

Commissioners

Michael Sutton, President
Monterey

Jack Baylis, Vice President
Los Angeles

Jim Kellogg, Member
Discovery Bay

Richard Rogers, Member
Santa Barbara

Jacque Hostler-Carmesin, Member
McKinleyville

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Sonke Mastrup, Executive Director

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Fish and Game Commission



*Wildlife Heritage and Conservation
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STAFF SUMMARY, MEETING OF FEBRUARY 11-12, 2015

This summary of the speakers and actions made at the meeting is prepared by staff.

Staff is not responsible for the accuracy of any information provided by the public.

The official meeting minutes – video and audio recordings – may be obtained from www.cal-span.org.

DAY 1 – FEBRUARY 11, 2015, 10:00 A.M.

Pursuant to the call of the president, the California Fish and Game Commission (Commission) met at the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California on February 11, 2015.

The meeting was called to order at 10:02 a.m. by President Sutton, who introduced members of the Commission and its staff, California Department of Fish and Wildlife (Department) directorate and Christopher Ames of the Attorney General’s Office.

The following commissioners and staff were in attendance:

FISH AND GAME COMMISSION

Michael Sutton	President	Present
Jack Baylis	Vice President	Present
Jim Kellogg	Member	Present
Richard Rogers	Member	Present
Jacque Hostler-Carmesin	Member	Present

COMMISSION STAFF

Sonke Mastrup	Executive Director
Melissa Miller-Henson	Program Manager
Susan Ashcraft	Marine Advisor
Mary Brittain	Administrative Assistant
Sherrie Fonbuena	Analyst
Caren Woodson	Analyst

OFFICE OF THE ATTORNEY GENERAL

Christopher Ames Deputy Attorney General

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Charlton Bonham	Director
Steve Ingram	Acting General Counsel
David Bess	Deputy Director and Chief, Law Enforcement Division
Dan Yparraguirre	Deputy Director, Wildlife and Fisheries Division
Craig Shuman	Regional Manager, Marine Region
Stafford Lehr	Chief, Fisheries Branch
Eric Loft	Chief, Wildlife Branch
Lacy Bauer	Senior Staff Counsel, Office of the General Counsel
Patrick Foy	Captain, Law Enforcement Division
Matt Gonzalez	Lieutenant, Law Enforcement Division
Brandon Owen	Warden, Law Enforcement Division
Brian Patrick	Warden, Law Enforcement Division
Marci Yaremko	Environmental Program Manager, Marine Region
Joanna Grebel	Senior Environmental Scientist, Marine Region
Barry Miller	Environmental Scientist, Marine Region

The following persons were present and heard (in order of agenda item number):

<u>Name</u>	<u>Organization</u>	<u>Agenda Item</u>
George Osborn	California Sportfishing League	3
Dan Yoakum	Commercial fisherman	3
Robert Juntz	Ocean Fresh, LLC	3
Kathy Lynch	Outdoor Sportsmen's Coalition of California, Safari Club International, National Shooting Sports Foundation, Lynch & Associates	3
Geoff Shester	Oceana	3
Jenn Eckerle	Natural Resources Defense Council	3
Paul Weakland	Concerned citizen	3
Jim Martin	Sonoma County Abalone Network, Recreational Fishing Alliance	3, 6
Mary Fairbanks	Commercial fisherman	3
Lisa Chiapero	Sunrise Seafoods, on behalf of Ken Bates	3
Reg Elgin	Dry Creek Band of Pomo Indians	4
April Wakeman	The Sportfishing Conservancy	6
Noelle Cremers	California Farm Bureau Federation	6, 20
Scott McBain	Humboldt Area Saltwater Anglers	9
John Gebers	North Coast Fishing Association, Noyo Fishing Center	10
Amy Trainer	Environmental Action Committee of West Marin	12, 21
Josh Russo	Sonoma County Abalone Network, Watermen's Alliance	20, 22
Paul Sousa	Western United Dairyman	20
Paul Weiland	Nossaman LLP, on behalf of Dairy Cares	20
Charlotte Ambrose	National Marine Fisheries Service	21

Jennifer Fearing	Humane Society of the United States	22
John Carlson	California Waterfowl Association	22
Neal Desai	National Parks Conservation Association	22
Greg Helms	Ocean Conservancy	22

The Commission took agenda item 20(D) out of order, but it is shown in numerical order in this summary.

1. Election of Commission President and Vice President

Sonke Mastrup described the roles of president and vice president for the Commission.

No public testimony.

Moved by J. Kellogg and seconded by J. Hostler-Carmesin that the Commission elect Jack Baylis as president.

Moved by J. Hostler-Carmesin and seconded by R. Rogers that the Commission elect Jim Kellogg as vice president.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motions passed.

Mike Sutton passed the gavel to the new president, Jack Baylis.

2. Committee Assignments

- (A) Marine Resources Committee
- (B) Wildlife Resources Committee
- (C) Tribal Committee

Sonke Mastrup identified the 2014 committee co-chairs and briefly summarized the subjects each committee addresses.

