

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

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

Fish and Game Commission



Staff Summary, Meeting of August 8, 2012

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

Pursuant to the call of the President, the Commission met at the Crowne Plaza Ventura Beach, San Miguel Ballroom A, 450 East Harbor Boulevard, Ventura, California on August 8, 2012. The meeting was called to order at 10:06 a.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
Scott Barrow	Deputy 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

Debra Fletcher	Deputy Attorney General
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DEPARTMENT OF FISH AND GAME

Chuck Bonham	Director
Dan Yparraguirre	Deputy Director, Wildlife and Fisheries Division
Nancy Foley	Deputy Director, Law Enforcement Division
Tom Gibson	Office of the General Counsel
Mike Taugher	Asst. Deputy Director, Office of Communications, Education & Outreach
Paul Hamdorf	Acting Regional Manager, Marine Region
Stafford Lehr	Chief, Fisheries Branch
Shaun Oldenburger	Wildlife Branch
Brad Burkholder	Wildlife Branch

Kirsten Ramey	Marine Region Aquaculture Coordinator
Erika Jarvis	Marine Region
Marci Yaremko	Marine Region
Becky Ota	Marine Region
Mike Stefanak	Law Enforcement Division
Martin Wall	Law Enforcement Division
Todd Van Epps	Law Enforcement Division
Jacob Coombs	Law Enforcement Division
Kevin Kintz	Law Enforcement Division
Jason Kraus	Law Enforcement Division
Dennis Rosenberg	Law Enforcement Division

The following persons were present and heard:

<u>Name</u>	<u>Organization</u>	<u>Agenda Item(s)</u>
Paul Weakland	Commercial Fisherman	1, 2, 7, 8, 10, 12
Joe Exline	Collaborative Fisheries Research-West/ Oceanside Anglers Club	2, 9, 10
Richard Miller	East Walker River Alliance	2 (10)
Dan Strunk	22 nd St. Landing Sportfishing	2, 9
Tom Adams	California Sanctuary Coalition	2
Kele Younger	California Sanctuary Coalition	2
Carol Belser	Lake Casitas Recreation	2
Sue Williamson	Ojai Wildlife League & Tahoe Bear League	2
Pamela Flick	Defenders of Wildlife	2 (13), 11
Sam Cohen	Santa Ynez Band of Chumash Indians	2 (20)
Bill Gaines	Ca. Outdoor Heritage Alliance	3, 4, 5
Mark Hennelly	California Waterfowl Association	3, 4, 5
Jeff Thomson	Tulare Basin Wetlands Association	4
Neal Darby	Mojave National Preserve	5
Wayne Raupe	California Bowmen Hunters	5
Bill Bernard	CISD	6, 10
Bernard Friedman	Santa Barbara Mariculture Company	8
Mike McCorkle	Concerned Citizen	8
Wendy Tochihara	UASC	9
Mike Gilmour	Concerned Citizen	9
Don Hansen	Dana Wharf	9
Ken Frankie	Concerned Citizen	9
Don Brockman	Davys Locker	9
Mike Thompson	Newport Landing	9
Timothy Green	Coastal Sportfishing Boat Premier	9
Sarah Sikich	Heal the Bay	9
Jenn Eckerle	Natural Resources Defense Council	9
Greg Helms	Ocean Conservancy	9
Earl Warren	Concerned Citizen	9
Chuck Tennin	Marina Del Rey Sportfishing	9
Lora Sprague	Marina Del Rey Sportfishing	9
Charles Bucaria	N. Ca. Council Federation of Fly Fishers	10
Brian Trautwein	Environmental Defense Center	10
Eddie Harris	Santa Barbara Urban Creeks Council	10
Don Saba	Presenter, National Rifle Association	11(C)I
Dan Taylor	Presenter, National Audubon Society	11(C)I
Dennis Fox	Concerned Citizen	11
Leslie Purcell	Ojai Wildlife League	11, 13

Executive Director Mastrup introduced members of the Commission, its staff, Directorate and Debra Fletcher of the Attorney General's Office.

