

State of California
FISH AND GAME COMMISSION

Minutes, Meeting of November 2, 1979

<u>Item</u>	<u>Page</u>
1. CONSIDERATION OF DEPARTMENT REQUEST TO AMEND SECTION 730, TITLE 14, CAC, RE ADDING FIVE AREAS IN SAN DIEGO COUNTY TO THE LIST WHERE NO PERSON MAY CAMP WITHIN 200 YARDS OF WATERING PLACES-----	2
2. CONSIDERATION OF REQUEST OF THE CALIFORNIA HAWKING CLUB TO ADD SECTION 678, TITLE 14, CAC, RE CAPTIVE RAPTOR BREEDING PERMITS FOR SCIENTIFIC AND RECREATIONAL PURPOSES-----	2
3. CONFIRMATION OF EMERGENCY AMENDMENT OF SECTION 300, TITLE 14, CAC, PROHIBITING THE TAKE OF HEN PHEASANTS IN IMPERIAL COUNTY-----	3
4. CONFIRMATION OF EMERGENCY ADDITION OF SECTION 710, TITLE 14, CAC, RE HUNTER SAFETY TRAINING-----	4
5. CONSIDERATION OF PROPOSED CHANGES IN SPORT FISHING REGULATIONS FOR 1980, AND ANNOUNCEMENT OF REGULATIONS COMMISSION INTENDS TO ADOPT RELATING TO FISH, AMPHIBIA, REPTILES AND INVERTEBRATES-----	4
6. CONSIDERATION OF REQUESTS FOR EXPERIMENTAL GEAR PERMITS-----	15
7. CONSIDERATION OF REQUEST OF GERALD C. DE CARNELLE FOR A MODIFICATION OF HIS CAPTIVE RAPTOR BREEDING PERMIT-----	17
8. CONSIDERATION OF REQUEST OF DR. LASZLO de BORONDY, CASA de PETS, STUDIO CITY, FOR A PERMIT TO IMPORT AND POSSESS PROHIBITED SPECIES-----	18
9. CONSIDERATION OF REQUEST OF MURRAY CRUM, ANIMAL SPECIALTIES, SIMI VALLEY, TO IMPORT AND POSSESS PROHIBITED SPECIES OF REPTILES AND AMPHIBIANS FOR SALE TO ZOOS AND RESEARCH INSTITUTIONS-----	18
10. CONSIDERATION OF REQUEST OF ARLENE F. VANNIER, VANNIER GROUP, INC. FOR PERMIT TO POSSESS ELAND FOR FOOD CONVERSION STUDIES-----	19
11. CONSIDERATION OF REQUEST OF R. G. DROLETTE FOR A PERMIT TO IMPORT AND POSSESS A NEUTERED FEMALE FERRET-----	20
12. CONSIDERATION OF REQUEST OF MARINE BIOLOGICAL CONSULTANTS, INC., COSTA MESA, FOR A PERMIT TO COLLECT MARINE INVERTEBRATES, FISH, AND RESIDENT BIRDS FROM WITHIN THE UPPER NEWPORT BAY ECOLOGICAL RESERVE-----	21
13. CONSIDERATION OF REVOCATION OF HUNTING PRIVILEGES OF ALAN POLK COOK---	21
14. CONSIDERATION OF REVOCATION OF FISHING PRIVILEGES OF DAVID RANSOM BANKS-----	22
15. CONSIDERATION OF REVOCATION OF COMMERCIAL ABALONE CREWMEMBER PERMIT OF MARK P. SEXTON-----	23