No public testimony.

Moved by R. Rogers and seconded by J. Kellogg that for 2015 the Commission assigns:

- 1. ***R. Rogers and M. Sutton to the Marine Resources Committee,***
- 2. ***J. Baylis and J. Kellogg to the Wildlife Resources Committee, and***
- 3. ***J. Hostler-Carmesin and M. Sutton to the Tribal Committee.***

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motion passed.

3. Marine Resources Committee

- (A) Work plan development
 - I. Update on current work plan and timeline
 - II. Discuss and approve new topics

Susan Ashcraft provided an update on the current committee work plan and timeline, including an overview of draft agenda topics for the March committee meeting. Mike Sutton indicated that there are a couple of over-arching issues that are being addressed by the committee: An update to the Marine Life Management Plan master plan for fisheries and Commission policy on restricted access. Craig Shuman provided information about the Department's marine region strategic plan and subject matter that is being discussed, which is consistent with the direction the committee is heading. Susan Ashcraft also suggested two previously-referred topics be added to the work plan related to nearshore fishery issues and squid fishery issues.

The Commission directed staff to work with the Department on the timing of the master plan for fisheries update and when a review of the Commission's restricted access policy is possible. Jack Baylis requested for future meetings that Department staff provide two lists of California fisheries: one ranked by economic importance and another ranked by biological importance.

Received public testimony.

The Commission indicated support for a presentation and discussing at the March committee meeting about possible actions to reverse declining sportfish license sales.

Jacque Hostler-Carmesin requested that staff explore additional ways to support stakeholder participation in meetings.

The Commission directed staff to add to the March committee meeting agenda a discussion about assisting small fishing businesses along the coast, including ways to encourage the purchase and consumption of local fresh fish to help support local, sustainable, coastal fishing communities, and how squid experimental permits might contribute to that effort; it also requested a presentation from staff on the legalities surrounding the experimental squid permits and asked staff to invite to the meeting the U.S. Small Business Administration.

Moved by J. Hostler-Carmesin and seconded by R. Rogers that the Commission approves the March 2015 Marine Resources Committee draft meeting topics and the committee work plan as discussed and amended today.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motion passed.

4. Tribal Committee
 - (A) Discuss draft tribal consultation policy
 - (B) Work plan development
 - I. Update on current work plan and timeline
 - II. Discuss and approve new topics

Sonke Mastrup summarized development of the draft tribal consultation policy and the key elements of that policy.

Received public testimony.

The Commission directed staff to distribute the draft policy for public comment, including distributing to tribes, place the subject on the April Commission meeting agenda for discussion, and then place the draft policy on the June Commission meeting agenda for adoption.

5. Adoption of proposed regulations for petitioning the Commission to change regulations (Add Section 662, Title 14, CCR)

Sonke Mastrup summarized the proposed regulation, identified that public comments were received that led staff to suggest revisions which are identified in the exhibits, and that a 15-day notice will be distributed.

No public testimony.

Moved by J. Kellogg and seconded by R. Rogers that the Commission adopts the revised proposed Section 662, Title 14, California Code of Regulations, concerning the regulation petition process and form.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motion passed.

6. Update on proposed regulations to govern Commission meeting procedures

Sonke Mastrup made a presentation on potential regulations to govern Commission procedures and clarified what is a quorum. The Commission requested that staff explore the possibility of committee meetings being noticed as Commission meetings so that more than two Commission members may attend and participate.

Chris Ames clarified that Commission members desiring to attend a meeting by phone must do so at a publically-noticed location at least ten days in advance. Jack Baylis requested that the regulation give the authority to approve a meeting agenda to the president, vice president, or an individual designated by the president or vice president. Jack Baylis also requested that the president, or his/her designee, approve presentations for meetings.

Received public testimony.

7. Discussion of proposed changes to general and ocean salmon sport fishing regulations
 - (A) Season dates, size limits and daily bag limits for April 2015, recovering coded-wire tag from salmon heads, and ocean salmon fishery closures around river mouths (Sections 1.73 and 27.75, and subsection 27.80(c), Title 14, CCR)
 - (B) Season dates, size limits, and daily bag limits for May-November 2015 (Subsection 27.80(d), Title 14, CCR)

Barry Miller made a presentation on the proposed general and ocean salmon sport fishing regulations and the process used to arrive at the final proposed regulations.

No public testimony.

8. Discussion of proposed changes to sport fishing fillet requirements for tunas and bag and possession limits for Pacific bluefin tuna for consistency with federal rules in 2015-2016 (Sections 27.65 and 28.38, Title 14, CCR)

Marci Yaremko made a presentation regarding recent Inter-American Tropical Tuna Commission findings and actions, recent actions taken by the Pacific Fishery Management Council (PFMC), and the proposed regulations.

No public testimony.

9. Discussion of proposed changes to Pacific halibut sport fishing regulations for consistency with federal rules in 2015 (Section 28.20, Title 14, CCR)

Marci Yaremko made a presentation regarding the objectives of this rulemaking process for Pacific halibut, recent decisions by the PFMC, outcomes of the recent International Pacific Halibut Commission, and Department coordination efforts with NOAA Fisheries.