1. ELECTION OF COMMISSION OFFICERS, PURSUANT TO SECTION 102 OF THE FISH AND GAME CODE.

Executive Director Mastrup summarized the item. Received public testimony.

MOVED BY R. ROGERS, SECONDED BY J. BAYLIS, THAT THE FISH AND GAME COMMISSION HEREBY ELECTS JIM KELLOGG AS PRESIDENT AND MIKE SUTTON AS VICE PRESIDENT FOR THE BALANCE OF THE YEAR AND RETURN TO THE NORMAL ELECTION SCHEDULE AT THE FEBRUARY 2013 MEETING. PASSED UNANIMOUSLY.

2. PUBLIC FORUM.

Received public testimony from the following individuals: Joe Exline, Richard Miller, Dan Strunk, Tom Adams, Kele Younger, Carol Belser, Sue Williamson, Pamela Flick, Paul Weakland, and Sam Cohen (testimony for item No. 20 on the August 9, 2012 agenda).

Added Item

DFG Director Bonham honored Marija Vojkovich, Marine Regional Manager, who recently retired, and Nancy Foley, Chief, Law Enforcement Division, who would be retiring this month. Executive Director Mastrup read the Commission's resolution which they presented to Chief Foley.

3. COMMISSION RECOGNITION OF NEWLY INDUCTED MEMBERS TO THE CALIFORNIA WATERFOWLERS HALL OF FAME.

On behalf of John Carlson, California Waterfowl Association, Deputy Director Yparraguirre provided a summary of the program. He reported that the six new members recognized this year were: Gary Kerhoulas, J. R. "Bob" LeDonne, Robert McLandress, James Moffitt, Steve Simmons, and Gary Stewart. Received public testimony. California Waterfowl Association has scheduled an event on October 30 in Yountville to honor the inductees. Received public testimony.

4. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO WATERFOWL, MIGRATORY; AMERICAN COOT; AND COMMON MOORHEN (COMMON GALLINULE) REGULATIONS FOR 2012-2013, SECTION 502, TITLE 14, CCR.

Received the Department's recommendations from Shaun Oldenburger. Received public testimony.

MOVED BY R. ROGERS, SECONDED BY M. SUTTON, THAT THE FISH AND GAME COMMISSION HEREBY CERTIFIES THE FINAL ENVIRONMENTAL DOCUMENT ON MIGRATORY WATERFOWL AND FINDS, ON THE BASIS OF FACTS IN THE RECORD AND THE ENVIRONMENTAL DOCUMENT, THAT THE PROPOSED PROJECT AND ALTERNATIVES WILL HAVE NO SIGNIFICANT ADVERSE IMPACT. PASSED UNANIMOUSLY.

MOVED BY R. ROGERS, SECONDED BY M. SUTTON, THAT THE FISH AND GAME COMMISSION HEREBY AMENDS SECTIONS 502, TITLE 14, CCR, RE: MIGRATORY WATERFOWL REGULATIONS FOR 2012-2013 AS RECOMMENDED BY THE DEPARTMENT, EXCEPT FOR THE SOUTHERN SAN JOAQUIN VALLEY ZONE DUCK SEASON FOR WHICH IT ADOPTED A SPLIT SEASON OF OCT. 6-14 AND OCT. 27-JAN. 27.

PASSED UNANIMOUSLY.

5. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SECTION 300, TITLE 14, CCR, RE: UPLAND GAME HUNTING REGULATIONS. Received the Department's report from Brad Burkholder. Received public testimony.

