Pursuant to the call of the President, the California Fish and Game Commission (Commission) met at the Embassy Suites, 333 Madonna Road, San Luis Obispo, California on August 7, 2013. The meeting was called to order at 8:35 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
Jacque Hostler-Carmesin, Member Present

Persons present:

COMMISSION STAFF

Sonke Mastrup, Executive Director
Adrianna Shea, Deputy Executive Director
Mary Brittain, Administrative Assistant
Sherrie Fonbuena, Analyst

OFFICE OF THE ATTORNEY GENERAL

Helen G. Arens, Deputy Attorney General

DEPARTMENT OF FISH AND WILDLIFE

Dan Yparraguirre, Deputy Director, Wildlife and Fisheries Division
Jordan Traverso, Deputy Director, Office of Communications, Education & Outreach
Tom Gibson, Office of the General Counsel
Mike Carion, Deputy Director, Law Enforcement Division
Craig Shuman, Regional Manager, Marine Region
Eric Loft   Chief, Wildlife Branch  
Stafford Lehr   Chief, Fisheries Branch  
Rebecca Flores Miller   Marine Region  
Ryan Bartling   Marine Region  
Tom Lupo   Chief, Information Technology Branch  
Becky Ota   Marine Region  
Todd Tognazzini   Law Enforcement Division  
Hank Hodel   Law Enforcement Division  
Jared Strouss   Law Enforcement Division  
Sean Kenady   Law Enforcement Division  
Don Kelly   Law Enforcement Division

The following persons were present and heard:

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
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<tbody>
<tr>
<td>Greg Helms</td>
<td>Ocean Conservancy</td>
</tr>
<tr>
<td>David Albaum</td>
<td>Cultured Abalone</td>
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<tr>
<td>Jenn Eckerle</td>
<td>Natural Resources Defense Council</td>
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<td>Tom Rudolph</td>
<td>Pew Charitable Trusts</td>
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<td>Jordan Wellwood</td>
<td>Audubon Society</td>
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<tr>
<td>Doug Tait</td>
<td>Morro Coast Audubon</td>
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<tr>
<td>Dennis Fox</td>
<td>Concerned Citizen</td>
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<tr>
<td>Bill Gaines</td>
<td>Black Brant Group/CA Bowmen’s Association/ CAL-ORE Wetlands &amp; Waterfowl Council</td>
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<tr>
<td>Mark Hennelly</td>
<td>CA Waterfowl Association</td>
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<tr>
<td>Larry Strasbaugh</td>
<td>Sunrise Marsh Duck Club</td>
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<tr>
<td>Noelle Cremers</td>
<td>CA Farm Bureau Federation</td>
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<tr>
<td>Fred Harpster</td>
<td>Black Brant Group</td>
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<tr>
<td>Chrissy Howell</td>
<td>U.S. Forest Service</td>
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<td>Connie Hanson</td>
<td>Christians Caring for Creation</td>
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<td>Patty Thompson</td>
<td>Concerned Citizen</td>
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<tr>
<td>Justin Augustine</td>
<td>Center for Biological Diversity</td>
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<td>Doug Bevington</td>
<td>Environment Now</td>
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<td>Rob DiPerna</td>
<td>Environmental Protection Information Center (EPIC)</td>
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<td>Chad Hanson</td>
<td>John Muir Project</td>
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<td>David Bischel</td>
<td>CA Forestry Association (Calforests)</td>
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<td>Gary Rynearson</td>
<td>Green Diamond Resource Company</td>
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<td>Joey Racano</td>
<td>CA Ocean Outfall Group</td>
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<td>Jeremy Heidrick</td>
<td>Hunter Ranch, Travis Ranch</td>
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<td>Joe Exline</td>
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<tr>
<td>Chris Voss</td>
<td>CA Fishermen of Santa Barbara</td>
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<td>Paul Weakland</td>
<td>Commercial Fisherman</td>
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<td>Richard Garcia</td>
<td>Sierra Club</td>
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<tr>
<td>Ben Taylor</td>
<td>Advocate for Smith River</td>
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<td>Betty Winholtz</td>
<td>Concerned Citizen</td>
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<td>Michael Greenberg</td>
<td>Alliance for Local Sustainable Agriculture</td>
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2
President Sutton introduced members of the Commission, its staff, California Department of Fish and Wildlife (Department) directorate and Helen Arens of the Attorney General's Office.