Received public testimony.

10. Adoption of proposed changes to recreational groundfish regulations for consistency with federal rules in 2015-2016 (Sections 1.91, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 27.65, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58 and 28.90, Title 14, CCR)

Joanna Grebel made a presentation regarding the November 2014 PFMC actions, Department recommendations, and proposed regulations.

Received public testimony.

Moved by R. Rogers and seconded by J. Kellogg that the Commission adopts the proposed changes to Sections 1.91 et al., concerning sport fishing regulations for recreational groundfish and associated species for 2015-2016.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motion passed.

CONSENT ITEMS

11. Receive Hog Island Oyster Company's request to renew state water bottom lease #M-430-15
12. Receive Point Reyes Oyster Company's request to amend state water bottom leases M-430-13, M-430-14, and M-430-17, for use of various algal species
13. Receive and approve The Cultured Abalone Farm, LLC, revised kelp harvesting plan required for mechanical harvest of kelp (Pursuant to Subsection 165(a)(6), Title 14, CCR)
14. Receive and approve The Abalone Farm, Inc., revised kelp harvesting plan required for mechanical harvest of kelp (Pursuant to Subsection 165(a)(6), Title 14, CCR)
15. Approve request from Mr. Connor B. Wishard to renew the salmon vessel permit for F/V *Sealoom* (FG34786)
16. Receive Dungeness Crab Task Force recommendations regarding management measures described in Section 8276.5 pursuant to Section 8276.4 of the Fish and Game Code

Received public testimony on item 12.

Moved by R. Rogers and seconded by J. Kellogg that the Commission adopts the consent calendar, items 11-16.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motion passed.

17. Announce results from Executive Session

Chris Ames reported that the Commission discussed several personnel issues and active litigation.

No public testimony.

18. Review outstanding marine-related regulatory and non-regulatory requests from 2014

Sonke Mastrup described the purpose and content of the exhibits, and explained that updates on the status of these requests would be provided in April.

No public testimony.

19. Items of interest from previous meetings
 - (A) Action on petitions for regulatory change received at the December 2014 meeting **[See attached table for actions taken on petitions for regulatory change.]**
 - (B) Action on non-regulatory requests received at the December 2014 meeting **[See attached table for actions taken on requests for non-regulatory action.]**

Sonke Mastrup described the purpose and content of the exhibits.

No public testimony.

Moved by R. Rogers and seconded by J. Kellogg that the Commission accepts staff recommendations for actions on regulatory and non-regulatory requests as described in the published tables.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motion passed.

20. Department of Fish and Wildlife (Department) informational items

(A) Director's report

Chuck Bonham gave a report on drought impacts, tri-colored blackbird, GloFish and transgenic species, and the draft wolf management plan.

(B) Marine

Craig Shuman gave a report on the marine region's blog, *CDFW Marine Management News*, the marine region's strategic plan objectives, beta testing that started this week for electronic reporting of commercial passenger fishing vessel logbooks, work with the Department's Data and Technology Division to develop an electronic reporting system for landing receipts, work on revisions to the *Master Plan for Marine Protected Areas*, a survey of abalone fisherman to help inform fishery management plan development, and release of the second, marine-focused, issue of the 100-year anniversary of *California Fish and Game*.

(C) Wildlife and Fisheries Division, and Ecosystem Conservation Division

Stafford Lehr gave a report on elk research, Sierra Nevada red fox, California fisher, waterfowl response to recent rains, ongoing meadow and wetland restoration efforts, San Joaquin River Restoration Project, salmon acoustic tagging, and salmon carcass surveys on several river systems.

(D) Law Enforcement Division (LED)

David Bess gave a report on some recent significant legal cases for the division, and the Department's Hunter Education Program, Natural Resource Volunteer Program, and Law Enforcement Academy. Michael Sutton highlighted the "Wildlife Prosecutor of the Year" awards that are given to county district attorneys after recommendation by LED. The suggestion was made to institutionalize the award for annual distribution. Staff was directed to develop for the Commission a draft policy for an annual award to outstanding and exemplary wildlife prosecutors.

(E) Other

Chuck Bonham provided the Department's legislative report.

Received public testimony.

21. Other informational items

- (A) Staff report
Sonke Mastrup gave a staff report on the December 2014 meeting summary, the process to approve aquaculture sublease requests, and the annual mountain lion necropsy report.
- (B) Legislative update
Caren Woodson gave a legislative update.
- (C) Federal agencies report
Sonke Mastrup highlighted a joint state-federal effort to protect winter-run Chinook salmon.
- (D) Legal counsel report
Sonke Mastrup shared legal counsel's report on the tricolored blackbird listing process.

Received public testimony.

22. Public Forum

Received public testimony. [See attached tables for a summary of all items received at or for the meeting by the late public comment deadline.]