MOVED BY R. ROGERS, SECONDED BY J. BAYLIS, THAT THE FISH AND GAME COMMISSION HEREBY AMENDS SECTION 300, TITLE 14, CCR, RE UPLAND GAME BIRD HUNTING REGULATIONS AS RECOMMENDED BY THE DEPARTMENT, INCLUDING SAGE GROUSE PERMIT QUOTAS, JUNIOR HUNTING SEASON FOR QUAIL IN MOJAVE NATIONAL PRESERVE (SAN BERNARDINO COUNTY), AND AN INCREASE IN FALL SEASON LENGTH AND POSSESSION LIMITS FOR WILD TURKEYS.

PASSED UNANIMOUSLY.

6. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO SUBSECTION (b)(102) OF SECTION 632, TITLE 14, CCR, RE: BLUE CAVERN STATE MARINE CONSERVATION AREA.

There was no Department report. Received public testimony.

MOVED BY J. KELLOGG, SECONDED BY M. SUTTON, THAT THE FISH AND GAME COMMISSION HEREBY AMENDS SUBSECTION (b)(102) OF SECTION 632, TITLE 14, CCR, RE: BLUE CAVERN STATE MARINE CONSERVATION AREA AS PROPOSED.

PASSED UNANIMOUSLY.

7. POSSIBLE APPROVAL OF LEASE RATE INCREASE FOR STATE WATER BOTTOM LEASES:

- (A) TOMALES BAY SHELLFISH FARMS, MARIN COUNTY, STATE WATER BOTTOM LEASE NO. M-430-05.
- (B) COVE MUSSEL COMPANY, MARIN COUNTY, STATE WATER BOTTOM LEASE NO. M-430-06.
- (C) HOG ISLAND OYSTER COMPANY, MARIN COUNTY, STATE WATER BOTTOM LEASE NO. M-430-10.
- (D) NEUSHUL MARICULTURE, INC., SANTA BARBARA COUNTY, STATE WATER BOTTOM LEASE NO. M-654-03.

Received the Department's report from Kirsten Ramey. Received public testimony. No action taken and item deferred to the October 3-4, 2012, Fish and Game Commission meeting in Sacramento.

8. REQUEST OF MR. BERNARD FRIEDMAN, FOR EXTENSION OF STATE WATER BOTTOM LEASE NO. M-635-02, SANTA BARBARA MARICULTURE COMPANY, SANTA BARBARA COUNTY.

Received the Department's report from Kirsten Ramey. Received public testimony.

MOVED BY R. ROGERS, SECONDED J. BAYLIS, THAT THE FISH AND GAME COMMISSION HEREBY APPROVES THE EXTENSION OF STATE WATER BOTTOM LEASE NO. M-635-02, SANTA BARBARA MARICULTURE COMPANY, SANTA BARBARA COUNTY, FOR A TERM OF ONE YEAR AT A RENTAL RATE OF \$10.00 PER ACRE AND FURTHER REQUESTS THE DEPARTMENT DEVELOP STANDARD LEASE TERMS, PERFORMANCE STANDARDS, AND RENTAL RATES FOR OFFSHORE AQUACULTURE LEASES.

PASSED UNANIMOUSLY.

9. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTIONS 27.65 AND 28.30, TITLE 14, CCR, RE: SAND AND KELP BASS. (Note: The adoption hearing is scheduled for November 7, 2012 in Los Angeles.)
Received the Department's PowerPoint presentation from Erica Jarvis. Received public testimony.
10. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SPORT FISHING REGULATIONS FOR 2013-2014, SECTION 1.45 ET AL., TITLE 14, CCR. (Note: The adoption hearing is scheduled for November 7, 2012 in Los Angeles.)
Received the Department's PowerPoint presentation from Stafford Lehr. Received public testimony.
11. REVIEW OF PAST PROPOSALS, RECEIPT OF NEW INFORMATION, AND DISCUSSION AND POSSIBLE DIRECTION ON USE OF LEAD AMMUNITION.
- (A) AUTHORIZED METHODS OF TAKE ON WILDLIFE AREAS AND ECOLOGICAL RESERVES.
Executive Director Mastrup summarized the previous proposal regarding DFG lands.
- (B) AUTHORIZED METHODS OF TAKE FOR ANIMALS CAUSING DAMAGE.
Executive Director Mastrup summarized the previous proposal regarding depredation.
- (C) PRESENTATIONS ON NEW INFORMATION REGARDING LEAD AMMUNITION.
Executive Director Mastrup summarized the item.
- I. NATIONAL RIFLE ASSOCIATION.
Received presentation from Don Saba.
- II. NATIONAL AUDUBON SOCIETY
Received presentation from Dan Taylor.
- Received public testimony. The Commission formed a subcommittee of J. Kellogg and M. Sutton to receive additional information on this issue and report back to the full Commission at a future meeting.**
12. DISCUSSION AND POSSIBLE DIRECTION TO PUBLISH NOTICE OF COMMISSION INTENT TO CHANGE THE NAME OF LOVERS POINT STATE MARINE RESERVE.
Executive Director Mastrup summarized the item. Received public testimony.
- Commission directed staff to publish notice of Commission intent to change the name of Lovers Point State Marine Reserve.***

CONSENT CALENDAR

Item No. 13 was pulled from the Consent Calendar and received public testimony.

MOVED BY J. BAYLIS, SECONDED BY R. ROGERS, TO APPROVE CONSENT CALENDAR ITEM NUMBERS 13 THROUGH 17.

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

NOES: D. RICHARDS.

MOTION PASSED:

13. RECEIPT OF THE DEPARTMENT'S EVALUATION REPORT, PURSUANT TO SECTION 2073.5 OF THE FISH AND GAME CODE, ON THE PETITION TO LIST THE GRAY WOLF (*Canis lupus*) AS AN ENDANGERED SPECIES. (Note: Public testimony and possible Commission action are scheduled for the October 3, 2012 meeting in Sacramento.)
Received the Department's written evaluation report. Received public testimony.
14. APPROVAL OF REQUEST BY CALIFORNIA STATE UNIVERSITY, SAN FRANCISCO TO RENEW ITS RESTRICTED SPECIES PERMIT (#2601) FOR 2012 AND APPROVAL TO POSSESS THE FOLLOWING TRANSGENIC AQUATIC SPECIES: ZEBRAFISH (*Danio rerio*), THREESPINE STICKLEBACK (*Gasteroseus aculeatus*), KELP ROCKFISH (*Sebastes atrovirens*), BLUEBANDED GOBY (*Lythrypnis dalli*), AND BAY PIPEFISH (*Syngnathus leptorhynchus*).
Approved request to renew permit and to possess the requested transgenic aquatic species. No public testimony.
15. APPROVAL OF ANNUAL REPORT AND 2012 PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA PLANS FOR:
- (A) BASIN VIEW RANCH, MODOC COUNTY
 - (B) BELL RANCH, TEHAMA COUNTY
 - (C) CLARKS VALLEY RANCH, LASSEN COUNTY
 - (D) HATHAWAY OAK RUN RANCH, SHASTA COUNTY
 - (E) LITTLE DRY CREEK RANCH, TEHAMA COUNTY
 - (F) ORDWAY RANCH, CALAVERAS COUNTY
 - (G) PBM FARMS, SISKIYOU COUNTY
 - (H) R WILD HORSE RANCH, TEHAMA COUNTY
 - (I) ROARING RIVER RANCH, SHASTA COUNTY
 - (J) ROCK CREEK RANCH, BUTTE COUNTY/TEHAMA COUNTY
 - (K) SALT CREEK RANCH, TEHAMA COUNTY
 - (L) SNOWSTORM RANCH, LASSEN COUNTY
 - (M) SOPER-WHEELER RANCH, YUBA COUNTY
 - (N) SPURLOCK RANCH, GLENN COUNTY
 - (O) SUGARLOAF-BANGOR RANCH, YUBA COUNTY
- Approved Annual Reports and 2012 Private Lands Habitat Enhancement and Wildlife Area Plans for 15 ranches. No public testimony.**
16. APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2012-2017) AND 2012-2013 MANAGEMENT PLANS FOR:
- (A) ASH VALLEY RANCH, LASSEN COUNTY
 - (B) DESERET FARMS-BALLARD UNIT, BUTTE COUNTY
 - (C) DESERET FARMS-WILSON UNIT, BUTTE COUNTY
 - (D) JERUSALEM CREEK RANCH, SHASTA COUNTY
 - (E) LOOKOUT RANCH, MODOC COUNTY
 - (F) M&T CHICO RANCH, BUTTE COUNTY
 - (G) STOVER RANCH, HUMBOLDT COUNTY
- Approved Private Lands Habitat Enhancement and Wildlife Area Licenses and Management Plans for seven ranches. No public testimony.**
17. APPROVAL OF MODIFICATION OF AUTHORIZED HARVESTS FOR STEWART RANCH.
Approved modification of authorized harvest for Stewart Ranch. No public testimony.

