STAFF SUMMARY, MEETING OF DECEMBER 3, 2014

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. A recording of the meeting – the official minutes – may be obtained from www.cal-span.org.

Pursuant to the call of the President, the California Fish and Game Commission (Commission) met at the Airtel Plaza Hotel, 7277 Valjean Avenue, Van Nuys, California on December 3, 2014. The meeting was called to order at 8:00 a.m. by President Mike Sutton.

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

Helen Arens Deputy Attorney General

CALIFORNIA NATURAL RESOURCES AGENCY

Catherine Kuhlman Deputy Secretary for Ocean and Coastal Policy

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Charlton Bonham Director
Wendy Bogdan Acting General Counsel
Mike Carion Deputy Director and Chief, Law Enforcement Division
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Mike Sutton introduced members of the Commission and its staff, California Department of Fish and Wildlife (Department) directorate and Helen Arens of the Attorney General’s Office, and welcomed elected officials.

The Commission took agenda items 27, 32 and 35 out of order, but they are shown in numerical order in this summary.

1. RECEIPT, DISCUSSION, AND POSSIBLE ACTION FOR ITEMS PREVIOUSLY REFERRED TO THE MARINE RESOURCES COMMITTEE

   (A) NOVEMBER MEETING SUMMARY

   Susan Ashcraft provided a summary of committee recommendations. Received public testimony.

   Moved by J. Baylis and seconded by R. Rogers that the Commission approves Marine Resources Committee recommendations 1 – 3.

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

2. RECEIPT, DISCUSSION, AND POSSIBLE ACTION FOR ITEMS PREVIOUSLY REFERRED TO THE WILDLIFE RESOURCES COMMITTEE

   (A) POTENTIAL JANUARY 2015 MEETING TOPICS

   Sonke Mastrup provided an update and summary. Received public testimony.

   Moved by J. Kellogg and seconded by R. Rogers that the Commission accepts the recommended topics for evaluation at the next WRC meeting.

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

3. DISCUSSION AND POSSIBLE ACTION FOR ITEMS PREVIOUSLY REFERRED TO THE TRIBAL COMMITTEE

   Sonke Mastrup provided a summary and update about the Governor’s tribal liaison’s working group request for all state agencies to complete and adopt a tribal consultation policy. Jacque Hostler-Carmesin, co-chair of the
Commission’s Tribal Committee, provided an update on the effort to plan the annual meeting referenced in the draft tribal policy. Received public testimony.

Moved by R. Rogers and seconded by J. Kellogg that the Commission accepts the staff recommendation to place the draft tribal consultation policy on the agenda for the Feb. 11-12, 2015 meeting in Sacramento for discussion and public comment.

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

**Motion passed.**

4. **POSSIBLE ADOPTION OF PROPOSED CHANGES TO SPORT FISHING REGULATIONS FOR 2015 (SECTION 1.45 ET AL., TITLE 14, CCR)**

Stafford Lehr made a presentation summarizing the proposed regulation changes. Received public testimony.

Moved by J. Baylis and seconded by J. Kellogg that the Commission certifies the negative declaration, adopts the proposed project, and adopts proposed changes to sport fishing regulations for the 2015-2016 season.

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

**Motion passed.**

5. **POSSIBLE ADOPTION OF REGULATIONS TO PROHIBIT INDUCEMENTS FOR NONGAME MAMMAL AND FURBEARER HUNTING CONTESTS (SECTIONS 465 AND 472, TITLE 14, CCR)**

Caren Woodson summarized the proposed regulation changes. Received public testimony.

Moved by J. Baylis and seconded by R. Rogers that the Commission adopts the proposed changes to clarify proper interpretation of statute prohibiting prizes or inducements for the take of furbearers and nongame mammals.

**Ayes:** J. Baylis, J. Kellogg, R. Rogers, M. Sutton

**Noes:** J. Hostler-Carmesin

**Motion passed.**

6. **TRICOLORED BLACKBIRD**

(A) RECEIPT OF PETITION FROM THE CENTER FOR BIOLOGICAL DIVERSITY TO LIST THE TRICOLORED BLACKBIRD (*Agelaius tricolor*) AS AN ENDANGERED SPECIES UNDER THE CALIFORNIA ENDANGERED SPECIES ACT (PURSUANT TO SECTION 2073.3, FISH AND GAME CODE)

(B) POSSIBLE ADOPTION OF EMERGENCY REGULATION TO ADD TRICOLORED BLACKBIRD (*Agelaius tricolor*) TO THE LIST OF ENDANGERED SPECIES (PURSUANT TO SECTION 2076.5, FISH AND GAME CODE)

Received summary from Sonke Mastrup, who provided clarification about
the different standard for adopting emergency regulations under the California Endangered Species Act versus the Administrative Procedure Act. Charlton Bonham provided input from the Department. Received public testimony.