The Commission directed staff to provide at the April Commission meeting an update on how we evaluate our lessees at the end of the lease, and whether we have a process that ensures the conditions at the site are the same or better than when the lessee started, such as by determining the adequacy of the conditions on a lease and the bond required for clean-up purposes and subleasing.

The Commission directed staff to bring future aquaculture sublease requests to the Commission prior to approval by the Commission's executive director, to provide transparency and comment opportunity for the public.

The Commission meeting recessed at 5:18 p.m. to reconvene on February 12, 2015 at 8:00 a.m.

DAY 2 – FEBRUARY 12, 2015, 8:00 A.M.

Pursuant to the call of the president, the Commission reconvened at the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California on February 12, 2015. The meeting was called to order at 8:02 a.m. by President Baylis.

The following commissioners and staff were in attendance:

FISH AND GAME COMMISSION

Jack Baylis	President	Present
Jim Kellogg	Vice President	Present
Richard Rogers	Member	Present
Michael Sutton	Member	Present
Jacque Hostler-Carmesin	Member	Present

COMMISSION STAFF

Sonke Mastrup	Executive Director
Melissa Miller-Henson	Program Manager
Susan Ashcraft	Marine Advisor
Mary Brittain	Administrative Assistant
Caren Woodson	Analyst

OFFICE OF THE ATTORNEY GENERAL

Christopher Ames	Deputy Attorney General
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CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Charlton Bonham	Director
Steve Ingram	Acting General Counsel
David Bess	Deputy Director and Chief, Law Enforcement Division
Dan Yparraguirre	Deputy Director, Wildlife and Fisheries Division
Armand Gonzales	Acting Chief, Habitat Conservation Planning Branch
Lacy Bauer	Staff attorney, Office of the General Counsel
Patrick Foy	Captain, Law Enforcement Division
Michael Milotz	Lieutenant, Law Enforcement Division
Jesse Keiser	Warden, Law Enforcement Division
Brandon Owen	Warden, Law Enforcement Division
Stafford Lehr	Chief, Fisheries Branch
Eric Loft	Chief, Wildlife Branch
Laura Patterson	Senior Environmental Scientist, Wildlife Branch
Craig Stowers	Environmental Program Manager, Wildlife Branch
Craig Martz	Manager, Regulations Unit

The following persons were present and heard (in order of agenda item number):

<u>Name</u>	<u>Organization</u>	<u>Agenda Item</u>
Jean Fuller	California State Senator	23
Keli Hendricks	Project Coyote	23, 29
Sharon Ponsford	California Council of Wildlife Rehabilitators	23, 29
Fauna Tomlinson	California Council of Wildlife Rehabilitators, Farm Bureau, Project Coyote, Save the Frogs	23, 29, 32
Camilla Fox	Project Coyote	23, 29
Rick Hopkins	Live Oak Associates, The Cougar Fund, Project Coyote Scientific Committee	23, 29
Bob Crabtree	Yellowstone Ecological Research Center, University of Montana, Project Coyote	23, 29
Erin Hauge	Concerned citizen	23, 29
Michael Flores	U.S. Sportsmen's Alliance, Al Taucher Conservation Coalition	23
Pamela Flick	Defenders of Wildlife	24, 27
Lisa Belenky	Center for Biological Diversity	24
Frank Galea	Del Norte County Fish and Game Commission	25
Ken Cunningham	Ken Cunningham Guide Services	25
Dave Hillemeier	Yurok Tribe	25
Thomas Willson, Sr.	Yurok Tribal Council	25
Ron Britschgi	Rivers West Lodge	25
Richard Arimoto	Concerned citizen	25
Marilyn Jasper	Public Interest Coalition	27, 29, 32
Eric Mills	Action for Animals	27, 29, 32
Kathy Lynch	National Shooting Sports Foundation, California Trappers Association, Safari Club International, Outdoor Sportsmen's Coalition, Lynch & Associates	27, 29, 36
Dan DeMers	California Trappers Association	27, 29
Juan Altamirano	Audubon California	27
Jennifer Fearing	Humane Society of the United States	27, 29
Josh Brones	U.S. Sportsmen's Alliance, Al Taucher Conservation Coalition	27, 29
Ed Worley	National Rifle Association	27, 28
Tom Pedersen	California Rifle and Pistol Association	27, 28
Rick Bullock	Agricultural Preservation and Environmental Conservation Sportsmen (APECS) Society, California Deer Association Mule Deer Foundation, Mendocino County Blacktail Association	27, 28, 29
Joe Becker	Concerned citizen	28
Robert Moore	California Bowmen Hunters/State Archery Association	28, 29, 36
Roman Porter	California Deer Association	28
Bill Gaines	California Bowmen Hunters/State Archery Association, California Houndsmen for Conservation, Gaines & Associates	28, 29
Matt Davis	California Houndsmen for Conservation	28, 29

