

Commissioners
Michael Sutton, President
Monterey
Richard Rogers, Vice President
Santa Barbara
Jim Kellogg, Member
Discovery Bay
Jack Baylis, Member
Los Angeles
Vacant, Member

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 April 17, 2013

Following is a summary of the subject meeting. The official record of the meeting provided by the Department of General Services can be found on DVDs located in the Commission Office.

Pursuant to the call of the President, the Commission met at the Flamingo Conference Resort and Spa, 2777 Fourth Street, Santa Rosa, California on April 17, 2013. The meeting was called to order at 10:00 a.m. by President Sutton.

FISH AND GAME COMMISSION

Michael Sutton	President	Present
Richard Rogers	Vice President	Present
Jim Kellogg	Member	Present
Jack Baylis	Member	Present
Vacant	Member	

Persons present:

COMMISSION STAFF

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

OFFICE OF THE ATTORNEY GENERAL

Christopher Ames	Senior Assistant Attorney General
------------------	-----------------------------------

DEPARTMENT OF FISH AND WILDLIFE

Chuck Bonham	Director
Dan Yparraguirre	Deputy Director, Wildlife and Fisheries Division
Tom Gibson	Office of the General Counsel
Mike Carion	Deputy Director, Law Enforcement Division
Stafford Lehr	Chief, Fisheries Branch
Eric Loft	Chief, Wildlife Branch

Andy Roberts	Law Enforcement Division
Steve Riske	Law Enforcement Division
Jerry Stone	Law Enforcement Division
Ian Bearry	Law Enforcement Division
Mark Ratley	Law Enforcement Division
Andrew Ross	Law Enforcement Division
Barry Miller	Marine Region
Brad Valentine	Wildlife Branch
Ian Taniguchi	Marine Region
Laura Rogers-Bennett	Marine Region
Brett Kormas	Marine Region

The following persons were present and heard:

<u>Name</u>	<u>Organization</u>	<u>Agenda Item(s)</u>
Nathan Dorris	Concerned Hunter	1
Scott McMorrow	Concerned Hunter	1
Devon McMorrow	Concerned Citizen	1
Laura Dax Honda	Students of Manor School	1
Maddie Folkers	Students of Manor School	1
Isabel Folkers	Students of Manor School	1
Kai Melton	Students of Manor School	1
Camille Davis	Students of Manor School	1
Sylvia Timbers	Action Tomales Bay	1
David Harrell	Concerned Citizen	1
Dr. James Bauer	Concerned Citizen/Wildlife Scientists	1
Christy Griffin	In Defense of Animals	1
Karina Grasso	In Defense of Animals	1
Steve Mathieu	AGP Video, Inc.	1
Nancy Castle	AGP Video, Inc.	1
Cornelia Durrant	Action Tomales Bay	1
Kelle Kacmarik	WildCare	1
David Kirk	Port San Luis Commercial Fishermen's Association	1
Lee Dahlberg	Concerned Hunter	1
Eric Mills	Action for Animals	1, 18
Michael Greenberg	Alliance for Local Sustainable Agriculture	1
Neal Desai	National Parks Conservation Association	1
Autumn Bremer	Pacific Rim Seafood and City of Fort Bragg	1
Mark Hennelly	California Waterfowl Association	1
Steve Rebuck	Concerned Citizen	1, 7
Jeffrey Creque	Alliance for Local Sustainable Agriculture	1
Joe Exline	Concerned Citizen	1, 15D
Paul Weakland	Commercial Fisherman	1, 7
Kevin Lunny	Drakes Bay Oyster Farm	1