Moved by J. Kellogg and seconded by J. Hostler-Carmesin that the Commission, pursuant to Section 2076.5 of the Fish and Game Code, finds that the petition and other information before the Commission to list the tricolored blackbird on an emergency basis as an endangered species does not provide sufficient information to warrant an emergency listing, but does initiate the 90-day petition evaluation period.

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

Moved by R. Rogers and seconded by J. Baylis that the Commission, pursuant to Section 2076.5 of the Fish and Game Code, finds that the petitioned action to list the tricolored blackbird as an endangered species on an emergency basis is warranted based on the information before the Commission and therefore amends Section 670.5, Title 14, California Code of Regulations, to add the tricolored blackbird as an endangered species.

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

7. POSSIBLE ADOPTION OF PROPOSED CHANGES TO RECREATIONAL GROUNDFISH REGULATIONS FOR 2015 FOR CONSISTENCY WITH FEDERAL RULES (SECTION 1.91 ET AL., TITLE 14, CCR)

Joanna Grebel made a presentation on recent actions taken at the Pacific Fishery Management Council (PMFC) and recommendations from the Department. No public testimony.

Moved by R. Rogers and seconded by M. Sutton that the Commission authorizes publication of a continuation notice of its intent to amend recreational groundfish regulations for 2015-2016 as recommended by the Department.

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

8. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO AMEND PACIFIC HALIBUT SPORT FISHING REGULATIONS FOR 2015 FOR CONSISTENCY WITH FEDERAL RULES (SECTION 28.20, TITLE 14, CCR)

Received Department’s presentation from Marci Yaremko. No public testimony.

Moved by R. Rogers and seconded by J. Baylis that the Commission authorizes publication of a notice of its intent to amend sections 28.20 and 28.95, Title 14,
California Code of Regulations, related to Pacific halibut sport fishing, as presented by the Department.

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

**Motion passed.**

9. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO AMEND REGULATIONS REGARDING SPORT FISHING BAG AND POSSESSION LIMITS FOR BLUEFIN TUNA FOR CONSISTENCY WITH FEDERAL RULES IN 2015 (SECTIONS 27.65 AND 28.38, TITLE 14, CCR)

Mandi Lewis made a presentation on recent actions taken at PFMC and recommendations from the Department. Received public testimony.

Moved by R. Rogers and seconded by J. Baylis that the Commission authorizes publication of a notice of its intent to amend sections 27.65 and 28.38, Title 14, California Code of Regulations, related to tuna sport fishing as discussed today (possible addition of an option to exempt skipjack from the proposed fillet regulations).

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

**Motion passed.**

Added item: Special presentation for Mike Carion who is retiring as chief of the Department’s Law Enforcement Division. Ken Franke, president of the Sportfishing Association of California, made a special presentation from his board of directors. Sonke Mastrup read into the record and presented a Commission resolution honoring Mike Carion.

10. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO AMEND 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 about Department recommendations. No public testimony.

Moved by R. Rogers and seconded by J. Baylis that the Commission authorizes publication of two notices of its intent to amend sections 1.73, 27.75 and 27.80 related to ocean salmon sport fishing.

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

**Motion passed.**
11. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO AMEND KLAMATH RIVER SALMON SPORT FISHING REGULATIONS (SUBSECTIONS 7.50(b)(91.1) AND (b)(195), TITLE 14, CCR)

Charleton Bonham provided background information regarding recommendations made by the Yurok Tribe. Stafford Lehr made a presentation about Department recommendations and recommendations from the Yurok Tribe. Received public testimony.

Moved by R. Rogers and seconded by J. Hostler-Carmesin that the Commission authorizes publication of a notice of its intent to amend Section 7.50 related to Klamath River Basin sport fishing, as recommended by the Department, and including the retention of foul-hooked fish at the spit and a conservation closure at the confluence and immediately downstream of Blue Creek pursuant to the Yurok Tribe’s recommendation.

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

12. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO AMEND CENTRAL VALLEY RIVER SALMON SPORT FISHING REGULATIONS (SUBSECTIONS 7.50(b)(5), (68) AND (156.5), TITLE 14, CCR)

Stafford Lehr made a presentation about Department recommendations. No public testimony.

Moved by R. Rogers and seconded by J. Baylis that the Commission authorizes publication of a notice of its intent to amend subsections 7.50(b)(5), (68) and (156.5) as recommended by the Department.

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

13. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO AMEND MAMMAL HUNTING REGULATIONS (SECTIONS 360, 361, 362, 363, 364, 364.1, 702, 708.5, 708.11, 708.18 AND 713, TITLE 14, CCR)

Eric Loft made a presentation about Department recommendations. Received public testimony.