Kimberly Richard	Angel Protectors of Animals and Wildlife, Napa Valley Central and United Democratic Chair Committee Party	28, 29
Teri Faulkner	California Bowmen Hunters/State Archery Association	28
Guy Strahl	Office of Assembly Member Richard Bloom	29
Garrett Bell	California Trappers Association	29
Adam Gray	California State Assembly Member	29
Victoria Fuller	Concerned citizen	29
Phil Klasky	Concerned citizen	29
Lynn Cullens	Mountain Lion Foundation	29
JoEllen Arnold	Concerned citizen	29
John Daly	California Trappers Association	29
Miriam Seger	Concerned citizen	29
Valeree Woodard	Concerned citizen	29
Tom O'Key	Concerned citizen	29
Julia Fuller	Concerned citizen	29
Joe Mattison	Concerned citizen	29
Jack Fuller	Concerned citizen	29
Annie Redwolf Murphy	Concerned citizen	29
Jean Su	Center for Biological Diversity	29
Brendan Cummins	Center for Biological Diversity	29
Noelle Cremers	California Farm Bureau Federation	31
Megan Hertel	Audubon California	34
Vern Goerhing	California Native Plant Society	35
Bruce Campbell	Commercial fisherman	36
Wayne Campbell	California Lobster & Trap Fisherman's Association	36
Cody Campbell	Concerned citizen	36

The Commission took agenda item 32 out of order, but it is shown in numerical order in this summary.

23. Wildlife Resources Committee

- (A) Meeting summary
 - I. Receive recommendations
- (B) Work plan development
 - I. Update on current work plan and timeline
 - II. Discuss and approve new topics

Caren Woodson provided an update on the work of the committee and its recommendations.

Received public testimony.

Moved by M. Sutton and seconded by R. Rogers that the Commission accepts the recommendations of the Wildlife Resources Committee as presented and discussed today.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motion passed.

24. Consideration of petition, Department's report, and comments received on whether listing the flat-tailed horned lizard (*Phrynosoma mcallii*) as an endangered species may be warranted (Pursuant to Section 2074.2 of the Fish and Game Code)
Note: If the Commission determines that listing may be warranted, a one year status review will commence before a final decision on listing is made.

Laura Patterson made a presentation regarding the petition to list the flat-tailed horned lizard as an endangered species and the Department's review of that petition.

Received public testimony.

Moved by M. Sutton and seconded by R. Rogers that the Commission, pursuant to Section 2074.2 of the Fish and Game Code, finds the petitioned action to list the flat-tailed horned lizard as an endangered species may be warranted based on the information in the record before the Commission, and therefore, designates the flat-tailed horned lizard as a candidate for endangered species status. (Note: Findings will be adopted at a future meeting.)

Ayes: J. Baylis, J. Hostler-Carmesin, R. Rogers, M. Sutton

Noes: J. Kellogg

Motion passed.

25. Discussion of proposed changes to Klamath River salmon sport fishing regulations (Subsections 7.50(b)(91.1) and (b)(195), Title 14, CCR)

Chuck Bonham expressed thanks to the Yurok Tribe for the positive and ongoing conversations regarding the Klamath River spit and the Blue Creek area. Stafford Lehr made a presentation regarding the 2014 lower Klamath River Chinook salmon regulations, the proposed 2015 Klamath Basin regulations, and a proposed addition to the spit area regulations. David Bess answered enforcement questions. Sonke Mastrup clarified that the decision meeting for this item is April 17, 2015 via teleconference.

Received public testimony.

26. Discussion of proposed changes to Central Valley river salmon sport fishing regulations (Subsections 7.50(b)(5), (b)(68) and (b)(156.5), Title 14, CCR)

Stafford Lehr made a presentation regarding the proposed regulations.

No public testimony.

27. Discussion of proposed regulations regarding authorized methods of take for wildlife using lead ammunition – phasing out the use of lead ammunition (Add Section 251.1; amend subdivision heading and Sections 311, 353, 464, 465, 475, 485; repeal Section 355, Title 14, CCR)

Sonke Mastrup introduced the item and confirmed that adoption is scheduled for April 9, 2015. Jack Baylis clarified that neither the Commission nor the Department is proposing to accelerate the implementation schedule.

Received public testimony.

28. Discussion of proposed changes to mammal hunting regulations (Sections 360, 361, 362, 363, 364, 364.1, 702, 708.5, 708.11, and 713, Title 14, CCR)

Craig Stowers provided an update on the proposed regulations. Eric Loft shared additional information about elk in the north coast area of the state. Sonke Mastrup reminded the Commission that April is the latest it can adopt the proposed regulations so they are effective in time for the upcoming hunting season.

Received public testimony.

Moved by R. Rogers and seconded by J. Kellogg that the Commission directs staff to publish a continuation notice for Section 708.5, Title 14 of the California Code of Regulations to implement the late fee for non-reporting of deer tags beginning July 1, 2016.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motion passed.

29. Update regarding proposed changes to bobcat trapping regulations (Pursuant to Section 4255, Fish and Game Code)

Craig Martz made a presentation on staff efforts to develop regulatory documents for implementing the Bobcat Protection Act.

Received public testimony.