Executive Director Mastrup reported that Item No.14, permanent revocation of commercial fishing license and privileges for Khanh Quang Bui of Long Beach, has been rescheduled to the Commission’s October 2, 2013, meeting in Ventura, to accommodate Mr. Bui’s request for an interpreter.

1. DISCUSSION OF PROPOSED CHANGES TO STURGEON TAG REGULATIONS
   (SECTIONS 5.79 AND 27.92, TITLE 14, CCR *)
   Received the Department’s review of proposed changes from Stafford Lehr.
   Adoption scheduled for October 2, 2013. No public testimony.

2. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND INLAND TROUT AND SALMON REGULATIONS
   (SECTION 7.50, TITLE 14, CCR)
   Received the Department’s PowerPoint presentation from Stafford Lehr.
   No public testimony.

   MOVED BY R. ROGERS, SECONDED BY J. KELLOGG, THAT THE FISH AND GAME COMMISSION HEREBY AUTHORIZES STAFF TO PUBLISH NOTICE OF ITS INTENT TO AMEND SECTION 7.50, TITLE 14, CCR.
   AYES: J. BAYLIS, J. HOSTLER-CARMESIN, J. KELLOGG, R. ROGERS, M. SUTTON.
   MOTION PASSED.

3. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND COMMERCIAL HARVEST OF KELP REGULATIONS
   (SECTIONS 165 AND 165.5, TITLE 14, CCR)
   Received the Department’s overview from Craig Shuman and PowerPoint presentation from Rebecca Flores Miller. Received public testimony.

   MOVED BY R. ROGERS, SECONDED BY J. BAYLIS, THAT THE FISH AND GAME COMMISSION HEREBY AUTHORIZES STAFF TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTIONS 165 AND 165.5, TITLE 14, CCR, REGARDING COMMERCIAL HARVEST OF KELP.

* California Code of Regulations
AYES: J. BAYLIS, J. HOSTLER-CARMESIN, J. KELLOGG, R. ROGERS, M. SUTTON.
MOTION PASSED.

4. CONSIDERATION AND POSSIBLE ADOPTION OF REGULATIONS FOR HARVEST OF HERRING AND HERRING EGGS
Craig Shuman provided an update regarding the proposed regulations.

(A) CERTIFICATION OF FINAL ENVIRONMENTAL DOCUMENT
Received the Department’s PowerPoint presentation from Ryan Bartling. Received public testimony.

(B) PROPOSED CHANGES TO SECTIONS 163 AND 164, TITLE 14, CCR
Received the Department’s PowerPoint presentation from Ryan Bartling. Received public testimony.

Jordan Traverso gave a brief recap of the life of Mike Taugher and stated that a memorial service was scheduled for August 11 in Benicia.

AYES: J. BAYLIS, J. HOSTLER-CARMESIN, J. KELLOGG, R. ROGERS, M. SUTTON.
MOTION PASSED.

5. DISCUSSION AND POSSIBLE ADOPTION OF PROPOSED CHANGES TO UPLAND GAME BIRD/STAMP REGULATIONS (SECTIONS 300 AND 313, TITLE 14, CCR)
Received the Department’s Powerpoint presentation from Eric Loft. Chief Carion discussed concerns regarding possession limits. Received public testimony.

MOVED BY J. KELLOGG, SECONDED BY R. ROGERS, THAT THE FISH AND GAME COMMISSION HEREBY AMENDS THE UPLAND GAME BIRD/STAMP REGULATIONS AS RECOMMENDED BY THE DEPARTMENT INCLUDING OPTION A FOR ARCHERY PHEASANT SEASON.
AYES: J. BAYLIS, J. KELLOGG, R. ROGERS, M. SUTTON.
ABSTAIN: J. HOSTLER-CARMESIN.
MOTION PASSED.
6. CONSIDERATION AND POSSIBLE ADOPTION OF WATERFOWL/STAMP REGULATIONS

(A) CERTIFICATION OF FINAL ENVIRONMENTAL DOCUMENT
Received the Department’s PowerPoint presentation from Deputy Director Yparraguirre.

(B) PROPOSED CHANGES TO SECTIONS 502 AND 510, TITLE 14, CCR
Received the Department’s PowerPoint presentation from Deputy Director Yparraguirre. Received public testimony.


