

COMMISSIONERS
Daniel W. Richards, President
Upland
Michael Sutton, Vice President
Monterey
Jim Kellogg, Member
Discovery Bay
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles

EDMUND G. BROWN, JR.



Governor

Sonke Mastrup
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STATE OF CALIFORNIA

Fish and Game Commission

STAFF SUMMARY, MEETING OF MARCH 7, 2012

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 Mission Inn Hotel & Spa, San Diego Room, 3649 Mission Inn Avenue, Riverside, California, on March 7, 2012. The meeting was called to order at 8:35a.m. by President Richards.

FISH AND GAME COMMISSION

Daniel W. Richards	President	Present
Michael Sutton	Vice-President	Present
Jim Kellogg	Member	Present
Richard Rogers	Member	Present
Jack Baylis	Member	Present

Persons present:

COMMISSION STAFF

Sonke Mastrup	Executive Director
Adrianna Shea	Deputy Executive Director
Craig Shuman	Marine Advisor
Sherrie Fonbuena	Analyst
Anita Biedermann	Analyst
Mary Brittain	Administrative Assistant

OFFICE OF THE ATTORNEY GENERAL

Rick Thalhammer	Deputy Attorney General
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DEPARTMENT OF FISH AND GAME

Charlton Bonham	Director
Dan Yparraguirre	Deputy Director, Wildlife and Fisheries Division
Nancy Foley	Deputy Director, Law Enforcement Division
Jordan Traverso	Deputy Director, Office of Communications, Education and Outreach
Thomas Gibson	General Counsel
Kimberly Nicol	Inland Deserts Region, Regional Manager
Eric Loft	Chief, Wildlife Branch
Stafford Lehr	Chief, Fisheries Branch
Marci Yaremko	Marine Region
Scott Sewell	Inland Deserts Region

Heather Pert
Paul Hamdorf

Inland Deserts Region
Law Enforcement Division

The following persons were present and heard:

<u>Name</u>	<u>Organization</u>	<u>Agenda Item(s)</u>
David Bare	Representing Assembly Member Tim Donnelly	2
Mike Boer	Compton Hunting and Fishing Club	2
Elmer Lackey	Concerned Citizen	2
John Riordan	United Anglers of Southern California	2
Timothy Wheeler	California Rifle and Pistol Association	2
Bill Gaines	California Outdoor Heritage Alliance	2, 6A
Bob Burke	Society for the Conservation of Bighorn Sheep	2
Christian Guntert	Concerned Citizen	2
George Osborn	Partnership for Sustainable Oceans	2, 10B
Paul Weakland	Commercial Fisherman	2, 3
Mike Proctor	Concerned Hunter/Fishermen	2
Anthony Canales	Concerned Citizen	2
Britt Holmstrom	Concerned Citizen	2, 5A, 14A
Robert Smith	San Diego County Wildlife Federation	2
Chris DeRose	Last Chance for Animals	2
Ed Fanchins	California Bowmen Hunters	2
Bruce Wood	Oranco Bowmen	2
Donald Kurth	Concerned Citizen	2
Peter Flournoy	Concerned Citizen	2
Michael James	Concerned Citizen	2
Ken Reynolds	Concerned Citizen	2
Joe Dotterer	Orange Beltfield Archers	2
Douglas Elliott	Corona Lake/Santa Ana River Lakes	2
Edward Fonda	Concerned Citizen	2
John Wurm	Concerned Citizen	2
Jeff Greene	Representing Assembly Member Kevin Jeffries	2
Talitha Wegner	Concerned Citizen	2
Paul Romanowski	Los Angeles Fathomiers	2
Linda Mitchel	NSTRA, NAVHDA	2
Rene Ruston	Concerned Citizen	2
Peter Yeatrakas	Concerned Citizen	2
Rick Ross	Coastside Fishing Club	2
Mike Eberhard	California Waterfowl Association	2, 14G
Wayne Raupe	California Bowmen Hunters	2
Daniel Markley	Concerned Citizen	2
Mark Hennelly	California Waterfowl Association	2, 14G
Josh Brones	California Houndsmen for Conservation	2
Wendy Tochihara	Concerned Citizen	2
Merit McCrea	Concerned Citizen	2
Harold Bryan	Concerned Citizen	2
Adam Murschel	Concerned Citizen	2
Martin Probert	Concerned Citizen	2
John Fields	California Rifle & Pistol Association	2
Tom Pedersen	California Rifle & Pistol Association	2
Frank Rorabaugh	Concerned Citizen	2
David Pierce	San Diego Council of Divers	2
Robin Parks	Mountain Lion Foundation	2
George Hague	Sierra Club-Moreno Valley Group	2
Lodge Lodgerwood	Concerned Citizen	2