CONSENT ITEM

- | |
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| 30. Receipt of the Department's 90-day evaluation report on the petition to list Livermore tarplant (<i>Deinandra baccigalupii</i>) as an endangered species (Pursuant to 2073.5, Fish and Game Code) |
|---|

No public testimony.

Moved by M. Sutton and seconded by R. Rogers that the Commission adopts the consent calendar, Item 30.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton

Motion passed.

31. Department presentation on the 2015 State Wildlife Action Plan update process

Armand Gonzales made a presentation on the 2015 State Wildlife Action Plan update process.

Received public testimony.

32. Department presentation on the implications of importing American bullfrogs

Chuck Bonham acknowledged the importance of having a careful and cautious conversation on topics which have a relationship to cultural, social and religious community values, such as this topic. He also clarified that this presentation is not a request to change regulations, but rather an opportunity for the Department to be transparent about administrative action it has taken to stop issuing long-form importation permits. Stafford Lehr made a presentation on the implications of importing American bullfrog and the recent changes the Department has made to live importation permits.

Received public testimony.

The Commission directed staff to work with the Department to identify a list of potential actions the Commission can take to address the identified problems and report back to the Commission in June.

33. Review outstanding non-marine-related regulatory and non-regulatory requests from 2014

Sonke Mastrup described the purpose and content of the exhibits.

No public testimony.

34. New business

(A) Invitation to the meeting of the Western Association of Fish and Wildlife Agencies (WAFWA), July 16-22, in Reno, Nevada.

Sonke Mastrup shared that Commission members are invited to attend the WAFWA meeting; the Commissioners Committee would be an excellent opportunity for any commissioner who may want to attend. Additionally, he reminded the Commission that counsel has suggested a path forward for the tricolored blackbird petition.

Received public testimony.

The Commission directed staff to place on the April meeting agenda receipt of the Department's evaluation of the tricolored blackbird petition for listing as endangered under the California Endangered Species Act.

35. Discussion and possible action on future meeting items
- (A) Next meetings – March 16 via teleconference, April 8-9 in Santa Rosa, and April 17 via teleconference
 - (B) Rulemaking calendar updates

Sonke Mastrup shared potential agenda items for the March 16, April 8-9, and April 17 meetings.

Received public testimony.

The Commission directed staff to place public forum at the beginning of each day of Commission meetings.

The perpetual timetable for regulatory action will be updated as recommended by staff.

36. Public Forum

Received public testimony.

EXECUTIVE SESSION
(Not Open to the 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. v. California Fish and Game Commission (Coho listing, south of San Francisco)
 - II. James Bunn and John Gibbs v. California Fish and Game Commission (squid permits)
 - III. Center for Biological Diversity and Earth Island Institute v. California Fish and Game Commission (black-backed woodpecker)
 - IV. Dennis Sturgell v. California Fish and Game Commission, California Department of Fish and Wildlife, and Office of Administrative Hearings (revocation of Dungeness crab vessel permit No. CT0544-T1)
- (B) Possible litigation involving the Commission
- (C) Staff performance and compensation
- (D) Receipt of hearing officer recommendations on license and permit items

**FISH AND GAME COMMISSION
2015 MEETING SCHEDULE**
www.fgc.ca.gov

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
Mar 4		Marine Resources Monterey County Library Marina Branch 190 Seaside Circle Marina, CA 93933
Mar 16	Special Meeting (teleconference) -- <i>10:00 a.m., Location TBD</i>	
Apr 7		Tribal Committee Flamingo Conference Resort and Spa 2777 Fourth Street Santa Rosa, CA 95405
Apr 8-9	Flamingo Conference Resort and Spa 2777 Fourth Street Santa Rosa, CA 95405	
Apr 17	Special Meeting (teleconference) -- <i>10:00 a.m., Location TBD</i>	
May 6		Wildlife Resources California Department of Transportation (CalTrans) Conference Room 01.037 100 South Main Street Los Angeles, CA 90012
Jun 9		Tribal Committee Mountainside Conference Center 1 Minaret Road Mammoth Lakes, CA 93456
Jun 10-11	Mountainside Conference Center 1 Minaret Road Mammoth Lakes, CA 93456	
Jul 8		Marine Resources Trinidad Town Hall 409 Trinity Street Trinidad, CA 95570
Aug 4-5	River Lodge Conference Center 1800 Riverwalk Drive Fortuna, CA 95540	
Sep 9		Wildlife Resources Central California
Oct 6		Tribal Committee Van Nuys

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
Oct 7-8	Van Nuys	
Nov 4		Marine Resources Southern California
Dec 9-10	Town and Country Resort & Convention Center 500 Hotel Circle North San Diego, CA 92108	

OTHER MEETINGS OF INTEREST

Wildlife Conservation Board

- February 25, Sacramento, CA
- May 21, Sacramento, CA
- September 3, Sacramento, CA
- November 19, Sacramento, CA

Pacific Fishery Management Council

- March 7-12, Vancouver, WA
- April 11-16, Rohnert Park, CA
- June 12-17, Spokane, WA
- September 11-16, Sacramento, CA
- November 14-19, Garden Grove, CA

Pacific Flyway Council

March 10, Omaha, NE

- July 24, TBD

Western Association of Fish and Wildlife Agencies

- July 16-22, Reno, NV

There being no further business, the Commission meeting adjourned at 3:47 p.m.