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. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.
- V. 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.
- VI. 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.

There being no further business, the Fish and Game Commission meeting recessed at 5:02 p.m. and to reconvene on August 9, 2012, at 9:00 a.m.

Commissioners
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 Discovery Bay
Michael Sutton, Vice President
 Monterey
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Fish and Game Commission



Staff Summary, Meeting of August 9, 2012

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

Pursuant to the call of the President, the Commission met at the Crowne Plaza Ventura Beach, San Miguel Ballroom A, 450 East Harbor Boulevard, Ventura, California on August 9, 2012. The meeting was called to order at 9:00 a.m. by President Kellogg.

FISH AND GAME COMMISSION

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

Persons present:

COMMISSION STAFF

Sonke Mastrup	Executive Director
Scott Barrow	Deputy 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

Debra Fletcher	Deputy Attorney General
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NATURAL RESOURCES AGENCY

Cat Kuhlman	Deputy Secretary for Oceans and Coastal Matters
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DEPARTMENT OF FISH AND GAME

Chuck Bonham	Director
Dan Yparraguirre	Deputy Director, Wildlife and Fisheries Division
Nancy Foley	Deputy Director, Law Enforcement Division
Tom Gibson	General Counsel

Mike Taugher	Asst. Deputy Director, Office of Communications, Education & Outreach
Stafford Lehr	Chief, Fisheries Branch
Becky Ota	Marine Region
Steve Wertz	Marine Region
Marci Yaremko	Marine Region
Mike Stefanak	Law Enforcement Division
Dennis Rosenberg	Law Enforcement Division
Josh Crocker	Law Enforcement Division
Kevin Derosé	Law Enforcement Division
Josh Handler	Law Enforcement Division
Josh Brennan	Law Enforcement Division
Kevin Hare	Law Enforcement Division
Kevin Kintz	Law Enforcement Division

The following persons were present and heard:

<u>Name</u>	<u>Organization</u>	<u>Agenda Item(s)</u>
Dennis Fox	Concerned Citizen	18, 22, 23
Joe Exline	Oceanside Anglers	18
Paul Weakland	Commercial Fisherman	18, 19, 20, 22B, 25C
Kris Vardas	PG&E	21
Mark Krausse	PG&E	21
John Steineck	PG&E	21
David Kirk	Port San Luis Fisherman's Association	21
Jenn Eckerle	Natural Resources Defense Council	21, 22B
Tom Maricich	Commercial Fisherman-Moss Landing	21
Steve Rienecke	The Nature Conservancy	21
Greg Helms	Ocean Conservancy	21
Tom Hafer	Commercial Fisherman-Morro Bay	21
George Osborn	CARF/PSO/Mt. Lassen Trout Farm	21, 25, 26
Leslie Purcell	Sierra Club	21, 22A
Douglas Bush	The Cultured Abalone Farms	22B
Dr. Kevin Chu	NOAA Fisheries	23
Bob Lloyd	AGP Video	27