Chris Martinelli	Concerned Hunter	1
Robert Arndt	Concerned Citizen/Hunter	1
Rick Bullock	California Outdoor Heritage Alliance	1, 3
Steve Doughty	Concerned Citizen/Hunter	1
Mat Keller	Concerned Citizen	1
Norm Green	The Alliance of Dogmen/The Outdoor Sportsmen's Coalition	1
Matt Davis	Concerned Citizen/Hunter	1
Camilla Fox	Project Coyote	1, 15D
Bill Bagley	Former California Senator	1
Andrew Orahoske	Environmental Protection Information Center	6
Kevin Collins	Ventana Chapter, Sierra Club	6
Al Gerhardt	Concerned Citizen	6, 7, 15
Noelle Cremers	Ca. Farm Bureau Federation	6
Matt Greene	Ca. Licensed Foresters Association	6
Frank Barron	Chief Forester, Crane Mills	6
Douglas Meekins	Campbell Timber Management	6
Edward Murphy	Sierra Pacific Industries	6
Gary Rynearson	Green Diamond Resource Co.	6
David Bischel	California Forestry Association (Calforests)	6
Sal Chinnici	Humboldt Redwood Company	6
Peter Bradford	Concerned Citizen	6
Lisa Weger	Concerned Landowner	6
Jim Martin	Sonoma County Abalone Network (SCAN)	7
Tom Bieri	Sonoma County Diver	7
John Russo	Watermen's Alliance	7
Ed Schulze	Concerned Citizen	7
Bill Lemos	Mendocino Abalone Watch	7
Jack Likins	Recreational Abalone Diver	7
Johnathan Centoni	Recreational Abalone Diver	7
Rick Copeland	Recreational Diver	7
Karen Garrison	Natural Resources Defense Council	7
Samantha Murray	Ocean Conservancy	7
Bob Crabtree	Project Coyote	15D
Kevin Chu	NOAA Fisheries	17B
Diane Windham	NOAA Fisheries	17B

President Sutton introduced members of the Commission, its staff, Directorate and Christopher Ames of the Attorney General's Office.

1. PUBLIC FORUM.

Received public testimony from the following individuals: Nathan Dorris, Scott McMorrow, Devon McMorrow, Laura Dax Honda, Maddie Folkers, Isabel Folkers, Kai Melton, Camille Davis, Sylvia Timbers, David Harrell, Dr. James Bauer, Christy Griffin, Karina Grasso, Steve Mathieu, Nancy Castle, Cornelia Durrant, Kelle Kacmarik, David Kirk, Lee Dahlberg,

Eric Mills, Michael Greenberg, Neal Desai, Autumn Bremer, Mark Hennelly, Steve Rebuck, Jeffrey Creque, Joe Exline, Paul Weakland, Kevin Lunny, Chris Martinelli, Robert Arndt, Rick Bullock, Steve Doughty, Mat Keller, Norm Green, Matt Davis, Camilla Fox, and Bill Bagley. (Some testimony was related to item No. 21 which was deferred to a future meeting due to pending litigation.)

The Commission heard comments regarding the following items and rejected requests to act on them: Coyote killing contests (previously referred to the Wildlife Resources Committee), prohibit moto ducks for waterfowl hunting, importation of frogs and turtles, Drakes Bay lease, rotation of sea urchin take in MPAs, and the legalization of hedgehogs.

THE FISH AND GAME COMMISSION HEREBY RECOGNIZES THE PUBLIC COMMENTS AND RECOMMENDATIONS AND RECOMMENDS NO ACTION REGARDING THE TOMALES BAY ECOLOGICAL RESERVE WATERFOWL HUNTING/LANDS USE REGULATION CHANGE.

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

2. COMMITTEE ASSIGNMENTS

- I. MARINE RESOURCES COMMITTEE
- II. WILDLIFE RESOURCES COMMITTEE

The Commission previously designated M. Sutton and R. Rogers to co-chair the Marine Resources Committee, and designated J. Baylis, and J. Kellogg to co-chair the Wildlife Resources Committee (WRC) and Executive Director Mastrup to staff the WRC. Executive Director Mastrup indicated that a WRC meeting would be scheduled soon. No public testimony.

3. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO MAMMAL HUNTING REGULATIONS (SECTIONS 354, 360, 361, 362, 363, 364, AND 708.9, TITLE 14, CCR)

Received the Department's PowerPoint presentation from Eric Loft.
Received public testimony.

***MOVED BY J. KELLOGG, SECONDED BY J. BAYLIS, THAT
THE FISH AND GAME COMMISSION HEREBY ADOPTS THE PROPOSED QUOTA CHANGES, CLARIFICATIONS AND URGENCY CHANGES FOR THE 2013-2014 MAMMAL HUNTING REGULATIONS AS PRESENTED BY THE DEPARTMENT OF FISH AND WILDLIFE.***

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

4. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO KLAMATH-TRINITY SPORT FISHING REGULATIONS (SECTION 7.50, TITLE 14, CCR)

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

MOVED BY J. KELLOGG, SECONDED BY J. BAYLIS, THAT THE FISH AND GAME COMMISSION HEREBY ADOPTS THE 2013 KLAMATH/TRINITY SALMON SPORT FISHING REGULATIONS AS RECOMMENDED BY THE DEPARTMENT OF FISH AND WILDLIFE. AYES: J. BAYLIS, J. KELLOGG, R. ROGERS, M. SUTTON. MOTION PASSED.

5. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO OCEAN SALMON SPORT FISHING REGULATIONS FOR MAY TO NOVEMBER 2013 (SUBSECTION 27.80(d), TITLE 14, CCR)

Received the Department's PowerPoint presentation from Barry Miller.
No public testimony.

MOVED BY J. BAYLIS, SECONDED BY J. KELLOGG, THAT THE FISH AND GAME COMMISSION HEREBY ADOPTS THE MAY TO NOVEMBER 2013 RECREATIONAL FISHING REGULATIONS FOR OCEAN SALMON AS RECOMMENDED AND PRESENTED BY THE DEPARTMENT OF FISH AND WILDLIFE. AYES: J. BAYLIS, J. KELLOGG, R. ROGERS, M. SUTTON. MOTION PASSED.

6. CONSIDERATION OF PETITION, DEPARTMENT'S REPORT, AND COMMENTS RECEIVED ON WHETHER LISTING NORTHERN SPOTTED OWL (*Strix occidentalis caurina*) AS A THREATENED OR ENDANGERED SPECIES MAY BE WARRANTED (FISH AND GAME CODE SECTION 2074.2)
Note: If the Commission determines listing may be warranted, a one-year status review will commence before the final decision on listing is made.

Received PowerPoint presentations from Eric Loft of the Department and Andrew Orahoske representing the Environmental Protection Information Center (EPIC). Received public testimony.

MOVED BY J. BAYLIS, SECONDED BY J. KELLOGG, THAT THE FISH AND GAME COMMISSION HEREBY DEFERS THIS ITEM TO ITS AUGUST 7-8, 2013, MEETING. AYES: J. BAYLIS, J. KELLOGG, R. ROGERS, M. SUTTON. MOTION PASSED.

MOVED BY J. BAYLIS, SECONDED BY J. KELLOGG, THAT THE FISH AND GAME COMMISSION HEREBY REJECTS THE PETITION TO

ADOPT EMERGENCY 2084 REGULATIONS FOR THE NORTHERN SPOTTED OWL.

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

MOTION PASSED.

7. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND ABALONE REGULATIONS PURSUANT TO THE ABALONE RECOVERY AND MANAGEMENT PLAN (SECTION 29.15, TITLE 14, CCR)

Note: Discussion and adoption hearings are scheduled for May and June, respectively.

Received the Department's PowerPoint presentations from Laura Rogers-Bennett and Ian Taniguchi. Received public testimony.