Moved by J. Kellogg and seconded by J. Baylis that the Commission authorizes publication of a notice of its intent to amend sections 360, 361, 362, et al., related to mammal hunting, as proposed by the Department.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton
Motion passed.
14. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO AMEND BOBCAT TRAPPING REGULATIONS (PURSUANT TO SECTION 4155, FISH AND GAME CODE)

Craig Martz made a presentation that described alternatives considered and summarized a recommended approach from the Department. Received public testimony.

Moved by R. Rogers and seconded by J. Baylis that the Commission authorizes publication of a notice of its intent to amend Section 478, Title 14, California Code of Regulations, based on the Department’s proposed regulations, with the addition of an option for a statewide bobcat trapping prohibition.

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

15. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF INTENT TO AMEND REGULATIONS REGARDING AUTHORIZED METHODS OF TAKE FOR WILDLIFE USING LEAD AMMUNITION – PHASING OUT THE USE OF LEAD AMMUNITION (PURSUANT TO SECTION 3004.5, FISH AND GAME CODE)

Dan Yparraguirre made a presentation with recommendations from the Department, and also presented a summary of a long-awaited research study from Texas related to steel versus lead shot that only recently became available. Received public testimony.

Moved by J. Kellogg and seconded by J. Baylis that the Commission authorizes publication of a notice of its intent to amend sections 311, 353, 464, et al.; repeal Section 355, and add Section 250.1 related to the use of non-lead ammunition for the take of all wildlife by 2019 as proposed by the Department today.

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

16. DISCUSSION OF PROPOSED REGULATIONS FOR PETITIONING THE COMMISSION TO CHANGE REGULATIONS (ADD SECTION 662, TITLE 14, CCR)

Received public testimony.

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<td>19. RATIFICATION OF FINDINGS TO LIST CLEAR LAKE HITCH (Lavinia exilicauda chi) AS A THREATENED SPECIES UNDER THE CALIFORNIA</td>
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20. APPROVAL OF THE DEPARTMENT'S REQUEST FOR A SIX MONTH EXTENSION TO COMPLETE THE STATUS REPORT AND PEER REVIEW PROCESS FOR THE PETITION TO LIST THE NORTHERN SPOTTED OWL (Strix occidentalis caurina) AS A THREATENED OR ENDANGERED SPECIES UNDER THE CALIFORNIA ENDANGERED SPECIES ACT (PURSUANT TO SECTION 2074.6, FISH AND GAME CODE)

21. APPROVAL OF THE DEPARTMENT'S REQUEST FOR A SIX MONTH EXTENSION TO COMPLETE THE STATUS REPORT AND PEER REVIEW PROCESS FOR THE PETITION TO LIST THE TOWNSEND'S BIG-EARED BAT (Corynorhinus townsendii) AS A THREATENED OR ENDANGERED SPECIES UNDER THE CALIFORNIA ENDANGERED SPECIES ACT (PURSUANT TO SECTION 2074.6, FISH AND GAME CODE)

22. RECEIPT OF THE DEPARTMENT'S EVALUATION OF THE PETITION TO LIST THE FLAT-TAILED HORNED LIZARD (Phrynosoma mcallii) AS ENDANGERED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT (PURSUANT TO SECTION 2073.5, FISH AND GAME CODE)

23. RECEIPT OF NATURAL SCIENCES, LLC APPLICATION TO LEASE KELP BEDS 102, 103, 107, AND 108 AT SAN CLEMENTE AND SAN NICOLAS ISLANDS, AND HARVEST PLAN TO MECHANICALLY HARVEST IN LEASED AND OPEN BEDS IN SOUTHERN CALIFORNIA

24. APPROVAL OF APPLICATION FROM MR. GEIR NILSEN TO TRANSFER HALIBUT BOTTOM TRAWL VESSEL PERMIT (BT0023) UPON THE SALE OF THE F/V SEA BIRD (FG12744)

25. PERMANENT REVOCATION OF SPORT FISHING PRIVILEGES FOR LANH THI NGUYEN TRAN, ELK GROVE

26. APPROVAL OF REQUEST FROM CHRISTINE ALLEN (EXECUTOR OF THE ESTATE OF THOMAS L. PTAK) TO EXTEND THE TIME TO TRANSFER MR. THOMAS L. PTAK'S TRANSFERABLE NEARSHORE FISHERY PERMIT AND NEARSHORE FISHERY TRAP ENDORSEMENT UNTIL DECEMBER 15, 2015

Items 21, 22, and 24 received public testimony prior to the Commission taking action on the consent calendar.