Nov
2

<u>Item</u>	<u>Page</u>
16. RECEIPT OF DEPARTMENT REPORT "ANNUAL PROOF OF USE STATEMENTS FOR OYSTER ALLOTMENTS AND MARICULTURE LEASES"-----	24
17. CONSIDERATION OF REQUEST OF INTERNATIONAL SHELLFISH ENTERPRISES TO ADD RAFT CULTURE TO APPROVED CULTURAL METHODS ON ALLOTMENTS M430-04 AND M430-08; AND TO PUBLISH NOTICE OF INTENT TO CONSOLIDATE PARCELS 1 AND 2 OF ALLOTMENT M430-08, TOMALES BAY, MARIN COUNTY-----	24
18. CONSIDERATION OF REQUEST OF MANFRED SCHICKENBERG TO PUBLISH NOTICE OF INTENT TO ALLOT THREE PARCELS TOTALING APPROXIMATELY 10.5 ACRES IN TOMALES BAY, MARIN COUNTY, FOR MARICULTURE PURPOSES-----	25
19. CONSIDERATION OF REQUEST OF CALIFORNIA MARINE ASSOCIATES TO PUBLISH NOTICE OF INTENT TO ALLOT APPROXIMATELY 3 ACRES OF WATER BOTTOMS IN "CHINA HARBOR", SAN LUIS OBISPO COUNTY, FOR MARICULTURE PURPOSES-----	26
20. CONSIDERATION OF DEPARTMENT REQUEST TO SET THE 1980 FEES FOR THE COMMERCIAL SALMON STAMP PROGRAM AND COMMERCIAL SALMON LICENSE VALIDATION-----	27
21. CONFIRMATION OF EMERGENCY AUTHORIZATION OF EXPLOSIVES PERMIT ISSUED TO ROY E. LADD, INC., REDDING, RE REMOVAL OF BRIDGE PIER ON THE SOUTH FORK TRINITY RIVER NEAR FOREST GLEN, TRINITY COUNTY-----	28
22. CONFIRMATION OF EMERGENCY AUTHORIZATION OF EXPLOSIVES PERMIT ISSUED TO THE U.S. BUREAU OF LAND MANAGEMENT RE REMOVAL OF DIVERSION DAM ON THE UPPER MERCED RIVER, MARIPOSA COUNTY-----	28
23. CONSIDERATION OF DEPARTMENT REQUEST TO PUBLICIZE COMMISSION INTENT TO CONSIDER A CHANGE IN ITS "DEER POLICY" AT ITS DECEMBER 7 MEETING IN SACRAMENTO-----	29
24. CONFIRMATION OF EMERGENCY AMENDMENT OF SECTION 148, TITLE 14, CAC, RE REMOVAL OF THE LOAD COMPOSITION RESTRICTIONS FOR THE COMMERCIAL TAKE OF PACIFIC MACKEREL-----	30
24a. CONSIDERATION OF REQUEST OF CALIFORNIA SEAFOOD INSTITUTE FOR EMERGENCY ACTION TO AMEND SECTION 120, TITLE 14, CAC, TO PROVIDE FOR AN EXTENSION OF THE PRAWN AND SHRIMP SEASON IN PERMIT AREA C THROUGH NOVEMBER 19-----	30
25. ANNOUNCEMENT OF FUTURE MEETINGS-----	31

State of California
FISH AND GAME COMMISSION

Pursuant to the call of the President, the Fish and Game Commission met in the Otto Center, Balboa Park, San Diego, California, on November 2, 1979. The meeting was called to order by Vice President Elizabeth L. Venrick at 9 a.m.

Persons present:

FISH AND GAME COMMISSION

Sherman Chickering	President
Elizabeth L. Venrick, Ph.D.	Vice President
Berger C. Benson	Member
Abel C. Galletti	Member
Raymond F. Dasmann, Ph.D.	Member

FISH AND GAME COMMISSION STAFF

Harold C. Cribbs	Executive Secretary
A. Petrovich, Jr.	Assistant Executive Secretary

ATTORNEY GENERAL'S STAFF

Denis Smaage	Deputy Attorney General
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DEPARTMENT OF FISH AND GAME

E. C. Fullerton	Director
James Leiby	Chief of Operations
Paul Jensen	Chief, Anadromous Fisheries Branch
Ed Greenhood	Chief, Marine Resources Branch
Eldridge Hunt	Chief, Wildlife Management Branch
George McCammon	Chief, Inland Fisheries Branch
Fred Worthley	Regional Manager, Region 5
Robert Kaneen	Regional Manager, Marine Resources Region
James Wictum	Inspector, Wildlife Protection Branch
Si Nathenson	Information Officer, Region 5
Ralph Young	Information Officer, Region 5
John Roumasset	Captain, Region 5
Bill Maxwell	Associate Marine Biologist
John Duffy	Associate Marine Biologist
Terese Hoban	Assistant Marine Biologist

The following persons were also present and heard:

Bill Trausch	California Hawking Club
Skeeter Rubins	Party Boat Operator, Lake Tahoe
Leonard Ingrande	Commercial Fisherman
Murray Crum	Animal Specialties
Arlene Vannier	Vannier Group, Inc.
William Meeker	Superintendent, Sacramento Zoo
Rick Ware	Marine Biological Consultants, Inc.

Commissioner Venrick introduced the members of the Commission, the Commission staff, Deputy Attorney General Denis Smaage, and the Department staff.