CALIFORNIA FISH AND GAME COMMISSION
ACTIONS TAKEN FEBRUARY 11, 2015 ON PETITIONS FOR REGULATORY ACTION
Revised 2-23-2015

FGC - California Fish and Game Commission DFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee

Date Received	Name of Petitioner	Subject of Request	Code or Title 14 Section Number	Short Description	FGC Decision	DFW/FGC Staff Response	Final Action, Other Outcomes
11/10/2014	Callie Totaro	Hedgehogs		Request to permit hedgehogs as pets.	Rejected 2/11-12/2015; previously rejected and no new information submitted.		
11/6/2014	Carol Reed	Gooseneck barnacles		Request to permit harvest of gooseneck barnacles (leaf barnacles).	Rejected 2/11-12/2015; no data or information submitted to support change.		
11/7/2014	Jerry Hong	Gooseneck barnacles		Request to permit harvest of gooseneck barnacles (leaf barnacles).	Rejected 2/11-12/2015; no data or information submitted to support change.		
11/3/2014	Alastair Bland	California halibut		Request to reduce daily bag limit to 1 fish, increase size limit to 26 inches, impose 2 fish possession limit, prohibit use of SCUBA in spawning areas, and season and limits for commercial boats.	Rejected 2/11-12/2015; next stock assessment will occur in 2015. Will consider in next fishery management plan.		
10/17/2014	Joseph Kleitman	Automated License Data System (ALDS)		Request to reduce the difficulty with disabled hunter license delivery system and enforcement ID verification process.	Referred to DFW on 2/11-12/2015; for recommendation.		
11/20/2014	Mary Fairbanks	Experimental market squid vessel permit		Requests change to fishery management plan and regulations to allow experimental market squid vessel permit.	Rejected 2/11-12/2015; to be considered for review in future fishery management plan.		
10/6/2014	Lucas Murgia	Mammal hunting		Requests temporary ban on deer hunting in zone D-7.	Petition referred 2/11-12/2015; refer to 2016-17 mammal rulemaking (outside scope of noticed 2015-16 rulemaking)?		

Date Received	Name of Petitioner	Subject of Request	Code or Title 14 Section Number	Short Description	FGC Decision	DFW/FGC Staff Response	Final Action, Other Outcomes
11/6/2014	Steve Park	Mammal hunting		Requests changes to bear hunting regs to control growing population; increase number of tags, extend the hunting season, create a spring season, drop the tag price, increase bag/possession limit, and easier depredation take permits.	Petition referred refer to 2016-17 mammal rulemaking.		
10/6/2014	Jim Newton	Fillet regulations		Requests change to permit non-resident sport anglers to fillet salmon.	Referred to DFW 2/11-12/2015; refer to DFW for evaluation.		
11/4/2014	Dan Fox, Animal Pest Management Services	Trapping regulations		Requests change to permit licensed commercial animal pest control operators conducting business under pest control contract to place traps within 150 yards of a structure.	Referred to WRC 2/11-12/2015		
11/24/2014	Eileen O'Farrell and Reid Borgwardt	Gooseneck barnacles		Request to permit harvest of gooseneck barnacles.	Rejected 2/11-12/2015; no data or information submitted to support change.		

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Date Received	Name of Petitioner	Subject of Request	Short Description	FGC Decision	DFW/FGC Staff Response	Final Action, Other Outcomes
10/6/2014	Ronald Oshima	Pilgrim Creek Ecological Reserve (PCER)	Concered CDFW is in violation of FGC policies and procedures by not providing erosion control on the slopes of the PCER.	Rejected 2/11-12/2015; ecological reserve management is under the authority of DFW. Information forwarded to DFW.		
10/3/2014	Sean Brady, Michel & Associates, representing National Rifle Association	Incompatible Activities Statement	Requests adoption and signing of the updated Incompatible Activities Statement from the Governor's office (Section 19990, Government Code)	Rejected 2/11-12/2015; incompatible activities statements for FGC members is under the authority of the Governor's office.		
10/8/2014	Lawrence Keane, National Shooting Sports Foundation	Incompatible Activities Statement	Requests Commissioner Sutton recuse himself on implementation of nonlead mandate, and clarification about why all commissioners have yet to sign the updated Incompatible Activites Statement from the Governor's office.	Previously referred recusal to FGC legal counsel. Rejected incompatible activities statements 2/11-12/2015; under the authority of the Governor's office for FGC members.		
10/10/2014	David Dickerson, California Sportfishing League	Pier and Jetty Fishing	Requests Commission take appropriate action to prevent municipalities from enacting rules and ordinances that restrict public fishing activies on piers.	Referred to MRC 2/11-12/2015; previously referred to MRC and marine advisor.		
11/21/2014	Supervisor Doreen Farr, County of Santa Barbara	Cachuma Lake trout stocking	Requests Commission allow the county to continue stocking trout using triploids until the courts render a decision.	Rejected 2/11-12/2015; trout stocking programs are outside the authority of FGC. Information forwarded to DFW.		