Moved by J. Kellogg and seconded by J. Baylis that the Commission hereby adopts consent calendar items 17-26.

Ayes: J. Baylis, J. Hostler-Carmesin, J. Kellogg, R. Rogers, M. Sutton
Motion passed.
27. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION

Prior to convening in executive session, received public testimony from Mark Scheer, representing Dennis Sturgell, and David Kiene, representing the Department.

Sonke Mastrup reported that the Commission adopted the administrative law judges’ proposed decisions to revoke the sport fishing privileges of Tam Van Tran and to revoke the Dungeness crab vessel permit of Dennis Sturgell. The Commission took no other action.

Received public testimony.

28. RECEIPT AND POSSIBLE APPROVAL OF KELP HARVESTING PLANS REQUIRED FOR MECHANICAL HARVEST OF KELP (PURSUANT TO SECTION 165(A)(6), TITLE 14, CCR):

(A) THE ABALONE FARM, INC

(B) THE CULTURED ABALONE FARM, LLC

Sonke Mastrup introduced the item. Susan Ashcraft provided details about why there is a need for action prior to January and until approval, to be scheduled for February 2015. No public testimony.

Moved by J. Baylis and seconded by R. Rogers, the Commission authorizes The Abalone Farm, Inc., and the Cultured Abalone Farm, LLC, to continue mechanical harvest of kelp, through February 12, 2015.

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

29. RECEIPT AND POSSIBLE ACTION ON DEPARTMENT REQUEST TO AMEND SANTA BARBARA MARICULTURE STATE WATER BOTTOM LEASE #M-653-02 IN SANTA BARBARA, TO CORRECT BOUNDARIES AND EXTEND LEASE PERIOD FOR ONE YEAR

Randy Lovell made a presentation with an overview of the request. Received public testimony.

Moved by R. Rogers and seconded by J. Kellogg that the Commission approves the request for a one year extension of the lease period for Santa Barbara Mariculture State Water Bottom Lease M-653-02, and amends the lease boundary description to conform to the location of lease operations.

Ayes: J. Baylis, J. Kellogg, R. Rogers, M. Sutton
Absent: J. Hostler-Carmesin
Motion passed.
30. RECEIPT AND POSSIBLE ACTION ON REQUEST BY COVE MUSSEL COMPANY TO SUBLEASE A PORTION OF STATE WATER BOTTOM LEASE #M-430-06 IN TOMALES BAY TO CHRISTOPHER STARBIRD

Received summary from Sonke Mastrup, including the request to defer this item to the February business meeting due to a legal question. No public testimony.

31. PRESENTATION AND POTENTIAL ENDORSEMENT OF THE OCEAN PROTECTION COUNCIL’S MARINE PROTECTED AREAS PARTNERSHIP PLAN

Catherine Kuhlman indicated that the plan was adopted yesterday by the California Ocean Protection Council with an errata sheet, described the purpose and some elements of the plan, and named the partners who worked to create the plan. Received public testimony.

Moved by R. Rogers and seconded by J. Kellogg that the Commission endorses The California Collaborative Approach: Marine Protected Areas Partnership Plan, as amended with the errata sheet, and its application in supporting broad participation in managing the state’s marine protected area network.

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

32. NEW BUSINESS

(A) DISCUSSION OF IDEAS TO CLARIFY POSSESSION LIMITS WHEN LAWFULLY PROCESSING GAME BIRDS AND GAME MAMMALS INTO FOOD (SECTION 3080, FISH AND GAME CODE)

Sonke Mastrup provided an update on staff efforts to work with the Department and affected parties on regulations to implement SB 392 of the Fish and Game Code.

(B) New items

I. Jacque Hostler-Carmesin requested approval to travel on behalf of the Fish and Game Commission to the International Pacific Halibut Commission meeting in January. Received public testimony.

Moved by J. Kellogg and seconded by J. Baylis that the Commission authorizes Commissioner Hostler-Carmesin to attend the International Pacific Halibut Commission meeting.

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

II. Sonke Mastrup provided an update on staff efforts to work with the Department and affected parties to implement Section 3080 of the Fish and Game Code.
III. Sonke Mastrup provided an update on the legal interpretation that experimental market squid permits, described in Section 149.3 of Title 14, have expired. A request was received for a Marine Resources Committee discussion in March 2015 regarding market squid experimental permits; the Marine Resources Committee co-chairs will discuss whether to recommend adding this item for discussion for the March committee meeting.

33. ITEMS OF INTEREST FROM PREVIOUS MEETINGS

(A) POSSIBLE ACTION ON PETITIONS FOR REGULATORY CHANGE RECEIVED AT THE OCTOBER 2014 MEETING [See attached tables for actions taken on petitions.]