Scot Moga	Concerned Citizen	2
Volker Hoehne	Watermen's Alliance	2
Gary Plummer	Concerned Citizen	2
Cindy Krug	Concerned Citizen	2
Roy Brokaw	Concerned Citizen	2
Glenn Hubbrins	National Rifle Association	2
Jay Brewer	Concerned Citizen	2
Chris Graham	Concerned Citizen	2
Roger Conard	Concerned Citizen	2
Pat Wright	Legalize Ferrets	2
Charles Cogger	Falconry C.H.C.	2
Dave Martinez	Concerned Citizen	2
Craig Brown	Concerned Citizen	2
Mike Woo	Concerned Citizen	2
Rick Holderman	California Hawking Club	2
Samantha Vallejo	Concerned Citizen	2
Carlos Vallejo	Concerned Citizen	2
Greg Helms	Ocean Conservancy	2, 9B
Joe Exline	Oceanside Anglers Club	2, 9
Mike Gilmour	Concerned Citizen	2
Ed Worley	National Rifle Association	2
Mary Kelley	Wildhaven Ranch	2
Debbie Thomas	Wildhaven Ranch	2
Tom Parrish	Concerned Citizen	2
Diane Williams	Wildhaven Ranch	2
Dale Glantz	Knocean Sciences	9C
Jon Durrah	Commercial Halibut Fisherman	12
Michael Marshall	Concerned Citizen	14G

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

ITEMS WERE TAKEN OUT OF ORDER BUT ARE SHOWN IN NUMERICAL ORDER IN THIS SUMMARY.

1. RECOGNITION OF THE DEPARTMENT OF FISH AND GAME NATURAL RESOURCES VOLUNTEER PROGRAM.
Director Bonham and Chief Foley described the volunteer program and honored the volunteers for their great service. No public testimony.
2. PUBLIC FORUM.
Received public testimony from the following individuals: David Bare, Mike Boer, Elmer Lackey, John Riordan, Timothy Wheeler, Bill Gaines, Bob Burke, Christian Guntert, George Osborn, Paul Weakland, Mike Proctor, Anthony Canales, Britt Holmstrom, Robert Smith, Chris DeRose, Ed Fanchins, Bruce Wood, Donald Kurth, Peter Flournoy, Michael James, Ken Reynolds, Joe Dotterer, Douglas Elliott, Edward Fonda, John Wurm, Jeff Greene, Talitha Wegner, Paul Romanowski, Linda Mitchel, Rene Ruston, Peter Yeatrakas, Rick Ross, Mike Eberhard, Wayne Raupe, Daniel Markley, Mark Hennelly, Josh Brones, Wendy Tochiara, Merit McCrea, Harold Bryan, Adam Murschel, Martin Probert, John Fields, Tom Pedersen, Frank Rorabaugh, David Pierce, Robin Parks, George Hague, Lodge Lodgerwood, Scot Moga, Volker Hoehne, Gary Plummer, Cindy Krug, Roy Brokaw, Glenn Hubbrins, Jay Brewer, Chris Graham, Roger Conard, Pat Wright, Charles Cogger, Dave Martinez, Craig Brown, Mike Woo, Rick Holderman, Samantha Vallejo, Carlos Vallejo, Greg Helms, Joe Exline,

Mike Gilmour, Ed Worley, Mary Kelley, Debbie Thomas, Tom Parrish, and Diane Williams.

3. SUBCOMMITTEE CHAIR ASSIGNMENTS.

- (A) MARINE RESOURCES COMMITTEE.
- (B) AL TAUCHER COMMITTEE.
- (C) BUDGET COMMITTEE.
- (D) OTHER.

President Richards suggested assignments to the various subcommittees by rotating Commissioner's assignments. Received public testimony.

MOVED BY J. BAYLIS, SECONDED BY M. SUTTON, THAT THE SUBCOMMITTEE ASSIGNMENTS ARE AS FOLLOWS: J. KELLOGG AND D. RICHARDS TO THE AL TAUCHER'S PRESERVING HUNTING AND SPORT FISHING OPPORTUNITIES ADVISORY COMMITTEE, R. ROGERS AND M. SUTTON TO THE MARINE RESOURCES COMMITTEE, AND J. BAYLIS AND R. ROGERS TO THE FINANCE/BUDGET COMMITTEE. PASSED UNANIMOUSLY.