CALIFORNIA FISH AND GAME COMMISSION
RECEIPT LIST FOR REGULATORY PETITIONS: RECEIVED FOR OR AT THE FEBRUARY 11, 2015 COMMISSION MEETING
Revised 2-23-2015

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Date Received	Name of Petitioner	Subject of Request	Code or Title 14 Section Number	Short Description	FGC Decision	DFW/FGC Staff Response	Final Action, Other Outcomes
1/26/2015	Steven Keena	Trapping		Request to ban all animal trapping.	Action scheduled 4/8/2015		
12/18/2014	Brian Russell	Mammal hunting		Request to include harvesting of 3-point or better bucks in zone C4, and to prohibit bear hunting during rifle season.	Action scheduled 4/8/2015		
1/14/2015	Robb Bury	Gooseneck barnacles		Request to permit harvest of gooseneck barnacles.	Action scheduled 4/8/2015		
12/2/2014	Brooks Taylor	Mammal hunting - drawing rules		Establish a max preference point or cap for sheep, elk, and antelope, to increase opportunities for junior hunters.	Action scheduled 4/8/2015		
11/25/2014	Mark Kucera	Roadkill salvage		Request new regulations to permit salvage of traffic-killed game animals.	Action scheduled 4/8/2015		
12/2/2014	Samantha Osborne	Quaker parrots		Requests changes to permit Quaker Parrots as pets.	Action scheduled 4/8/2015		
12/23/2014	Manuel Gorgita	Lobster Fishery Management Plan		Requests A permits be transferrable with 300 trap maximum, and B permits be transferrable with a 200 trap maximum, non-stackable.	Action scheduled 4/8/2015		
2/6/2014	Michel & Associates, representing National Rifle Association	Methods of take - small game	311, Title 14	Requests removing improper restrictions on possession of firearms necessary for self-defense.	Action scheduled 4/8/2015		
2/2/2015	Charlie and Kristy Hodson	Shoot from "grey area"		Requests changes to clarify and/or define how far individuals must be from the road before use of firearm is permitted.	Action scheduled 4/8/2015		

Date Received	Name of Petitioner	Subject of Request	Code or Title 14 Section Number	Short Description	FGC Decision	DFW/FGC Staff Response	Final Action, Other Outcomes
1/30/2015	Richard Cleveland	Mammal hunting		Multiple requests to increase hunting opportunities, including: - increase deer-elk-bear tags - split seasons or 3 hunts in some zones - extended seasons	Action scheduled 4/8/2015		
2/4/2014	James Moore	Restricted fishing		Requests lifting the fishing restrictions from the banks of the Sacramento River, immediately below the Red Bluff Diversion Dam.	Action scheduled 4/8/2015		
2/12/2015	Bruce Campbell	Nearshore fishing		Requests big-boat operators be represented in the discussions on deciding limits on lobster and other fisheries.	Action scheduled 4/8/2015		
2/12/2015	Robert Moore	Take of wild turkey	354, title 14	Requests language be added to section 354(c) to include wild turkeys, so as to require the proper point when archery hunting wild turkeys.	Action scheduled 4/8/2015		

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Date Received	Name of Petitioner	Subject of Request	Short Description	FGC Decision	DFW/FGC Staff Response	Final Action, Other Outcomes
1/5/2015	Tom Randolph	Species Management	Requests FGC direct DFW to refocus its management strategy from single species to a more holistic approach.	Action scheuled 4/8/2015		
1/16/2015	Round Valley Ranchers	Tule elk	Requests clarifiation about why removal of non-native elk near Covelo, CA, is not an option.	Action scheuled 4/8/2015		
2/11/2015	Josh Russo	Nominations to BLM Resource Advisory Committee	Support Central California Council of Diving Clubs' nomination of Dennis Hosler to the U.S. Buraea of Land Management's Central California RAC.	Action scheuled 4/8/2015		
2/11/2015	Neal Desai	Lease monitoring	Requests FGC maintain a strong role in mariculture lease management and oversight, specifically ensuring each lease's clean-up costs are accurate and independently assessed with funds placed into escrow.	Action scheuled 4/8/2015		
2/12/2015	Bruce Campbell	Nearshore fishing	Requests big-boat operators be repreasented in the discussions on deciding limits on lobster and other fisheries.	Action scheduled 4/8/2015		
2/12/2015	Kathy Lynch	Director's report at FGC meetings	Requests FGC offer the Director's report on both days of meetings and move it to the top of agenda; alternate marine and nonmarine days for each meeting; disclosure of all communication among stakeholders, FGC members and staff including all email and phone calls; and guidance on what is allowed during public forum.	Action scheduled 4/8/2015		