

**State of California
FISH AND GAME COMMISSION**

Staff Summary, Meeting of April 7, 2011

Following is a summary of the subject meeting. The official record of the meeting may be obtained from the Commission's website or Cal-span.

Pursuant to the call of the President, the Commission met at the Lake Natoma Inn, Sierra Ballroom, 702 Gold Lake Drive, Folsom, California on April 7, 2011. The meeting was called to order at 8:38 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	Absent
Jack Baylis	Member	Present (left at approximately 12:00 p.m.)

Persons present:

COMMISSION STAFF

Jon K. Fischer	Acting 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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CALIFORNIA NATURAL RESOURCES AGENCY

John Laird	Secretary for Natural Resources
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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
Larry Hanson	Northern Region
Marija Vojkovich	Marine Regional Manager
Brett Kormos	Marine Region
Susan Ashcraft	Marine Region
Stephen Wertz	Marine Region
Dan Yparraguirre	Wildlife Branch
Marc Kenyon	Wildlife Branch
Rob Allen	Law Enforcement Division
Brian Naslund	Law Enforcement Division

The following persons were present and heard:

<u>Name</u>	<u>Organization</u>	<u>Agenda Item(s)</u>
Jason Morton	American Maple Manufacturer	14
Richard Garcia	Sierra Club	14
Cori Zimmerman	Legalize Ferrets.org	14
Paul Weakland	Commercial Fisherman	14, 15, 20, 22
Richard Smith	West Coast Ferrets	14
Sam Cohen	Santa Ynez Band of Chumash Indians	14
Monica Engbretson	Born Free USA	14
E. B. Duggan	Trinity River Guides Association, My Outdoor Buddy.com	17, 19
George Osborn	Coastside Fishing Club	19
Thomas O'Rourke	Chairman, Yurok Tribe	15
Atta Stevenson	California Indian Water Commission	15
Jacque Hostler	Trinidad Rancheria	15
Beth Warner	Humboldt Baykeeper	15
Jennifer Savage	Ocean Conservancy	15
Rick Copeland	Wilderness Unlimited	15, 21
Priscilla Hunter	InterTribal Sinkiyone Wilderness Council	15
Russ Crabtree	Smith River Rancheria	15
William Lemos	Natural Resources Defense Council	15
Alicia McQuillen	Yurok Tribe	15
Jeanine Pfeiffer	Mendocino County	15
Bill Gaines	California Outdoor Heritage Alliance, Ca. Waterfowl Association	15, 21
Judy Trumper	Pacific Rim Sea Food	15
Kaitilin Gaffney	Ocean Conservancy	15, 20
Jennifer Fearing	The Human Society of the US	21
Robert Moore	California Bowman Hunters/State Archery Assoc.	21
Peter Meyer	Concerned Hunter	21

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

14. CONTINUATION OF PUBLIC FORUM.
Received public testimony from the following individuals: Jason Morton, Richard Garcia, Cori Zimmerman, Paul Weakland, Richard Smith, Sam Cohen and Monica Engbretson.

15. (A) UPDATE FROM MR. JOHN LAIRD, SECRETARY OF NATURAL RESOURCES AGENCY, REGARDING NORTH COAST STUDY REGION MARINE PROTECTED AREAS UNDER THE MARINE LIFE PROTECTION ACT.
Received update from John Laird.