4. [DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTIONS 28.29, 52.10 AND 150.16, TITLE 14, CCR, RE: GREENLINGS.](#)

Received the Department's report from Marci Yaremko. No public testimony.

MOVED BY M. SUTTON, SECONDED BY R. ROGERS, THAT THE FISH AND GAME COMMISSION HEREBY AMENDS SECTIONS 28.29, 52.10, AND 150.16, TITTLE 14, CCR, RELATING TO GREENLING TOTAL ALLOWABLE CATCH, RECREATIONAL SUB-BAG LIMITS, RECREATIONAL AND COMMERCIAL ALLOCATION, AND COMMERCIAL BIMONTHLY TRIP LIMITS AS PROPOSED BY THE DEPARTMENT. AYES: J. BAYLIS, D. RICHARDS, R. ROGERS, M. SUTTON. ABSENT: J. KELLOGG. MOTION PASSED.

5. OCEAN SALMON

- (A) [DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 27.80, TITLE 14, CCR, RE: OCEAN SALMON – APRIL 2012 SEASON.](#)

Received the Department's report from Marci Yaremko. Received public testimony.

MOVED BY J. KELLOGG, SECONDED BY M. SUTTON, THAT THE FISH AND GAME COMMISSION HEREBY AMENDS SECTION 27.80, TITLE 14, CCR, AS RECOMMENDED AND SPECIFIED BY THE DEPARTMENT OF FISH AND GAME RE: OCEAN SALMON SPORT FISHING REGULATIONS FOR APRIL 2012.

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

- (B) [DISCUSSION OF PROPOSED CHANGES TO SECTION 27.80, TITLE 14, CCR, RE: OCEAN SALMON – MAY THROUGH NOVEMBER 2012 SEASON.](#) (Note:

The adoption hearing is scheduled for April 11, 2012 in Eureka.)

This item was included in the presentation for 5(A) above by Marci Yaremko of the Department of Fish and Game. No public testimony. Ms. Yaremko provided an update.

MOVED BY R. ROGERS, SECONDED BY J. BAYLIS, THAT THE FISH AND GAME COMMISSION HEREBY AUTHORIZES STAFF TO PUBLISH A CONTINUATION NOTICE FOR SECTION 27.80, TITLE 14, CCR, TO PROVIDE ALTERNATIVE DATES FOR THE SEASON NORTH OF HORSE MOUNTAIN FROM MAY 15 – DECEMBER 15 TO MAY 1 – DECEMBER 15, 2012. AYES: J. BAYLIS, J. KELLOGG, D. RICHARDS, R. ROGERS, M. SUTTON. PASSED UNANIMOUSLY.

6. MAMMAL HUNTING

- (A) [RECEIPT OF PUBLIC TESTIMONY ON TAG QUOTA CHANGES, CLARIFICATIONS AND URGENCY CHANGES FOR THE 2012-2013 MAMMAL HUNTING REGULATIONS.](#) (Note: The adoption hearing is scheduled for April 11, 2012 in Eureka.)

There was no report from the Department. Received public testimony.

- (B) RECEIPT OF ANNUAL REPORTS RE: CAMP ROBERTS, CAMP PENDLETON, AND FORT HUNTER LIGGETT DEER AND ELK HUNTS, UNDER SECTION 640, TITLE 14, CCR, MANAGEMENT OF FISH AND WILDLIFE ON MILITARY LANDS.

Received Department's written reports. No public testimony.

7. [RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 7.50, TITLE 14, CCR, RE: KLAMATH-TRINITY SALMON SPORT FISHING REGULATIONS.](#)

(Note: The adoption hearing is scheduled for April 11, 2012 in Eureka.)

Received the Department's report from Stafford Lehr. No public testimony.

MOVED BY R. ROGERS, SECONDED BY J. KELLOGG, THAT THE FISH AND GAME COMMISSION AUTHORIZES STAFF TO PUBLISH A CONTINUATION NOTICE REGARDING THE PROPOSED CHANGES TO SECTION 7.50, TITLE 14, CCR, RE: KLAMATH-TRINITY SALMON SPORT FISHING REGULATIONS TO ADJUST THE ALLOCATION RANGE AS CURRENTLY PROPOSED FROM 0-40,000 TO 0 TO 70,300 FISH. THE ADOPTION HEARING IS SCHEDULED FOR THE TELECONFERENCE MEETING ON APRIL 18, 2012.