(B) POSSIBLE ACTION ON NON-REGULATORY REQUESTS RECEIVED AT THE OCTOBER 2014 MEETING [See attached tables for actions taken on requests.]

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. Kellogg, R. Rogers, M. Sutton
Absent: J. Hostler-Carmesin
Motion passed.

34. DISCUSSION AND POSSIBLE ACTION ON FUTURE MEETING ITEMS

(A) NEXT MEETING – FEBRUARY 11-12, 2015, IN SACRAMENTO

No public testimony.

The Commission directed staff to move the October business and Tribal Committee meetings to Van Nuys.

35. DEPARTMENT INFORMATIONAL ITEMS

(A) DIRECTOR’S REPORT

Charlton Bonham reported that David Bess begins as the new chief of the Department’s Law Enforcement Division on December 5.

(B) WILDLIFE AND FISHERIES DIVISION, AND ECOSYSTEM CONSERVATION DIVISION

There was no report. No public testimony.
(C) LAW ENFORCEMENT DIVISION

There was no report. No public testimony.

(D) MARINE

Craig Shuman provided updates during previous agenda items. No public testimony.

(E) OTHER

There was no report. No public testimony.

36. PUBLIC FORUM

Received public testimony. [See attached tables for a summary of all items received before or at the meeting for public forum.]

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 (COHO LISTING, SOUTH OF SAN FRANCISCO)
   II. JAMES BUNN AND JOHN GIBBS vs. CALIFORNIA FISH AND GAME COMMISSION (SQUID PERMITS)
   III. CENTER FOR BIOLOGICAL DIVERSITY AND EARTH ISLAND INSTITUTE vs. CALIFORNIA FISH AND GAME COMMISSION (BLACK-BACKED WOODPECKER)

(B) POSSIBLE LITIGATION INVOLVING THE COMMISSION

(C) STAFF PERFORMANCE AND COMPENSATION

(D) RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS
   I. MR. TAM VAN TRAN - REVOKE SPORT FISHING PRIVILEGES
   II. MR. DENNIS STURGELL – REVOKE DUNGENESS CRAB VESSEL PERMIT (CT0544-T1)
<table>
<thead>
<tr>
<th>MEETING DATE</th>
<th>COMMISSION MEETING</th>
<th>COMMITTEE MEETING</th>
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</table>
| Jan. 14     |                   | **Wildlife Resources**  
Sacramento-San Joaquin Delta Conservancy  
1450 Halyard Drive, Suite 6  
West Sacramento, CA 95691 |
| Feb. 11-12  | Resources Building  
1416 Ninth Street  
First Floor Auditorium  
Sacramento, CA 95814 |                   |
| Mar. 4      |                   | **Marine Resources**  
Monterey County Library  
Marina Branch  
190 Seaside Circle  
Marina, CA 93933 |
| Mar. 16     | **Special Meeting (teleconference)**  
*Location and Time TBD* |                   |
| Apr. 7      |                   | **Tribal Committee**  
Santa Rosa |
| Apr. 8-9    |                   | Santa Rosa |
| Apr. 17     | **Special Meeting (teleconference)**  
*Location and Time TBD* |                   |
| May 6       |                   | **Wildlife Resources**  
Department of Transportation (CalTrans)  
Conference Room 01.037  
100 South Main Street  
Los Angeles, CA 90012 |
| Jun. 9      |                   | **Tribal Committee**  
Mammoth Lakes |
| Jun. 10-11  |                   | Mammoth Lakes |
| Jul. 8      |                   | **Marine Resources**  
North Coast |
<p>| Aug. 4-5    |                   | Fortuna |</p>
<table>
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<tbody>
<tr>
<td>Sep. 9</td>
<td></td>
<td>Wildlife Resources</td>
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<tr>
<td></td>
<td></td>
<td>Central California</td>
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<td>Oct. 6</td>
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<td>Tribal Committee</td>
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<td>Van Nuys</td>
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<td>Oct. 7-8</td>
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<td>Van Nuys</td>
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<td>Nov. 4</td>
<td></td>
<td>Marine Resources</td>
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<td></td>
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<td>Southern California</td>
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<td>Dec. 9-10</td>
<td></td>
<td>San Diego</td>
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</table>

OTHER MEETINGS OF INTEREST

Western Association of Fish and Wildlife Agencies
- January 8-11, Las Vegas, NV
- July 16-22, Reno, NV