- (B) UPDATE ON DEPARTMENT FEASIBILITY ANALYSIS REGARDING THE NORTH COAST STUDY REGION MARINE PROTECTED AREAS UNDER THE MARINE LIFE PROTECTION ACT.
Received the Department's updates from Stephen Wetz and Susan Ashcraft. Commission directed the Department to provide an update and possible Commission guidance at the May Commission meeting and to agendize authorization to publish notice at the June meeting. Received public testimony.
16. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.
Deputy Attorney General Thalhammer reported that the following items were discussed in Executive Session: received reports on various litigation issues; decided to end its search for full time legal counsel representation; discussed telephonic meeting protocol to clarify obligations under the Bagley-Keene Open Meeting Act; and received a legal analysis of MLPA provisions and the relationship with Native American Culture. No public testimony.
17. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 7.50, TITLE 14, CCR, RE: KLAMATH-TRINITY SPORT FISHING REGULATIONS. (Note: The adoption hearing is scheduled for April 21, 2011, at a special teleconference meeting.)
There was no report. Received public testimony.
18. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTIONS 7.00 AND 7.50, TITLE 14, CCR, RE: CENTRAL VALLEY SPORT FISHING REGULATIONS. (Note: The adoption hearing is scheduled for April 21, 2011, at a special teleconference meeting.)
There was no report and no public testimony.
19. 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, 2011, at a special teleconference meeting.)
Received the Department's overview from Marija Vojkovich and Brett Kormos. Received public testimony.
20. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 632, TITLE 14, CCR, RE: SOUTHEAST FARALLON ISLAND SPECIAL CLOSURE.
Received the Department's overview from Susan Ashcraft. Received public testimony.
- MOVED BY M. SUTTON, SECONDED BY R. ROGERS, TO APPROVE AMENDING SECTION 632 REGARDING SOUTHEAST FARALLON ISLAND SPECIAL CLOSURE. AYES: J. BAYLIS, J. KELLOGG, R. ROGERS, M. SUTTON. ABSENT: D. RICHARDS. MOTION PASSED.***
21. RECEIPT OF PUBLIC TESTIMONY ON TAG QUOTA CHANGES, CLARIFICATIONS AND URGENCY CHANGES FOR THE 2011-2012 MAMMAL HUNTING REGULATIONS. (Note: The adoption hearing is scheduled for May 5, 2011, in Ontario.)
Received the Department's summary from Dan Yparraguirre and a brief presentation on bear populations from Marc Kenyon. Received public testimony.

22. RECEIPT AND POSSIBLE ACTION ON DEPARTMENT RECOMMENDATION TO DESIGNATE THE FISHERY FOR KELLET'S WHELK, *Kelletia kelletii*, AS AN EMERGING FISHERY.

Received a review of background information from Dr. Craig Shuman. Received public testimony.

MOVED BY R. ROGERS, SECONDED BY M. SUTTON, TO DECLARE KELLET'S WHELK AS AN EMERGING FISHERY AND DIRECT STAFF TO WORK WITH THE DEPARTMENT TO DEVELOP A FULL RANGE OF REGULATORY OPTIONS FOR THE MANAGEMENT OF A SUSTAINABLE FISHERY.

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

ABSENT: J. BAYLIS, D. RICHARDS.

MOTION PASSED.

CONSENT CALENDAR

MOVED BY R. ROGERS, SECONDED BY M. SUTTON, TO APPROVE CONSENT CALENDAR ITEM NUMBER 23.

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

ABSENT: J. BAYLIS, D. RICHARDS.

MOTION PASSED.

23. RECEIPT OF DEPARTMENT'S EVALUATION REPORT ON THE PETITION TO LIST THE CEDARS WILD BUCKWHEAT (*Eriogonum cedrorum*) AS AN ENDANGERED SPECIES. (Note: Public testimony and possible Fish and Game Commission action are scheduled for the May 4, 2011, meeting in Ontario.)

Received the Department's evaluation report. No public testimony.

OTHER

24. COMMISSION FOLLOW-UP, MEETING REVIEW, AND STAFF DIRECTION.
List to be established by staff.
25. ANNOUNCEMENT OF FUTURE MEETINGS.

2011 FISH AND GAME COMMISSION MEETING SCHEDULE

www.fgc.ca.gov

April 21 (Teleconference)	Sacramento (Via Telephone)
May 4 (Wed.) May 5 (Thurs.)	Doubletree Hotel Ontario Airport 222 North Vineyard Ave Ontario
June 29 (Wed.) June 30 (Thurs.)	Lexington Plaza Waterfront Hotel 110 W. Fremont Street Stockton
August 3 (Wed.) August 4 (Thurs.)	State of California Resources Agency Building 1416 Ninth Street Sacramento

September 15 (Thurs.)	Red Lion Hotel 1830 Hilltop Drive Redding
October 19 (Wed.) October 20 (Thurs.)	Beach Resort Monterey 2600 Sand Dunes Drive Monterey
November 16 (Wed.) November 17 (Thurs.)*	Santa Barbara
December 14 (Wed.) December 15 (Thurs.)	San Diego

PFMC Meeting April 7-14
 Summer WAFWA Meeting July 15-20, 2011
 Federal Waterfowl Meeting July 28-29, 2011

There being no further business, the Fish and Game Commission meeting adjourned at 12:18 p.m.