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

8. [RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 7.50, TITLE 14, CCR, RE: CENTRAL VALLEY SALMON SPORT FISHING REGULATIONS.](#)

(Note: The adoption hearing is scheduled for April 11, 2012 in Eureka.)

Received the Department's report from Stafford Lehr. No public testimony.

9. RECEIPT AND POSSIBLE ACTION ON COMMISSION INFORMATIONAL ITEMS.

- (A) SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.

- (I) MARINE RESOURCES COMMITTEE.
Commissioner Sutton reported that the Marine Resources Committee met on March 6 and will report at a later date. The next meeting is scheduled for April 17. No public testimony.

- (II) AL TAUCHER COMMITTEE.
Deputy Executive Director Shea reported that the AI Taucher Committee met on March 6 and reported on the following issues: update on abalone report cards, committee voted to support youth

only quail/chukar hunts in the Mojave National Preserve, committee voted to recommend adding an upland game bird survey into the ALDS system. She reported that Joe Exline and George Osborn were nominated and approved as committee members. The committee also recommended that 3 legislative bills, SB 1367, SB 1166, AB 1107, be scheduled for discussion at the April 11-12, 2012 meeting. The next Al Taucher meeting is scheduled for May 22 in Monterey. Received public testimony.

(III) BUDGET COMMITTEE.
There was no report. No public testimony.

(IV) OTHER.
There was no report. No public testimony.

(B) ITEMS THAT DID NOT MAKE AGENDA AND NEED TO BE RESCHEDULED.
There were no items to be rescheduled.

(C) NEW BUSINESS/COMMISSION FOLLOW-UP, MEETING REVIEW, AND STAFF DIRECTION.

Letter from California Waterfowl Association (CWA) requesting the Commission to support environmentally friendly flood control. CWA has submitted a draft letter for the Commission's consideration.

Executive Director Mastrup summarized the item. Commissioners agreed the letter should be sent.

California Code, Fish and Game Code, Section 102, Fish and Game Commission Policy on Election of Officers, California Constitution Article 4 Legislative.

Executive Director Mastrup summarized the item.

MOVED BY J. BAYLIS, SECONDED BY R. ROGERS, TO DIRECT STAFF TO AGENDIZE THE COMMISSION'S INTENT TO REPEAL SECTION 660, TITLE 14, CCR, RE: ELECTION OF OFFICERS AT THE MAY 23-24, 2012, FISH AND GAME COMMISSION MEETING.

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

NOES: D. RICHARDS

MOTION PASSED.

Letter from KNOCEAN regarding its potential kelp bed lease, dated February 22, 2012. In this letter KNOCEAN requests clarification on how the Commission set the \$10 a wet ton rate, as well as additional information and justification for a potential revised bid.

Executive Director Mastrup summarized the item. Received public testimony.

MOVED BY M. SUTTON, SECONDED BY R. ROGERS, THAT THE FISH AND GAME COMMISSION HEREBY FINDS THAT KELP BED 3 IS AVAILABLE FOR LEASE AND THAT THE LEASE WOULD BE IN THE PUBLIC INTEREST AT A MINIMUM ROYALTY RATE OF \$3/WET TON INSTEAD OF THE PREVIOUSLY APPROVED \$10/WET TON RATE AND AUTHORIZES STAFF TO PUBLISH NOTICE INCLUDING THE MODIFIED RATE.

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

- (D) POSSIBLE APPROVAL OF ADDITION OF SPECIAL MEETING ON JUNE ____ TO THE 2012 MEETING SCHEDULE FOR CERTIFICATION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT DOCUMENT AND ADOPTION OF THE NORTH COAST MARINE PROTECTED AREAS REGULATIONS. **Executive Director Mastrup summarized the item. No public testimony.**

IT WAS AGREED BY ALL COMMISSIONERS THAT THE FISH AND GAME COMMISSION HEREBY SCHEDULES A SPECIAL MEETING FOR CERTIFICATION OF CALIFORNIA ENVIRONMENTAL QUALITY ACT DOCUMENT AND ADOPTION OF THE NORTH COAST MARINE PROTECTED AREAS REGULATIONS ON JUNE 6, 2012 IN EUREKA. AYES: J. BAYLIS, J. KELLOGG, D. RICHARDS, R. ROGERS, M. SUTTON. PASSED UNANIMOUSLY.