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

Wildlife Conservation Board – Dates unknown at this time

Pacific Flyway Council
- March 10, Omaha, NE
- July 24, TBD

There being no further business, the Commission meeting adjourned at 6:14 p.m.
<table>
<thead>
<tr>
<th>Date Received</th>
<th>Name of Petitioner</th>
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<th>FGC Decision</th>
<th>DFW/FGC Staff Response</th>
<th>Final Action, Other Outcomes</th>
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<tbody>
<tr>
<td>8/28/2014 - LTR 9/17/2014 - Oral</td>
<td>Mercer Lawing (California Trappers Association) Kathy Lynch</td>
<td>Bobcat Protection Act (AB1213)</td>
<td>FGC 4155</td>
<td>Request that regulation clarify section 4155(d) concerning definition of &quot;any trap&quot; and &quot;any land&quot;.</td>
<td>Referred to bobcat rulemaking</td>
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<tr>
<td>8/11/2014</td>
<td>Guy Kilburn</td>
<td>Squid and salmon fishing in Bodega Bay</td>
<td></td>
<td>Request for regulation to separate squid boats from salmon boats in small areas, like Bodega Bay.</td>
<td>Rejected 12/3/2014; boating safety is under the authority of the U.S. Coast Guard.</td>
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<tr>
<td>8/23/2014</td>
<td>Sam Craig</td>
<td>Mammal regulations</td>
<td></td>
<td>Request for changes in B zones for black-tailed deer.</td>
<td>Referred to mammal hunting rulemaking for 2016-17 season</td>
<td></td>
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<tr>
<td>9/1/2014</td>
<td>Dennis Haussler</td>
<td>Freshwater spearfishing</td>
<td></td>
<td>Request that freshwater spearfishing regulations mirror freshwater bow and arrow regulations.</td>
<td>Refer to sport fish rulemaking for 2016-17 season.</td>
<td></td>
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</tr>
<tr>
<td>9/11/2014</td>
<td>City of Hermosa Beach</td>
<td>Pier Fishing</td>
<td></td>
<td>Request for changes to pier fishing regulations and schedule for MRC discussion.</td>
<td>Referred to MRC</td>
<td></td>
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<tr>
<td>9/14/2014</td>
<td>Thomas Bolender, Oceanside Senior Anglers</td>
<td>Rockfish lines and lingcod limits</td>
<td></td>
<td>Request to increase rockfish fishing depths to 60 fathoms, and to increase lingcod limit to three.</td>
<td>Referred to groundfish rulemaking. 12/3/2014</td>
<td></td>
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<tr>
<td>9/8/2014</td>
<td>Bill James, representing Port San Luis Commercial Fishermen's Association</td>
<td>Nearshore Fishery Management Plan</td>
<td></td>
<td>Request for changes to the Deeper Nearshore Fishery Permit (DNFP) and for topic to be added to an upcoming meeting agenda.</td>
<td>Previously referred to DFW 12/3/2014; DNFP subject already referred to DFW on 10/8/2014 for review and recommendation.</td>
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<tr>
<td>8/21/2014</td>
<td>William Heinselman</td>
<td>Striped bass</td>
<td></td>
<td>Request to lower the limit and require any stripers to be a minimum of 18 inches.</td>
<td>Referred to sport fish rulemaking for 2016-17 season 12/3/2014</td>
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<tr>
<td>9/11/2014</td>
<td>Holly Gallagher, Colusa County Fish and Game Advisory Commission</td>
<td>Clams</td>
<td></td>
<td>Request to lower clam limits in Humboldt County, which are higher than the rest of the state.</td>
<td>Rejected 12/3/2014; no biological rationale to support change.</td>
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<td>8/5/2014</td>
<td>Jim Lambert</td>
<td>Long leader line snagging</td>
<td></td>
<td>Request to limit leader lines to no more than 72 inches in length from the weight (exceeding 1/2 ounce or more) to the hook.</td>
<td>Referred to DFW's snagging workgroup 12/3/2014</td>
<td></td>
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<tr>
<td>9/8/2014</td>
<td>Dennis Fox</td>
<td>Ammunition</td>
<td></td>
<td>Request to ban copper clad steel bullets on state forests and wildlife areas.</td>
<td>Rejected 12/3/2014; steel bullets are already illegal.</td>
<td></td>
<td></td>
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<tr>
<td>9/22/2014</td>
<td>Kevin Miu</td>
<td>Canary rockfish</td>
<td></td>
<td>Request to change the rules concerning canary rockfish to permit take size and possession limits.</td>
<td>Rejected 12/3/2014; rockfish are under the authority of the Pacific Fishery Management Council.</td>
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<tr>
<td>6/13/2014</td>
<td>Michel &amp; Associates</td>
<td>Commission procedures and rules</td>
<td>Title 14, Chapter 5</td>
<td>Request two changes regarding transparency and financial disclosure requirements.</td>
<td>Petition accepted 12/3/2014; refer to FGC staff for evaluation and recommendation.</td>
<td></td>
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<tr>
<td>10/2/2014</td>
<td>Joe and Joan Becker</td>
<td>Dogs for hunting</td>
<td></td>
<td>Request no more restrictions on the use of dogs for taking wildlife.</td>
<td>Rejected 12/3/2014; this subject is not currently under consideration by FGC.</td>
<td></td>
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<tr>
<td>10/8/2014</td>
<td>Mack Demachi, Tradewind Seafood</td>
<td>Sea urchin dive permits</td>
<td></td>
<td>Request for a delay in a decision on the CA Sea Urchin Commission's request to decrease the number of permits from 300 to 150 to allow discussion with buyers/processors.</td>
<td>Petition accepted with modification 12/3/2014; refer to staff for consideration in rulemaking.</td>
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<tr>
<td>10/1/2014</td>
<td>Colusa County Fish and Game Advisory Commission</td>
<td>Elk hunts</td>
<td></td>
<td>Request to increase elk hunting in Stonyford to control growing size of herd.</td>
<td>Referred to mammal hunting rulemaking for 2015-16 season 12/3/2014</td>
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<tr>
<td>8/30/2014</td>
<td>Eric Hartman</td>
<td>Pier Fishing - Manhattan Beach</td>
<td>Request for assistance to restore pier fishing opportunities at Manhattan Beach</td>
<td>Referred to MRC on 12/3/2014 for review and recommendation.</td>
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<tr>
<td>8/4/2014</td>
<td>Lee Rudin</td>
<td>Live Animal Food Markets</td>
