission held Executive Session.

1. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.

No public testimony.

The Commission delegated authorities and responsibilities to the Commission President, Vice President, Executive Director, Deputy Executive Directors as follows:

DELEGATION OF AUTHORITIES TO THE PRESIDENT.

MOVED BY D. BENNINGHOVEN, SECOND BY R. ROGERS, THAT THE FISH AND GAME COMMISSION HEREBY DELEGATES TO THE PRESIDENT OF THE COMMISSION THE AUTHORITY TO

- A. SIGN, ON BEHALF OF THE COMMISSION, REGULATORY DOCUMENTS MEMORIALIZING ACTION TAKEN BY THE COMMISSION.**
- B. DELEGATE THE AUTHORITY TO SIGN REGULATORY DOCUMENTS MEMORIALIZING ACTION TAKEN BY THE COMMISSION TO THE EXECUTIVE DIRECTOR, OR IN THE ABSENCE OF THE EXECUTIVE DIRECTOR, TO THE DEPUTY EXECUTIVE DIRECTOR-REGULATIONS AND POLICY, OR IN THE ABSENCE OF BOTH THE EXECUTIVE DIRECTOR AND THE DEPUTY EXECUTIVE DIRECTOR- REGULATIONS AND POLICY, TO THE DEPUTY EXECUTIVE DIRECTOR EXTERNAL AFFAIRS AND SPECIAL ADVISOR TO THE COMMISSION.**
- C. SIGN, ON BEHALF OF THE COMMISSION, DECISIONS REGARDING LICENSE AND PERMIT HEARINGS MEMORIALIZING ACTION TAKEN BY THE COMMISSION.**
- D. SIGN/CERTIFY TIME SHEETS AND TRAVEL-RELATED FORMS SUBMITTED BY THE EXECUTIVE DIRECTOR.**
- E. SIGN/CERTIFY TIME SHEETS AND TRAVEL-RELATED FORMS SUBMITTED BY THE COMMISSION'S DEPUTY EXECUTIVE DIRECTORS IN THE ABSENCE OF THE EXECUTIVE DIRECTOR.**

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

ABSENT: D. RICHARDS.

PASSED UNANIMOUSLY.

DELEGATION OF AUTHORITIES TO VICE PRESIDENT.

MOVED BY R. ROGERS, SECOND BY D. BENNINGHOVEN, THAT THE FISH AND GAME COMMISSION HEREBY DELEGATES TO THE VICE PRESIDENT OF THE COMMISSION, IN THE ABSENCE OF THE PRESIDENT OF THE COMMISSION, THE AUTHORITY TO:

- A. SIGN, ON BEHALF OF THE COMMISSION, REGULATORY DOCUMENTS MEMORIALIZING ACTION TAKEN BY THE COMMISSION.**

- B. DELEGATE THE AUTHORITY TO SIGN REGULATORY DOCUMENTS MEMORIALIZING ACTION TAKEN BY THE COMMISSION TO THE EXECUTIVE DIRECTOR, OR IN THE ABSENCE OF THE EXECUTIVE DIRECTOR, TO THE DEPUTY EXECUTIVE DIRECTOR-REGULATIONS AND POLICY, OR IN THE ABSENCE OF BOTH THE EXECUTIVE DIRECTOR AND THE DEPUTY EXECUTIVE DIRECTOR- REGULATIONS AND POLICY, TO THE DEPUTY EXECUTIVE DIRECTOR EXTERNAL AFFAIRS AND SPECIAL ADVISOR TO THE COMMISSION.**
- C. SIGN, ON BEHALF OF THE COMMISSION, DECISIONS REGARDING LICENSE AND PERMIT HEARINGS MEMORIALIZING ACTION TAKEN BY THE COMMISSION.**
- D. SIGN/CERTIFY TIME SHEETS AND TRAVEL-RELATED FORMS SUBMITTED BY THE EXECUTIVE DIRECTOR.**
- E. SIGN/CERTIFY TIME SHEETS AND TRAVEL-RELATED FORMS SUBMITTED BY THE COMMISSION'S DEUPTY EXECUTIVE DIRECTORS IN THE ABSENCE OF THE EXECUTIVE DIRECTOR.**

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

ABSENT: D. RICHARDS.