1. CONSIDERATION OF DEPARTMENT REQUEST TO AMEND SECTION 730, TITLE 14, CAC, RE ADDING FIVE AREAS IN SAN DIEGO COUNTY TO THE LIST WHERE NO PERSON MAY CAMP WITHIN 200 YARDS OF WATERING PLACES.

Mr. Cribbs stated that at the Commission's August 30-31 meeting in San Francisco, it had authorized its staff to publish notice of its intent to amend Section 730, subsection (b), Title 14, CAC, regarding adding five springs to the list where persons are prohibited from camping near wildlife watering sites. He stated that that legal notice had been published.

Mr. Cribbs noted that the Department was requesting the designation to implement its joint wildlife habitat management plan for McCain Valley with the U.S. Bureau of Land Management. He further stated that the Bureau fully supported the designation and that each of the areas were significant because of their importance as watering sources for bighorn sheep. He reported that the springs (Grapevine, Tierra Blanca, Jacumba Jim, Cimaron, and Rattlesnake) were all located in San Diego County, and that they were situated along routes commonly frequented by bighorn.

Mr. Cribbs indicated that the Commission office had received no correspondence on this matter, and that the Department recommended final adoption. It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMAN, THAT
THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS
OF SECTION 308.5 OF THE FISH AND GAME CODE, AND TO IMPLEMENT,
INTERPRET OR MAKE SPECIFIC SAID SECTION OF SAID CODE, AMENDS
SECTION 730, SUBSECTION (b), TITLE 14, CALIFORNIA ADMINISTRATIVE
CODE, AS FOLLOWS:

- (1) Subsection (b)(4) of Section 730 is amended to read:

(4) Hayden Springs, in NE 1/4 of SW 1/4 of Section 12, T17S, R8E; Dos Cabezas, in SW 1/4 of SE 1/4 of Section 3, T17S, R8E; Southwest Grove in NE 1/4 of Section 23, T15S, R7E; Palm Bowl Grove Springs, in SE 1/4 of SE 1/4 of Section 14, T15S, R7E; Mtn. Palm Springs, in SE 1/4 of SW 1/4 of Section 13, T15S, R7E; Grapevine Spring, in SW 1/4 of SW 1/4 of Section 4, T16S, R7E; Tierra Blanca Spring, in the NW 1/4 of the SW 1/4 of Section 31, T15S, R7E; Jacumba Jim Spring, in NW 1/4 of NE 1/4 of Section 23, T16S, R7E; Cimaron Spring, in SE 1/4 of NE 1/4 of Section 26, T16S, R7E; Rattlesnake Spring, in NE 1/4 of NE 1/4 of Section 34, T16S, R7E, all situated in San Diego County.

PASSED UNANIMOUSLY.

2. CONSIDERATION OF REQUEST OF THE CALIFORNIA HAWKING CLUB TO ADD SECTION 678, TITLE 14, CAC, RE CAPTIVE RAPTOR BREEDING PERMITS FOR SCIENTIFIC AND RECREATIONAL PURPOSES.

Mr. Cribbs noted that at the El Centro meeting on May 25, 1979, the Commission had received a request from the California Hawking Club for captive raptor

breeding permits for recreational purposes, in other words, falconry. He said that after additional discussion of the proposal at the Commission's August 3 meeting in San Luis Obispo and its August 30-31 meeting in San Francisco, it had authorized its staff to publish notice of its intent to add Section 678 to its regulations in Title 14, CAC, to provide for the issuance of captive raptor breeding permits. He said that legal notice had been published.

Mr. Cribbs stated that the Commission had only recently received letters from Mr. Gary Beeman of the California Hawking Club, and two individuals, which contained substantive recommended changes in Section 678. He said because the recommendations were substantive it was suggested that the matter be put over until the Commission's December 6-7 meeting in Sacramento to give the Department an opportunity to review and comment on them.

Director Fullerton concurred in this suggestion as did Bill Trausch, representing the California Hawking Club. It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION PUTS OVER CONSIDERATION OF THE REQUEST OF THE CALIFORNIA HAWKING CLUB TO ADD SECTION 678, TITLE 14, CALIFORNIA ADMINISTRATIVE CODE, REGARDING CAPTIVE RAPTOR BREEDING PERMITS FOR SCIENTIFIC AND RECREATIONAL PURPOSES UNTIL THE COMMISSION'S DECEMBER 6-7, 1979 MEETING IN SACRAMENTO.

PASSED UNANIMOUSLY.