<td>Request to place the live animal food markets on an upcoming meeting agenda</td>
<td>Rejected 12/3/2014; previously considered by FGC and no new information provided.</td>
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<tr>
<td>8/4/2014</td>
<td>Lee Rudin</td>
<td>Public Forum</td>
<td>Request to move public forum to the first item on the agenda</td>
<td>Rejected 12/3/2014; priority of the business meeting is pending business and public forum info can be submitted anytime.</td>
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<tr>
<td>8/1/2014</td>
<td>Charles Bucaria, Northern CA Council of International Fly Fishers</td>
<td>Salmon Policy</td>
<td>Requests 15 mintues to address FGC on salmon policy at October meeting and work together to develop anadromous fishery management plans</td>
<td>Petition accepted 12/3/2014 with modification; consider at future discussion of salmon policy.</td>
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<tr>
<td>9/19/2014</td>
<td>Katie Alling</td>
<td>Commission Policy</td>
<td>Request FGC make all policy regarding species population management based on peer-reviewed science and data</td>
<td>Rejected 12/3/2014; Fish and Game Code already provides guidance.</td>
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<tr>
<td>9/23/2014</td>
<td>Beverly Kreuer</td>
<td>Urban Coyote</td>
<td>Request assistance with managing growing problem of aggressive urban coyotes</td>
<td>Rejected 12/3/2014; beyond the authority of FGC. For more information visit <a href="http://www.dfg.ca.gov/keepmewild/coyote.html">www.dfg.ca.gov/keepmewild/coyote.html</a>.</td>
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<tr>
<td>9/15/2014</td>
<td>Coyote Watch</td>
<td>Urban Coyote</td>
<td>Request assistance with managing growing problem of urban coyote attacks</td>
<td>Rejected 12/3/2014; beyond the authority of FGC. For more information visit <a href="http://www.dfg.ca.gov/keepmewild/coyote.html">www.dfg.ca.gov/keepmewild/coyote.html</a>.</td>
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<td>8/5/2014</td>
<td>Ashlee Titus, representing National Shooting Sports Foundation</td>
<td>President Sutton</td>
<td>Request President Sutton recuse himself from drafting non-lead implementation regulations</td>
<td>Referred to FGC legal counsel 12/3/2014</td>
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<tr>
<td>8/15/2014</td>
<td>Robert Byington</td>
<td>Harbor Data Monitoring</td>
<td>Request to require harbor data monitoring programs to help minimize fish kills</td>
<td>Rejected 12/3/2014; water quality monitoring is under the authority of the state and regional water boards.</td>
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<tr>
<td>10/3/2014</td>
<td>Concerned taxpayers (multiple)</td>
<td>Ballona Wetlands</td>
<td>Postcard requesting FGC to go on record opposing the Ballona Wetlands interpretive center</td>
<td>Petition accepted 12/3/2014; Petition already accepted 8/6/2014; hearing to be scheduled upon receipt of EIR and proposed regulations.</td>
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<tr>
<td>10/8/2014</td>
<td>Dennis Fox</td>
<td>Quagga Mussels</td>
<td>Request that all boats and kayaks be inspected for quagga mussels prior to entrance on refuges</td>
<td>Rejected 12/3/2014; existing law already restricts possession of quagga mussels (Fish and Game Code Section 2301)</td>
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<tr>
<td>10/8/2014</td>
<td>Dennis Fox</td>
<td>Commission</td>
<td>FGC should have nine members, instead of only five</td>
<td>Rejected 12/3/2014; requires change to state constitution.</td>
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<tr>
<td>11/10/2014</td>
<td>Callie Totaro</td>
<td>Hedgehogs</td>
<td></td>
<td>Request to permit hedgehogs as pets.</td>
<td>Action scheduled 2/11/2015</td>
<td></td>
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<tr>
<td>11/6/2014</td>
<td>Carol Reed</td>
<td>Gooseneck barnacles</td>
<td></td>
<td>Request to permit harvest of gooseneck barnacles (leaf barnacles).</td>
<td>Action scheduled 2/11/2015</td>
<td></td>
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<tr>
<td>11/7/2014</td>
<td>Jerry Hong</td>
<td>Gooseneck barnacles</td>
<td></td>
<td>Request to permit harvest of gooseneck barnacles (leaf barnacles).</td>
<td>Action scheduled 2/11/2015</td>
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<tr>
<td>11/3/2014</td>
<td>Alastair Bland</td>
<td>California halibut</td>
<td></td>
<td>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.</td>
<td>Action scheduled 2/11/2015</td>
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<tr>
<td>10/17/2014</td>
<td>Joseph Kleitman</td>
<td>ALDS</td>
<td></td>
<td>Request to reduce the difficulty with disabled hunter license delivery system and enforcement ID verification process.</td>
<td>Action scheduled 2/11/2015</td>
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<tr>
<td>11/20/2014</td>
<td>Mary Fairbanks</td>
<td>Experimental market squid vessel permit</td>
<td></td>
<td>Requests change to fishery management plan and regulations to allow experimental market squid vessel permit.</td>
<td>Action scheduled 2/11/2015</td>
<td></td>
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<tr>
<td>11/6/2014</td>
<td>Steve Park</td>
<td>Mammal hunting</td>
<td></td>
<td>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.</td>
<td>Action scheduled 2/11/2015</td>
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<tr>
<td>10/6/2014</td>
<td>Jim Newton</td>
<td>Fillet regulations</td>
<td></td>
<td>Requests change to permit non-resident sport anglers to fillet salmon.</td>
<td>Action scheduled 2/11/2015</td>
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<td>11/4/2014</td>
<td>Dan Fox, Animal Pest Management Services</td>
<td>Trapping regulations</td>
<td></td>
<td>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.</td>
<td>Action scheduled 2/11/2015</td>
<td></td>
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<tr>
<td>11/24/2014</td>
<td>Eileen O'Farrell and Reid Borgwardt</td>
<td>Gooseneck barnacles</td>
<td></td>
<td>Request to permit harvest of gooseneck barnacles.</td>
<td>Action scheduled 2/11/2015</td>
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## CALIFORNIA FISH AND GAME COMMISSION
### RECEIPT LIST FOR NON-REGULATORY REQUESTS: RECEIVED FOR / AT DECEMBER 3, 2014 BUSINESS MEETING
**Revised 12-11-2014**