- (E) ANNOUNCEMENT OF FUTURE MEETINGS.
**2012 FISH AND GAME COMMISSION
 MEETING SCHEDULE**
www.fgc.ca.gov

April 11 (Wed.) April 12 (Thurs.)	Red Lion Hotel Redwood Ballroom 1929 4 th Street Eureka
April 18 (Wed.)(Teleconference)	Sacramento (Via Telephone)
May 23 (Wed.) May 24(Thurs.)	Best Western Plus Beach Resort La Grande Room 2600 Sand Dunes Drive Monterey
June 6 (Wed)	Special Meeting for possible adoption of the NCSR MPAs Eureka
June 20(Wed.) June 21 (Thurs.)	Mountainside Conference Center 1 Minaret Road Rooms 4 and 5 Mammoth Lakes
August 8 (Wed.) August 9 (Thurs.)	Crowne Plaza Ventura Beach Santa Rosa Room 450 Harbor Boulevard Ventura
October 3 (Wed.) October 4 (Thurs.)	State of California Resources Building First Floor Auditorium 1416 Ninth Street Sacramento
November 7(Wed.) November 8 (Thurs.)	Radisson Hotel at Los Angeles Airport 6225 West Century Boulevard Los Angeles
December 12 (Wed.) December 13 (Thurs.)	San Diego

PFMC Salmon Meeting April 1-6
Federal Waterfowl Meeting August 1-2

Summer WAFWA Meeting July 20-25, Hawaii

- (F) RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
There was no report. No public testimony.

- (G) OTHER.
There was no report. No public testimony.

10. RECEIPT OF AND POSSIBLE ACTION ON LEGISLATIVE REPORTS.

- (A) DEPARTMENT OF FISH AND GAME REPORT.
Director Bonham provided the Department's report and related bills: SB 1146-fee issues for the Fish and Game Commission; AB 2402- various; and AB 2283-name change for the Department of Fish and Game. At the request of Commissioner Sutton, Deputy Executive Director Shea indicated that staff would track the above noted legislation (including AB 2376). No public testimony.

- (B) CONSIDERATION OF COMMISSION SUPPORT OF SB 1358 (WALTERS) DATED FEBRUARY 24, 2012 (bill that would give wardens their own bargaining unit.)
Executive Director Mastrup summarized the item and reported that the AI Taucher Subcommittee unanimously supported the legislation. Received public testimony.

MOVED BY ALL FIVE COMMISSIONERS THAT THE FISH AND GAME COMMISSION HEREBY DIRECTS STAFF TO SEND A LETTER OF SUPPORT OF SB 1358, AS IT APPEARS FEBRUARY 24, 2012, TO THE GOVERNOR AND ALL MEMBERS OF THE LEGISLATURE.

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

11. CONSIDERATION OF REQUEST BY MS. DIANE REINERTSEN TO TRANSFER THE HALIBUT BOTTOM TRAWL VESSEL PERMIT FOR THE F/V *TABITHA* (FG53834).
Executive Director Mastrup summarized the item. No public testimony.

MOVED BY R. ROGERS, SECONDED BY M. SUTTON, THAT THE FISH AND GAME COMMISSION HEREBY APPROVES THE REQUEST OF MS. DIANE REINERTSEN TO TRANSFER THE HALIBUT BOTTOM TRAWL VESSEL PERMIT FOR THE F/V TABITHA (FG53834).

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

12. CONSIDERATION OF REQUEST BY MR. JON DURRAH TO TRANSFER THE HALIBUT BOTTOM TRAWL VESSEL PERMIT UPON THE SALE OF THE F/V *LADY OLGA* (FG09812).
Executive Director Mastrup summarized the item. Received testimony from Mr. Durrah.

MOVED BY J. KELLOGG, SECONDED BY R. ROGERS, THAT THE FISH AND GAME COMMISSION HEREBY APPROVES THE REQUEST OF MR. JON DURRAH TO TRANSFER THE HALIBUT BOTTOM TRAWL VESSEL PERMIT UPON THE SALE OF THE F/V LADY OLGA (FG09812).

***AYES: J. KELLOGG, D. RICHARDS, R. ROGERS, M. SUTTON.
ABSENT: J. BAYLIS.
MOTION PASSED.***

CONSENT CALENDAR

MOVED BY J. KELLOGG, SECONDED BY M. SUTTON, THAT THE FISH AND GAME COMMISSION HEREBY APPROVES ITS MARCH 7, 2012, CONSENT CALENDAR, ITEM NUMBER 13.