PASSED UNANIMOUSLY.

Delegation of Authorities to Executive Director.

MOVED BY M. SUTTON, SECOND BY D. BENNINGHOVEN, THAT THE FISH AND GAME COMMISSION HEREBY DELEGATES TO THE EXECUTIVE DIRECTOR OF THE COMMISSION THE AUTHORITY TO

- A. SIGN, ON BEHALF OF THE COMMISSION, REGULATORY DOCUMENTS MEMORIALIZING ACTION TAKEN BY THE COMMISSION.**
- B. DELEGATE THE AUTHORITY TO SIGN REGULATORY DOCUMENTS MEMORIALIZING ACTION TAKEN BY THE COMMISSION TO THE DEPUTY EXECUTIVE DIRECTOR-REGULATIONS AND POLICY, OR IN THE ABSENCE OF BOTH THE EXECUTIVE DIRECTOR AND THE DEPUTY EXECUTIVE DIRECTOR- REGULATIONS AND POLICY, TO THE DEPUTY EXECUTIVE DIRECTOR EXTERNAL AFFAIRS AND SPECIAL ADVISOR TO THE COMMISSION.**
- C. SIGN, ON BEHALF OF THE COMMISSION, DECISIONS REGARDING LICENSE AND PERMIT HEARINGS MEMORIALIZING ACTION TAKEN BY THE COMMISSION.**
- D. SIGN/CERTIFY TIME SHEETS AND TRAVEL-RELATED FORMS SUBMITTED BY THE COMMISSIONERS.**

FURTHER, THE COMMISSION DIRECTS STAFF TO CONFORM THE EXECUTIVE DIRECTOR DUTY STATEMENT TO INCLUDE AUTHORIZATION TO CERTIFY COMMISSION ORDERS AND RULEMAKING FILES WITH THE OFFICE OF ADMINISTRATIVE LAW FOR INCLUSION IN THE CALIFORNIA CODE OF REGULATIONS.

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

ABSENT: D. RICHARDS.

PASSED UNANIMOUSLY.

Delegation of Authorities to Deputy Executive Directors.

MOVED BY R. ROGERS, SECOND BY M. SUTTON, THAT THE FISH AND GAME COMMISSION HEREBY RATIFIES THE ACTION TAKEN BY PRESIDENT KELLOGG ON JULY 6, 2010, TO DELEGATE THE RESPONSIBILITIES AND AUTHORITIES OF THE EXECUTIVE DIRECTOR OF THE COMMISSION TO JON K. FISCHER, AND DIRECT THAT MR. FISCHER SERVE AS ACTING EXECUTIVE DIRECTOR UNTIL FURTHER NOTICE, AND FURTHER, THAT IN THE ABSENCE OF MR. FISCHER, THE COMMISSION DELGATES THE NON-SUPERVISORY RESPONSIBILITIES AND AUTHORITIES OF THE EXECUTIVE DIRECTOR TO ADRIANNA SHEA.

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

The Commission outlined the procedures for conducting and executing the search for the replacement of its Executive Director as follows:

- Use of the Department's Human Resources Branch to perform the technical aspects of sending out a nationwide notice in search for applicants
 - Setting a 60 day period for applicants to submit their applications.
 - The Commission itself will do the entire screening. Each Commissioner will have the opportunity to review all the applications and then narrow those down to a smaller group that will be interviewed either by two Commissioners first in a larger group narrowing down to a smaller group that will be the entire Commission prior to final selection.
2. POSSIBLE ACTION ON STAFF RECOMMENDATION TO RESCHEDULE THE AUGUST 4-5, 2010 COMMISSION MEETING AS AN ABBREVIATED TELECONFERENCE MEETING FOR AUGUST 5, 2010.

Received staff recommendation. Received public testimony.

MOVED BY D. BENNINGHOVEN, SECOND BY M. SUTTON, TO RESCHEDULE ITS AUGUST 4-5, 2010, MEETING AS AN ABBREVIATED TELECONFERENCE MEETING FOR AUGUST 5, 2010.

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

ABSENT: D. RICHARDS.

PASSED UNANIMOUSLY.

There being no further business, the Fish and Game Commission teleconference meeting recessed at 2:35 p.m. to reconvene in Executive Session.