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<td>10/6/2014</td>
<td>Ronald Oshima</td>
<td>Pilgrim Creek Ecological Reserve (PCER)</td>
<td>Concerned CDFW is in violation of FGC policies and procedures by not providing erosion control on the slopes of the PCER.</td>
<td>Action scheduled 2/11/2014</td>
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<tr>
<td>10/8/2014</td>
<td>Lawrence Keane, National Shooting Sports Foundation</td>
<td>Incompatible Activities Statement</td>
<td>Requests Commissioner Sutton recuse himself on implementation of nonlead mandate, and clarification about why all commissioners have yet to sign the updated Incompatible Activities Statement from the Governor's office.</td>
<td>Action scheduled 2/11/2014</td>
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<tr>
<td>10/10/2014</td>
<td>David Dickerson, California Sportfishing League</td>
<td>Pier and Jetty Fishing</td>
<td>Requests Commission take appropriate action to prevent municipalities from enacting rules and ordinances that restrict public fishing activities on piers.</td>
<td>Action scheduled 2/11/2014</td>
<td></td>
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</tr>
<tr>
<td>11/21/2014</td>
<td>Supervisor Doreen Farr, County of Santa Barbara</td>
<td>Cachuma Lake trout stocking</td>
<td>Requests Commission allow the county to continue stocking trout using triploids until the courts render a decision.</td>
<td>Action scheduled 2/11/2014</td>
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