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

18. CONTINUATION OF PUBLIC FORUM.
Received public testimony from the following individuals: Dennis Fox, Joe Exline, and Paul Weakland.
19. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.
There was nothing to report; no action was taken. Received public testimony.
20. PRESENTATION BY THE SANTA YNEZ BAND OF CHUMASH INDIANS REQUESTING AN EXEMPTION FROM THE SOUTH COAST STUDY REGION MARINE PROTECTED AREAS FOR CULTURAL AND CEREMONIAL FISHING AND GATHERING.
Executive Director Mastrup summarized the issue. Received public testimony from Sam Cohen on August 8, 2012, during the Public Forum item. Commission to work with Natural Resources Agency and stakeholders on a comprehensive statewide outreach effort to determine coastal tribal usage within Marine Protected Areas (MPAs). Process to begin once the North Coast MPA regulations are approved by the Office of Administrative Law.

21. RECEIPT AND DISCUSSION OF INFORMATION ON DIABLO CANYON POWER PLANT SEISMIC TESTING.

(A) DEPARTMENT PRESENTATION.
Received the Department's PowerPoint presentation from Becky Ota.

(B) PACIFIC GAS AND ELECTRIC COMPANY PRESENTATION.
Received PG&E's PowerPoint presentation from Kris Vargas and John Steinbeck.

Received public testimony. Commission continued the item to a special hearing to be held September 24th in Sacramento to discuss scientific collecting permits and possible monitoring and mitigation.

INFORMATIONAL ITEMS

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

(A) RECEIPT OF DEPARTMENT OF FISH AND GAME DIRECTOR'S REPORT.
Director Bonham provided an update on the following issues: Federal scientific review report on salmon/steelhead hatcheries was recently received, Inland Trout Hatchery Program update, and the Department's senior level leadership team is now at full capacity. Received public testimony.

(B) RECOMMENDATION AND PROPOSED TIMELINE FOR THE AMENDMENT OF SECTIONS 165 AND 165.5, TITLE 14, CCR, RE: COMMERCIAL TAKE OF KELP AND OTHER AQUATIC PLANTS.
Received the Department's update for a three-phased approach to overhauling regulations from Steve Wertz. Received public testimony. Item to be discussed the following day at the Marine Resources Subcommittee.

(C) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION DIVISION UPDATES.
Received the Department's update from Deputy Director Yparraguirre regarding the following issues: Trout Fest 2012, Vegetation Mapping, New Pumping Plant and Fish Screen on the Sacramento River, and salmon fishing on the upper Sacramento River. Received public testimony.

(D) LAW ENFORCEMENT DIVISION UPDATE.
Received a local report from Captain Mike Stefanak regarding the following issues: positions, offshore patrol boats, inland trends, poaching cases, academy graduates and the increase in bear encounters. Chief Foley reported on the Academy and stated that the Department had 396 law enforcement positions with only 9 vacancies which should be filled soon. Received public testimony.

(E) UPDATE ON FALCONRY REGULATIONS.
Received the Department's update and clarification from Deputy Director Yparraguirre. No public testimony.

(F) OTHER.
Becky Ota announced there was a symposium planned for the 5 year anniversary celebration of the Central Coast MPA scheduled for February 27-

March 1, 2013, at the Marriott Hotel, Monterey. No public testimony.

23. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.
Received report from Dr. Kevin Chu regarding NOAA's internal process regarding Habitat Focus Area Initiative. Received public testimony.
24. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.
There was no report. No public testimony.