3. CONFIRMATION OF EMERGENCY AMENDMENT OF SECTION 300, TITLE 14, CAC, PROHIBITING THE TAKE OF HEN PHEASANTS IN IMPERIAL COUNTY.

Mr. Cribbs indicated that at the Commission's August 30-31 meeting in San Francisco, by emergency action, it had amended its regulations in Section 300, Title 14, CAC, to prohibit the take of hen pheasants in Imperial County. Mr. Cribbs stated that that action was based upon the Department's recommendation that Imperial County be removed from those counties in southern California where either sex pheasant hunting is permitted and thereby included with those counties where male pheasants only could be taken during the season. He said that it was hoped that with the temporary cessation of the pheasant planting program in the Imperial County area, those birds which were remaining in the area might breed to provide birds for hunting.

Mr. Cribbs pointed out that as provided in the Government Code, when the Commission takes emergency action it must publish notice and hold a hearing within 120 days to make that action permanent. He said that the legal notice, as authorized by the Commission at its August 30-31 meeting, had been published and that all legal requirements had been met. He concluded by stating that the Commission office had received no correspondence on the matter, and that the Department recommended confirmation of the earlier emergency action. It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTION 3007 OF THE FISH AND GAME CODE, CONFIRMS ITS EMERGENCY ACTION OF AUGUST 31, 1979, WHICH AMENDED

SECTION 300, TITLE 14, CALIFORNIA ADMINISTRATIVE CODE,
TO PROHIBIT THE TAKE OF HEN PHEASANTS IN IMPERIAL COUNTY.

PASSED UNANIMOUSLY.

4. CONFIRMATION OF EMERGENCY ADDITION OF SECTION 710, TITLE 14, CAC, RE HUNTER SAFETY TRAINING.

Mr. Cribbs stated that at the Commission's August 30-31 meeting in San Francisco, by emergency action, it had added Section 710 to Title 14, CAC, regarding hunter safety training. Mr. Cribbs indicated that the action of the Commission was based upon the Department's statement that from time to time persons who had successfully completed the German Hunting and Weapons Qualification Course had applied for the purchase of a resident California hunting license. It noted that under existing law and regulations, these people still were required to satisfactorily complete the state's hunter safety course. He said that because the German course is considered to be far more comprehensive and demanding than California's the Department felt that this requirement was inequitable. He noted that the emergency aspects of the request were based upon the fact that dove season was to open September 1, and that unless the change was made effective immediately several individuals would be precluded from hunting on the opening day of that season.

Mr. Cribbs stated that as provided in the Government Code, when the Commission takes emergency action, it must, within 120 days, publish notice and hold a hearing to confirm that action. He reported that the legal notice had been published; that the Commission office had received no correspondence on the matter; and that the Department recommended confirmation. It was then:

MOVED BY DR. DASMANN, SECONDED BY MR. GALLETTI, THAT
THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY
OF SECTION 3050 OF THE FISH AND GAME CODE, CONFIRMS ITS
EMERGENCY ACTION OF AUGUST 30, 1979, WHICH ADDED SECTION
710 TO TITLE 14, CALIFORNIA ADMINISTRATIVE CODE, REGARDING
HUNTER SAFETY TRAINING.

PASSED UNANIMOUSLY.

5. CONSIDERATION OF PROPOSED CHANGES IN SPORT FISHING REGULATIONS FOR 1980, AND ANNOUNCEMENT OF REGULATIONS COMMISSION INTENDS TO ADOPT RELATING TO FISH, AMPHIBIA, REPTILES AND INVERTEBRATES.

Mr. Cribbs explained that the Commissioners had before them copies of the Department's recommendations, which include those originally proposed at the October 5 meeting by the Department, and the public recommendations with which the Department concurred. Mr. Cribbs also noted that in the information provided to the Commissioners were environmental statements with respect to each of these recommendations, as well as the Department's responses to those public recommendations in which the Department did not concur. He stated that copies of the environmental statements and responses were also available to the public upon request.

It was then explained by Mr. Cribbs that the Commission would take action one-by-one as set forth in the Department's recommendations. If anyone in the audience wished to speak on any subject, they should speak when the subject was brought up. If the Commission wanted to amend or delete from the Department's list, it could do so at that time. He said that as soon as the subjects covered in the Department's proposals were completed, anyone in the audience could discuss any subject proposed at the October 5 meeting, but not included in the Department's list.

Finally, Mr. Cribbs informed the audience and the Commission that all relative correspondence received in the Commission office would be brought to the Commission's attention as each item was considered.