MOVED BY R. ROGERS, SECONDED BY J. KELLOGG, THAT THE FISH AND GAME COMMISSION HEREBY AUTHORIZES STAFF TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 29.15, TITLE 14, CCR, REGARDING ABALONE TO INCLUDE ALL OF THE DEPARTMENT'S RECOMMENDATIONS AND ALTERNATIVES RECEIVED FROM THE PUBLIC, EXCEPT THE RECOMMENDATION TO OPEN MARINE PROTECTED AREAS, PLUS A TWO YEAR SUNSET CLAUSE FOR THE FORT ROSS CLOSURE. THE COMMISSION ALSO DIRECTED THE DEPARTMENT TO MOVE FORWARD ON THE UPDATE OF THE ABALONE RESOURCES MANAGEMENT PLAN.

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

ABSENT: J. BAYLIS.

MOTION PASSED.

CONSENT ITEMS

8. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND DEPREDATION PERMIT APPLICATION REGULATIONS (SECTIONS 401 AND 480, TITLE 14, CCR)

Note: Discussion and adoption hearings are scheduled for May and June, respectively.

9. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO ADOPT MEETING PROCEDURE REGULATIONS (SECTION 665, TITLE 14, CCR)

Note: The discussion and adoption hearing is scheduled for the June meeting.

10. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND FISHING ACTIVITY RECORDS REGULATIONS (SECTIONS 190 AND 195, TITLE 14, CCR)

Note: The discussion and adoption hearing is scheduled for the June meeting.

11. RECEIPT OF THE DEPARTMENT'S ONE YEAR STATUS REPORT/RECOMMENDATION ON THE PETITION TO LIST THE AMERICAN PIKA (*Ochotona princeps*) AS A THREATENED SPECIES (FISH AND GAME CODE SECTION 2074.6)

Note: This agenda item is for public notification purposes only. Commission action will be scheduled for the May meeting.

12. APPROVAL OF REQUEST OF MR. BRADFORD FLOYD TO REINSTATE THE SALMON VESSEL PERMIT FOR THE F/V *RONNIE B*

13. APPROVAL OF REQUEST OF MR. KEN BEER TO OBTAIN BROODSTOCK STRIPED BASS PERMIT FROM THE WILD AS SPECIFIED BY THE DEPARTMENT

14. POSSIBLE APPROVAL OF ANNUAL REPORT AND 2013 PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA PLANS FOR:

- (A) BIG MORONGO SPRINGS RANCH, SAN BERNARDINO COUNTY
- (B) LEWIS RANCH, SAN BENITO COUNTY
- (C) LONE RANCH, SAN BENITO COUNTY
- (D) PEACHTREE RANCH, MONTEREY COUNTY

No public testimony.

MOVED BY R. ROGERS, SECONDED BY J. KELLOGG, THAT THE FISH AND GAME COMMISSION HEREBY ADOPTS THE CONSENT CALENDAR, ITEMS 8-14.

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

ABSENT: J. BAYLIS.

MOTION PASSED.

15. COMMISSION STAFF REPORT FOR CONSIDERATION AND POSSIBLE ACTION
- (A) RECOMMENDATIONS ON ITEMS OF INTEREST FROM PRIOR MEETINGS
There were no items. No public testimony.
 - (B) REPORT ON CALIFORNIA LAW REVISION COMMISSION PROCESS
Deputy Executive Director Shea provided a brief recap of the process. No public testimony.
 - (C) PREVIEW OF FUTURE AGENDA ITEMS
Executive Director Mastrup reviewed future items. No public testimony.

Potential **May** Agenda Items

- 1) Discussion of depredation permit application, fishing activity records, and abalone catch reduction regulation changes
- 2) Notice of upland game bird and stamp, waterfowl and stamp, sturgeon tags, mountain lion display, harvest of kelp and aquatic plants, ground squirrel depredation and herring regulation changes
- 3) Commission review of one year status report on American Pika petition and candidate status
- 4) Receipt of Department's 90 day evaluation report for Townsend's big-eared bat
- 5) Department report on monitoring and adaptive management
- 6) Update on the State of the Central Coast Symposium-reflecting on the first five years of monitoring and management
- 7) Repeal of Commission Policies
- 8) Approval of request of Mr. Dunn to reinstatement Southern Rock Crab Trap permit
- 9) Update on Black-backed woodpecker petition one-year status report
- 10) DFW prioritize the development and implementation of electronic reporting systems for commercial fisheries; directs staff to work with the Department and stakeholders to develop an approach to revise the master plan for fisheries
- 11) Schedule adoption of the "rules of order and procedures" for MRC