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

13. APPROVAL OF REQUEST BY WESTERN UNIVERSITY OF HEALTH SCIENCES FOR AMENDMENT TO THEIR CURRENT RESTRICTED SPECIES PERMIT (#2896) TO INCLUDE TRANSGENIC ZEBRAFISH (*Danio rerio*).
Approved. No public testimony.

INFORMATIONAL ITEMS

14. RECEIPT OF DEPARTMENT OF FISH AND GAME INFORMATIONAL ITEMS.
- (A) DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.
Director Bonham reported on the following items: thanked Commissioners, Commission staff and DFG staff for a great job, announced the appointment of Dan Yparraguirre as new Deputy Director, update on wolf OR7, recent court case, regulation package for wild animals, and finally the strategic vision update. Received public testimony.
 - (B) WILDLIFE AND FISHERIES/ECOSYSTEM CONSERVATION DIVISION UPDATE.
Deputy Director Yparraguirre reported on the following items: Sierra Nevada Bighorn Sheep, armagosa vole, Sacramento River habitat restoration, CVPIA water, Bay Delta Conservation Plan and elk. No public testimony.
 - (C) LAW ENFORCEMENT DIVISION UPDATE.
Chief Foley reported on the following items: thanked law enforcement agencies that assisted in today's meeting, new Wild Justice season, and deer poaching. Assistant Chief Hamdorf thanked all Department staff, and especially the Captains in his region, for a great job. No public testimony.
 - (D) UPDATE ON SAN JOAQUIN COUNTY SHERIFF'S EXPENDITURES OF FISH AND GAME FINE MONEYS.
There was no report. No public testimony.
 - (E) UPDATE ON TIMELINE FOR KELP REGULATION OVERHAUL.
Director Bonham reported that after Commission discussion on kelp bed leases earlier in the day, he would take that information into consideration and provide a comprehensive report at the April meeting. Received public testimony.
 - (F) UPDATE ON RESTRICTED SPECIES REGULATORY PACKAGE.
This item was heard under item 14(A). No public testimony.

President Richards requested that these Department presentations should be scheduled earlier in the day when there is more public present. All Commissioners supported the request.

- (G) PRESENTATION ON "SAN JACINTO WILDLIFE AREA...A JEWEL IN THE DESERT."
Regional Manager Nicol introduced Scott Sewell of the Department who gave

a PowerPoint presentation on the San Jacinto Wildlife Area. Received public testimony.

(H) PRESENTATION ON "THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN."
Regional Manager Nicol introduced Heather Pert of the Department who gave a PowerPoint presentation. No public testimony.

(I) OTHER.
There was no report.

15. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
There was no report. No public testimony.

16. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.
Deputy Attorney General Thalhammer reported that the Commission met in Executive Session and discussed two issues: adopted the Administrative Law Judge's proposed decision for Diane Dragotto Williams (Wildhaven Ranch) and discussed the Center for Biological Diversity/Earth Island Institute vs. Fish and Game Commission challenging the regulatory action related to the Black-backed woodpecker. The Commission directed counsel to not defend the adoption of said regulation. No other action was taken. No public testimony.

President Richards requested that staff report back at the next meeting regarding the request of Diane Williams for Wildhaven Ranch be considered a wildlife facilitator.

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. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION RE: SQUID PERMITS.
- III. 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.
- IV. TACY LEE vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: DENIAL OF TRANSFER OF LOBSTER OPERATOR PERMIT.
- V. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.
- VI. UNITED ANGLERS OF SOUTHERN CALIFORNIA; COASTSIDE FISHING CLUB; AND ROBERT C. FLETCHER vs. CALIFORNIA FISH AND GAME COMMISSION RE: SOUTH COAST STUDY REGION AND NORTH CENTRAL COAST STUDY

REGION MARINE PROTECTED AREAS UNDER THE MARINE PROTECTION ACT.

- VII. MARILLEY vs. FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: COMMERCIAL FISHING PERMIT FEES.
- VIII. CENTER FOR BIOLOGICAL DIVERSITY AND EARTH ISLAND INSTITUTE vs. FISH AND GAME COMMISSION ADOPTING EMERGENCY REGULATION TO AUTHORIZE INCIDENTAL TAKE OF THE BLACK-BACKED WOODPECKER DURING CANDIDACY PERIOD.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.

C. STAFF PERFORMANCE AND COMPENSATION.

D. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS.

- I. DIANE DRAGOTTO-WILLIAMS (WILDHAVEN RANCH) - DENIAL OF WILDLIFE REHABILITATION PERMIT RENEWAL.
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There being no further business, the Fish and Game Commission meeting adjourned at 4:27 p.m.