Mr. Chickering then asked Mr. Cribbs to proceed, and the following discussions took place:

With respect to Section 13.24, Eagle Lake Closure (Lassen County), Director Fullerton stated that the Department was recommending that Eagle Lake be closed to all fishing from March 1 through the Friday preceding Memorial Day to protect spawning fish. Director Fullerton indicated there might be some opposition to this closure from fly fishermen at the December meeting. It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT
SECTION 13.24, EAGLE LAKE CLOSURE, LASSEN COUNTY, BE
AMENDED TO PROVIDE FOR A CLOSURE TO ALL FISHING FROM
MARCH 1 THROUGH THE FRIDAY PRECEDING MEMORIAL DAY.

PASSED UNANIMOUSLY.

With respect to Section 13.21, Fall River Trout Restriction (Shasta County), Mr. Cribbs reported that the Commission office had received one letter in support of a two-trout bag limit on the entire Fall River system.

With respect to Section 19.46, Sacramento River Special Gear Restriction (Colusa and Sutter counties), Mr. Cribbs stated that a letter had been received from John F. Reginato, General Manager, Shasta-Cascade Wonderland Association, in opposition to the proposed additional gear restriction on the Sacramento River.

With respect to Section 22.82, Eel River System Trout and Salmon Season and Limit, Mr. Cribbs noted a letter had been received from Burton L. Banzhaf, Ukiah Rod and Gun Club, in support of a ten fish limit during the general season to run from the Saturday preceding Memorial Day through October 15, or until November 1, with a closure until November 15, then re-open with the season November 16 through the last day of February, with a three fish limit for the Eel River.

With respect to Section 23.50, Klamath River Closure, Mr. Cribbs stated that there were two letters in opposition to the proposed salmon fishing closure at Ishi Pishi Falls.

With respect to Section 24.55, Redwood Creek Trout and Salmon Season and Limit (Marin County), Mr. Cribbs indicated that a letter had been received from

Fred Galardi, Secretary to the Tomales Bay Sportsmen's Association, in opposition to the proposed closure of Redwood Creek (Marin County) to steelhead and salmon fishing.

Director Fullerton reported that the purpose of the closure was to protect spawning fish, and he recommended that the closure remain as proposed.

With respect to Section 27.51, Robert W. Crown Reserve (Alameda County), a letter from Ron Russo, Supervising Naturalist, East Bay Regional Park District, in support of the Department's proposal regarding establishment of a reserve at Robert W. Crown Memorial State Beach.

With respect to Section 27.85, Striped Bass, Mr. Cribbs reported the following correspondence: Letters from the Pacifica Rodbenders, Pacifica; Nine individuals, and petitions with 54 signatures in support of the 8 ounce weight restrictions for sinkers that may be used in San Francisco Bay.

One letter in opposition to the 8 ounce weight restrictions for fishing gear used to take striped bass in San Francisco Bay.

A letter from Mr. Antone F. Anastasi, Jr. in opposition to the 8 ounce weight restriction and proposals for alternative types of restrictions.

Director Fullerton reported that this would, no doubt, be a controversial matter, along with the proposed sturgeon closure, at the December meeting.

With respect to Section 27.90 Sturgeon Closure: Five form letters in support of a closure for the sturgeon fishery between December 1 and March 15 in that portion of San Francisco Bay included in the area bounded by a line drawn between Pt. Chauncey and Pt. Richmond, the San Francisco-Oakland Bay Bridge and a line drawn between Pt. Lobos and Pt. Bonita. Two letters in support of the ban to the take of sturgeon between December and March in a portion of San Francisco Bay.

Mr. Chickering asked the Director the status of cases prosecuted by the San Francisco District Attorney's office. Director Fullerton reported that there had been an improvement.

With respect to Section 28.35, White Seabass, Director Fullerton stated that Bill Nott's proposal regarding an incidental take of white seabass for party boats was not picked up by the Department because it would have to apply to all sport boats, and in essence, would provide no closure for the take of white seabass. Director Fullerton said that this matter had been discussed with Mr. Nott.

With respect to Section 28.65, Director Fullerton stated that people were taking up too much space on public piers with respect to the use of crab nets, and that by limiting individuals to two nets, as was done with rods, more space would be available for everyone.

With respect to Section 29.05(b)(3), General Special Closures, the proposed invertebrate closure at Catalina Island, Dr. Venrick asked the size of the proposed closed area. Director Fullerton reported that it involved approximately 2-1/2 miles of shoreline.