Potential **June** Agenda Items

- 1) Adoption of depredation permit application, abalone catch reduction, fishing activity records, and FGC meeting procedures regulation changes
- 2) Discussion of mountain lion display, upland game bird and stamp and waterfowl and stamp regulation changes
- 3) Notice of trout and salmon special regulation changes
- 4) Commission review of one year status report on black-backed wood pecker petition and candidate status
- 5) Decision on whether listing Townsend's big-eared bat may or may not be warranted
- 6) Receipt of Department reports on proposed duck stamp projects and lead levels in condors

Potential **August** Agenda Items

- 1) Adoption of mountain lion display, upland game bird and stamp, waterfowl and stamp, and ground squirrel depredation regulation changes
- 2) Discussion of sturgeon tags, harvest of kelp and aquatic plants regulation changes
- 3) Notice of south coast MPA clean-up and private lands management regulation changes
- 4) Commission recognition of newly inducted members to CA Waterfowlers Hall of Fame
- 5) Decision of whether listing Northern spotted owl may be warranted

(D) MARINE RESOURCES COMMITTEE

I. RECEIPT AND CONSIDERATION OF MARINE RESOURCES COMMITTEE RECOMMENDATIONS

Received report from Craig Shuman on the recent meeting and a review of their annual work plan for the upcoming year. Executive Director Mastrup reported that the predator review process was underway and referred to the Wildlife Resources Committee.

Received public testimony.

II. RECEIPT AND CONSIDERATION OF MARINE RESOURCES COMMITTEE RULES OF ORDER AND PROCEDURES

Note: Commission action on the Rules of Order and Procedures may be scheduled at a future meeting.

MOVED BY M. SUTTON, SECONDED BY R. ROGERS, THAT THE FISH AND GAME COMMISSION HEREBY RECOMMENDS THAT THE DEPARTMENT OF FISH AND WILDLIFE PRIORITIZE THE DEVELOPMENT AND IMPLEMENTATION OF ELECTRONIC REPORTING SYSTEMS FOR COMMERCIAL FISHERIES; DIRECTS STAFF TO WORK WITH THE DEPARTMENT AND STAKEHOLDERS TO DEVELOP AN APPROACH TO REVISE THE MASTER PLAN FOR FISHERIES; AND FINALLY SCHEDULE ADOPTION OF THE "RULES OF ORDER AND PROCEDURES" FOR THE MAY MEETING. AYES: J. KELLOGG, R. ROGERS, M. SUTTON. ABSENT: J. BAYLIS. MOTION PASSED.

16. DEPARTMENT OF FISH AND WILDLIFE INFORMATIONAL ITEMS

(A) DIRECTOR'S REPORT

Director Bonham reported on the following issues: visiting and meeting with staff at Santa Rosa office, data collection and the removal of a coded wire tag from a salmon, and update of the Sierra Nevada Bighorn Sheep. No public testimony.

(B) UPDATE ON BLACK-BACKED WOODPECKER PETITION ONE-YEAR STATUS REPORT

Deputy Director Yparraguirre reported that the Status Report would be available for the May meeting. No public testimony.