ACTION ITEMS

25. RECEIPT AND POSSIBLE ACTION ON COMMISSION BUSINESS.
- (A) DISCUSSION OF COMMISSION LICENSE AND PERMIT APPEALS PROCESS.
Executive Director Mastrup reported that the appeal process workload is very heavy and time consuming. He reported that a rulemaking change was being developed to enable the Commission to process uncontested appeals. No public testimony. Proposed rulemaking will be presented for possible notice approval at a future meeting.
- (B) DISCUSSION OF PROPOSAL TO UPDATE COMMISSION STRATEGIC PLAN AND POLICIES.
Executive Director Mastrup reported that the 16 year old Strategic Plan and the Commission's policies were in need of updating. No public testimony.
- (C) SUBCOMMITTEE REPORTS AND RECOMMENDATIONS.
- I. MARINE RESOURCES COMMITTEE.
There was no update; next meeting scheduled for August 10, 2012, in Ventura. Received public testimony.
- II. AL TAUCHER COMMITTEE.
There was no report. No public testimony.
- III. BUDGET COMMITTEE.
There was no report. No public testimony.
- IV. OTHER.
There was no report. No public testimony.
- (D) ITEMS UNDER CONSIDERATION THAT NEED TO BE RESCHEDULED.
- I. ABALONE REGULATIONS.
- II. AUTOMATED LICENSE DATA SYSTEM AUTHORITY NUMBERS AND ONE-DAY LICENSES.
- III. FALCONRY REGULATIONS. – **To be scheduled.**
- IV. MATCH PLANTING PROGRAM.
- V. TERMINAL MARKETS.
- (E) NEW BUSINESS/COMMISSION FOLLOW-UP AND STAFF DIRECTION.
There was discussion regarding an offshore aquaculture facility near Long Beach. Commission directed staff to send a letter to California Coastal Commission offering FGC expertise and consultation whenever a coastal fisheries or aquaculture issue arise.

26. RECEIPT OF AND POSSIBLE ACTION ON LEGISLATIVE REPORTS.
- (A) DEPARTMENT OF FISH AND GAME REPORT.
Director Bonham provided a brief legislative update. Received public testimony.
- (B) POSSIBLE CONSIDERATION OF COMMISSION POSITIONS ON PROPOSED LEGISLATION.
There was no report.
27. ANNOUNCEMENT OF FUTURE MEETINGS.
Executive Director Mastrup reviewed the meeting schedule for the balance of the year. No public testimony.

**2012 FISH AND GAME COMMISSION
 MEETING SCHEDULE**
www.fgc.ca.gov

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 Laguna Room 6225 West Century Boulevard Los Angeles
December 12 (Wed.)	Hilton San Diego Mission Valley 901 Camino del Rio South San Diego

28. DISCUSSION OF MEETING DATES AND LOCATIONS FOR 2013.
Executive Director Mastrup reviewed the proposed meeting schedule for 2013 and indicated that it would be scheduled for adoption at the October meeting. Received public testimony.

**DRAFT
 2013 FISH AND GAME COMMISSION
 MEETING SCHEDULE**
www.fgc.ca.gov

February 6 (Wed.) February 7 (Thurs.)	Sacramento
March 6 (Wed.) March 7 (Thurs.)	Mt. Shasta Medford, OR
April 17 (Wed.) April 18 (Thurs.)	Palm Springs
May 22 (Wed.) May 23 (Thurs.)	Morro Bay
June 26 (Wed.) June 27 (Thurs.)	Tahoe

August 7 (Wed.) August 8 (Thurs.)	Bodega Bay
September 4 (Wed.) September 5 (Thurs.)	Long Beach
October 2 (Wed.) October 3 (Thurs.)	Del Mar
November 6 (Wed.) November 7 (Thurs.)	Dana Point
December 11 (Wed.) December 12 (Thurs.)	San Diego

Winter WAFWA Meeting, January 3-6, Tucson, AZ
 Summer WAFWA Meeting, July XXXX, Omaha, NE
 Pacific Fishery Management Council Meeting, March 6-11, Tacoma, WA
 Pacific Fishery Management Council Meeting, April 6-11, Portland, OR
 Pacific Flyway Meeting, March/July

There being no further business, the Fish and Game Commission meeting adjourned at 1:02 p.m.