7. COMMISSION RECOGNITION OF NEWLY INDUCTED MEMBERS TO CALIFORNIA WATERFOWLER’S HALL OF FAME
Deputy Director Yparraguirre summarized the item. Mark Hennelly, CA Waterfowl Association, provided a summary of the program and recognized the newly inducted members. President Sutton read into the record a letter regarding Congressman Mike Thompson. Received public testimony.


8. POSSIBLE ACTION ON BLACK-BACKED WOODPECKER UNDER THE CALIFORNIA ENDANGERED SPECIES ACT

(A) CONSIDERATION AND POSSIBLE ACTION ON WHETHER TO LIST THE BLACK-BACKED WOODPECKER (Picoides arcticus) AS A THREATENED OR ENDANGERED SPECIES (FISH AND GAME CODE SECTION 2075.5)
Note: Findings will be adopted at a future meeting.
Received a brief summary from Executive Director Mastrup. Received public testimony.
MOVED BY J. KELLOGG, SECONDED BY R. ROGERS, THAT THE FISH AND GAME COMMISSION HEREBY FINDS THAT THE INFORMATION CONTAINED IN THE PETITION AND OTHER INFORMATION PROVIDED IN THE ADMINISTRATIVE RECORD DOES NOT WARRANT LISTING AS A THREATENED OR ENDANGERED SPECIES. FINDINGS WILL BE RATIFIED AT A FUTURE MEETING.
AYES: J. BAYLIS, J. KELLOGG, R. ROGERS, M. SUTTON.
ABSTAIN: J. HOSTLER-CARMESIN.
MOTION PASSED.

(B) REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 670.5, TITLE 14, CCR, RE: ADDITION OF BLACK-BACKED WOODPECKER AS A THREATENED OR ENDANGERED SPECIES
Note: This item will only be considered if the Commission decides to list the Black-backed woodpecker as a threatened or endangered species.
No action taken.

9. 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.
Executive Director Mastrup summarized the item. Received public testimony.

MOVED BY M. SUTTON, SECONDED BY J. BAYLIS, THAT THE FISH AND GAME COMMISSION, PURSUANT TO SECTION 2074.2 OF THE FISH AND GAME CODE, HEREBY FINDS THAT THE PETITIONED ACTION TO LIST THE NORTHERN SPOTTED OWL (Strix occidentalis caurina) AS A THREATENED OR ENDANGERED SPECIES MAY BE WARRANTED; AND THEREFORE, DESIGNATES THE NORTHERN SPOTTED OWL AS A CANDIDATE FOR THREATENED OR ENDANGERED SPECIES STATUS. FURTHERMORE, PURSUANT TO SECTION 2074.6 OF THE FISH AND GAME CODE, THE DEPARTMENT IS TO PROMPTLY COMMENCE A STATUS REVIEW OF THE SPECIES AND REPORT BACK TO THE COMMISSION WITHIN ONE YEAR FROM THE DATE OF THE COMMISSION’S PUBLISHED FINDINGS WITH A RECOMMENDATION AS TO WHETHER THE SPECIES SHOULD OR SHOULD NOT BE LISTED AS ENDANGERED. (ADOPTION/RATIFICATION OF FINDINGS WILL BE SCHEDULED FOR CONSIDERATION AT A FUTURE MEETING.)
AYES: J. BAYLIS, J. HOSTLER-CARMESIN, M. SUTTON.
NOES: J. KELLOGG, R. ROGERS.
MOTION PASSED.
**CONSENT ITEMS**

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

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
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<tbody>
<tr>
<td>(A)</td>
<td>ABERNATHY RANCH, SHASTA COUNTY</td>
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<td>(B)</td>
<td>BELL RANCH, TEHAMA COUNTY</td>
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<td>(C)</td>
<td>LITTLE DRY CREEK RANCH, TEHAMA COUNTY</td>
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<td>(D)</td>
<td>LOOKOUT RANCH, MODOC COUNTY</td>
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<td>(E)</td>
<td>ORDWAY RANCH, CALAVERAS COUNTY</td>
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<td>(F)</td>
<td>R WILD HORSE RANCH, TEHAMA COUNTY</td>
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<td>(G)</td>
<td>ROARING RIVER RANCH, SHASTA COUNTY</td>
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<td>(H)</td>
<td>ROCK CREEK, BUTTE/TEHAMA COUNTIES</td>
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<td>(I)</td>
<td>SALT CREEK RANCH, TEHAMA COUNTY</td>
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<td>(J)</td>
<td>SOPER-WHEELER, BUTTE COUNTY</td>
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<td>(K)</td>
<td>SPURLOCK RANCH, GLENN COUNTY</td>
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<td>(L)</td>
<td>STOVER RANCH, HUMBOLDT COUNTY</td>
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11. APPROVAL OF PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSE (2013-2018) FOR:

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
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<tbody>
<tr>
<td>(A)</td>
<td>BASIN VIEW RANCH, MODOC COUNTY</td>
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<td>(B)</td>
<td>BLACK RANCH, SHASTA COUNTY</td>
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<tr>
<td>(C)</td>
<td>HATHAWAY OAK RUN RANCH, SHASTA COUNTY</td>
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<td>(D)</td>
<td>PBM FARMS, SISKIYOU COUNTY</td>
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<tr>
<td>(E)</td>
<td>SUGARLOAF-BANGOR RANCH, YUBA COUNTY</td>
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12. RECEIPT OF WHITE SEABASS REPORT

MOVED BY J. KELLOGG, SECONDED BY R. ROGERS, THAT THE FISH AND GAME COMMISSION HEREBY ADOPTS THE CONSENT CALENDAR, ITEMS 10-12.

AYES: J. BAYLIS, J. HOSTLER-CARMESIN, J. KELLOGG, R. ROGERS, M. SUTTON.

MOTION PASSED.
13. APPROVAL OF INITIAL PRIVATE LANDS HABITAT ENHANCEMENT AND WILDLIFE AREA LICENSES FOR 2013-14 FOR:

(A) FULTON RANCH, HUMBOLDT COUNTY
(B) TRAVIS RANCH, TRINITY COUNTY
(C) WIGGINS RANCH, HUMBOLDT COUNTY
(D) 3D RANCH, TEHAMA COUNTY

Received the Department’s report from Deputy Director Yparraguirre. Received public testimony.

MOVED BY J. BAYLIS, SECONDED BY J. KELLOGG, THAT THE FISH AND GAME COMMISSION HEREBY APPROVES THE WILDLIFE MANAGEMENT PLANS, APPLICATIONS, AND THE 2013 HARVEST PROGRAMS AS RECOMMENDED BY THE DEPARTMENT.

AYES: J. BAYLIS, J. HOSTLER-CARMESIN, J. KELLOGG, R. ROGERS, M. SUTTON.

MOTION PASSED.

14. PERMANENT REVOCATION OF COMMERCIAL FISHING LICENSE AND PRIVILEGES FOR KHANH QUANG BUI, LONG BEACH

As reported at the beginning of the meeting by Executive Director Mastrup, due to the need to provide an interpreter for Mr. Bui, this item is rescheduled for the October 2, 2013, meeting in Ventura. No public testimony.

15. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION

Deputy Attorney General Arens stated there was nothing to report from Executive Session. No public testimony.

16. PRESENTATIONS ON MARINE ELECTRONIC DATA REPORTING

(A) PRESENTATION BY DEPARTMENT ON ELECTRONIC DATA REPORTING

Received the Department’s overview and introduction from Craig Shuman. Received report from Tom Lupo.

(B) PRESENTATION BY JOE EXLINE ON FISHING ACTIVITY LOG BOOKS

Received PowerPoint presentation from Joe Exline. Received public testimony.

17. 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) PREVIEW OF FUTURE AGENDA ITEMS

Executive Director Mastrup reported on the following items that are expected to be scheduled for the October meeting:

a. Possible adoption of sturgeon tag regulations
b. Discussion of inland trout and salmon special regulations  
c. Discussion of commercial kelp harvest regulations  
d. Potential request to publish notice regarding ground squirrel depredation  
e. Potential request to publish notice regarding market squid 2-ton  
f. Potential COLA adjustments to fees  
g. Potential receipt of Pacific fisher status report  
h. Adopt 2014 meeting schedule and locations (including joint meeting with Oregon Fish & Wildlife Commission)  
i. U.S. Fish and Wildlife Service condor watching field trip or lead-free shooting demo  

Received public testimony.

(C) MARINE RESOURCES COMMITTEE  
President Sutton stated that there was not a committee meeting scheduled for August or September but that a meeting may be scheduled around the October Commission meeting. Received public testimony.

(D) WILDLIFE RESOURCES COMMITTEE  
There was no report. No public testimony.