- (C) UPDATE ON TOWNSEND'S BIG-EARED BAT PETITION 90-DAY EVALUATION REPORT
Deputy Director Yparraguirre reported he just received information and would have a report at the May meeting. No public testimony.
 - (D) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION DIVISION
 - I. MONITORING AND ADAPTIVE MANAGEMENT
This item was rescheduled to the Commission May 22-23, 2013, meeting in Los Angeles. No public testimony.
 - (E) LAW ENFORCEMENT DIVISION
Received a report from Captain Riske regarding the local law enforcement issues. No public testimony.
 - (F) MARINE
Received the Department's PowerPoint presentation from Brett Kormas regarding California's Chinook monitoring program.. No public testimony.
 - (G) OTHER
There was no report.
17. OTHER INFORMATIONAL ITEMS
- (A) LEGAL COUNSEL
There was no report. No public testimony.
 - (B) FEDERAL AGENCIES
Received an update from Diane Windham regarding Ocean Policy Implementation Plan. Received an update from Kevin Chu regarding sea lion mortality. No public testimony.
 - (C) UPDATE ON THE STATE OF THE CENTRAL COAST SYMPOSIUM – REFLECTING ON THE FIRST FIVE YEARS OF MONITORING AND MANAGEMENT
This item was rescheduled to the Commission May 22-23, 2013, meeting in Los Angeles.
18. RECEIPT OF AND POSSIBLE ACTION ON LEGISLATIVE MATTERS
- (A) DEPARTMENT OF FISH AND WILDLIFE REPORT
After reviewing the Department's list of legislative bills, President Sutton identified 4 bills of interest to refer to the Marine Resources Committee and 9 bills to the Wildlife Resources Committee. No public testimony.

19. COMMISSION POLICIES TO CONSIDER FOR REPEAL

Note: Commission action will be scheduled at the May 2013 meeting.

- (A) COMMISSION AGENDA
- (B) COMMISSION OFFICE STAFFING NEEDS
- (C) CRITERIA FOR CONSIDERING APPEALS OF PERMANENT REVOCATIONS OF A SPORT AND COMMERCIAL LICENSE OR PERMIT

Executive Director Mastrup reviewed the three policies and indicated some are duplicative of regulations and should be repealed. No public testimony.

MOVED BY R. ROGERS, SECONDED BY M. SUTTON, THAT THE FISH AND GAME COMMISSION HEREBY DIRECTS STAFF TO PLACE THESE POLICIES ON THE MAY AGENDA FOR ACTION. AYES: J. KELLOGG, R. ROGERS, M. SUTTON. ABSENT: J. BAYLIS. MOTION PASSED.

20. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION

Senior Assistant Attorney General Ames reported that pending and potential litigation was discussed. No public testimony.

21. POSSIBLE ACTION ON NEW BUSINESS, COMMISSION FOLLOW-UP AND STAFF DIRECTION

- (A) REQUEST LEGAL CLARIFICATION OF FISH AND GAME COMMISSION AND COASTAL COMMISSION JURISDICTION OVER AQUACULTURE.

Due to pending litigation, this item was deferred to a future meeting. Received public testimony under Item #1, Public Forum.

22. ANNOUNCEMENT OF FUTURE MEETINGS

**2013 FISH AND GAME COMMISSION
MEETING SCHEDULE**

www.fgc.ca.gov

May 22 (Wed.) May 23 (Thurs.)	Los Angeles
June 26 (Wed) June 27 (Thurs.)	Department of Consumer Affairs 1747 North Market Blvd.

	Sacramento
August 7 (Wed.) August 8 (Thurs.)	San Luis Obispo
September 4 (Wed.) September 5 (Thurs.)	Yreka (Sacramento?) Medford, OR Joint meeting with Oregon Fish and Wildlife Commission
October 2 (Wed.) October 3 (Thurs.)	Ventura
November 6 (Wed.) November 7 (Thurs.)	Santa Barbara (Palm Desert?)
December 11 (Wed.) December 12 (Thurs.)	San Diego

Summer WAFWA Meeting, July 19-24, Omaha, NE

Executive Director Mastrup reported that the September 4 agenda was very light at this time and suggested moving the meeting to Sacramento or cancel the meeting. He also reported that there are no facilities available for November in Santa Barbara and suggested an inland site in Southern California, possibly Palm Desert. No public testimony.

There being no further business, the Fish and Game Commission meeting adjourned at 5:49 p.m.

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.
-