(E) ARIZONA – CALIFORNIA RECIPROCAL HUNTING AND FISHING LICENSES  
Deputy Executive Director Shea provided an update and stated that possible approval of an Interstate Agreement would be scheduled for the October Commission meeting. No public testimony.

18. DEPARTMENT INFORMATIONAL ITEMS

(A) DIRECTOR’S REPORT  
Deputy Director Yparraguirre expressed sympathy for the loss of three of the Department’s “family” – Mike Taugher, Joe Ramos and Bob Garrison. No public testimony.

(B) UPDATE ON CA LAW REVISION PROCESS  
There was no report. No public testimony.

(C) WILDLIFE AND FISHERIES DIVISION AND ECOSYSTEM CONSERVATION DIVISION  
Eric Loft provided an update on the bighorn sheep disease outbreak. No public testimony.

(D) LAW ENFORCEMENT DIVISION  
Don Kelly reported on: Loss of Joe Ramos, bear and mountain lion incidents, abalone citations in Mendocino/Sonoma counties, and the opening of deer season. Received public testimony.
19. OTHER INFORMATIONAL ITEMS

(A) LEGAL COUNSEL
There was no report. No public testimony.

(B) FEDERAL AGENCIES
There was no report. No public testimony.

20. RECEIPT OF AND POSSIBLE ACTION ON LEGISLATIVE MATTERS

(A) DEPARTMENT REPORT
Deputy Director Yparraguirre provided a brief recap and indicated a report was in Commissioner's binders. Received public testimony.

21. POSSIBLE ACTION ON NEW BUSINESS, COMMISSION FOLLOW-UP AND STAFF DIRECTION
Executive Director Mastrup reported that the Commission is considering adopting an approximate two-year cycle for developing regulations, which would allow for better vetting.

He reported that the Governor's Office had requested that all agencies adopt their own tribal consultation policies. He added that the Commission was currently operating under the Natural Resources Agency's policy but would be developing its own policy. No public testimony.

22. DISCUSSION AND POSSIBLE ACTION ON FUTURE MEETINGS

(A) 2013
Executive Director Mastrup reported on the next three meetings for 2013: October 2 in Ventura, November 6-7 in La Quinta, and December 11-12 in San Diego. No public testimony.

(B) 2014
Executive Director Mastrup stated that a draft 2014 meeting schedule with proposed locations had been provided to the Commissioners. There was discussion that two of the largest cities in the state were missing from the list (San Francisco and Los Angeles/Long Beach areas) as well as the north coast. The draft 2014 calendar reflects the Commission alternating meetings each month between a business format and a committee/workshop format. No public testimony.
23. PUBLIC FORUM
Received public testimony from: Richard Garcia, Jenn Eckerle, Ben Taylor, Betty Winholtz, Dennis Fox, Michael Greenberg, Donna Yamagata, Tom Hafer, Peggy Koteen, Paul Weakland, Archie Ponds, George Osborn, Devin Cottle, Tom Raftican, and Carol Georgi.

THE FISH AND GAME COMMISSION HEREBY RECOGNIZES THE PUBLIC REQUESTS AND TAKES NO ACTION. THE FISHING CONTEST PROPOSAL WAS FORWARD ED TO THE DEPARTMENT FOR EVALUATION.

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

<table>
<thead>
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<th>MEETING DATE</th>
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<th>COMMITTEE MEETING</th>
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<tr>
<td>Oct. 2 (Wed.)</td>
<td>Crowne Plaza Ventura Beach Hotel</td>
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<tr>
<td>Oct. 3 (Thurs.)</td>
<td>450 East Harbor Boulevard</td>
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<td></td>
<td>Ventura, CA 93001</td>
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<td>Nov. 6 (Wed.)</td>
<td>Embassy Suites</td>
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<td>Nov. 7 (Thurs.)</td>
<td>50-777 Santa Rosa Plaza</td>
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<td>La Quinta, CA</td>
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<tr>
<td>Dec. 11 (Wed.)</td>
<td>Hilton San Diego Mission Valley</td>
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<td>Dec. 12 (Thurs.)</td>
<td>901 Camino del Rio South</td>
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<td>San Diego, CA 92108</td>
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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. CENTER FOR BIOLOGICAL DIVERSITY vs. CALIFORNIA FISH AND GAME COMMISSION AND DEPARTMENT OF FISH AND GAME RE: PACIFIC FISHER.

   IV. 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 LIFE PROTECTION ACT.

   V. 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 adjourned at 3:47 p.m.