Mr. Cribbs reported one letter in support of a prohibition on sport fishing with SCUBA gear in the area around Big Geiger Cove, Catalina Island.

Mr. Cribbs stated that additional miscellaneous correspondence had been received which included one letter in support of a fishing closure at Lake Tahoe between October 15 and April 15; one letter in opposition to the use of party boats on Lake Tahoe and in support of a two-fish bag limit for mackinaw (lake) trout; 15 letters, 5 mailgrams and petitions with 499 signatures, and 34 questionnaires recommending that the fishing season and bag limit for mackinaw (lake) trout in Lake Tahoe remain unchanged.

Dr. Venrick asked the nature of the problem at Lake Tahoe. The Director reported that the Department could find no biological reason to restrict the take of lake trout at Lake Tahoe. Mr. Cribbs reported that there would probably be considerable discussion regarding this matter at the December meeting.

Mr. Skeeter Rubins, a party boat operator from Lake Tahoe, spoke in opposition to any additional angling restrictions for Lake Tahoe. It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT
SHERMAN CHICKERING, PRESIDENT, ANNOUNCES THE FOLLOWING
TENTATIVE APPROVALS OF THE FISH AND GAME COMMISSION WITH
RESPECT TO CHANGES PROPOSED IN THE SPORT FISHING REGULATIONS
FOR 1980, TO BE ADOPTED ON DECEMBER 7, 1979, IN ACCORDANCE
WITH SECTIONS 200-221 AND 8460-8463 OF THE FISH AND GAME
CODE, AFTER REVIEW AND CONSIDERATION BY THE FISH AND GAME
COMMISSION OF ALL RECOMMENDATIONS SUBMITTED AT ITS OCTOBER 5,
1979 MEETING, AND PUBLIC DISCUSSION THEREOF AT ITS NOVEMBER 2,
1979 MEETING:

(1) Section 1.18 will be renumbered Section 1.51.

(2) Section 1.19 will be added to read:

1.19 Barbless Hook. A fish hook from which the barb or barbs have been removed or completely bent closed, or which is manufactured without barbs.

(3) Subsection (b) of Section 1.73 will be amended to read:

1.73 Special Salmon Restrictions.

(b) Notwithstanding Section 27.80 of these regulations, the season to take salmon in San Francisco Bay, San Pablo Bay, and Richardson Bay between the Carquinez Bridge and the Golden Gate Bridge, and all ocean waters and other bays will close at 12:00 midnight on October 14, 1980. This section shall remain in effect only through February 15, 1981.

(4) Subsection (a) of Section 4.05 will be amended to read:

4.05 Fishing Hours.

(a) All fish may be taken day or night in: Apollo Lake (Los Angeles Co.), Castaic Lake Afterbay east side only (Los Angeles Co.), Coachella Valley (Riverside Co.), Evans Lake (Riverside Co.), Hansen Lake (Los Angeles Co.), Hemet Lake only from shore (Riverside Co.), Legg Lake (Los Angeles Co.), Perris Lake (Riverside Co.), Poway Lake (San Diego Co.), Puddingstone Lake (Los Angeles Co.), Seccombe Lake (San Bernardino Co.), Silverwood Lake (San Bernardino Co.), and Vandenberg Air Force Base (Santa Barbara Co.).

(5) Subsection (b) of Section 4.50 will be amended to read:

4.50 Black Bass.

(b) Limit: Five (See Sections 4.92, 4.94, 4.96, 5.10, 5.11 and 5.19).

(6) Section 5.11 will be added to read:

5.11 Piru Lake Black Bass (Ventura Co.). Minimum size: Twelve inches total length.

(7) Section 11.80 will be amended to read:

11.80 Bait Fish Provisions. No fish may be used or possessed for bait except as provided below. Dead ocean fish in whole or cut bait form may be used and possessed for use as bait. In Donner, Fallen Leaf and Tahoe lakes Lahontan reidside, tui chub, Tahoe sucker, Lahontan speckled dace, mountain sucker and Paiute sculpin may be used or possessed for bait only if used in the same lake where taken. (Also see Section 2.50).

(8) Section 12.50 will be amended to read:

12.50 Almanor Lake Tributaries Closure (Lassen, Plumas, and Shasta counties). All tributaries of Lake Almanor and their tributaries upstream to the first lake are closed to all fishing from November 16 through the Friday preceding Memorial Day. In addition, that portion of the North Fork Feather River from the Highway 36 bridge in Chester upstream to the U.S. Corps of Engineers' Diversion Dam is closed to all fishing from November 16 through June 20.

(9) Section 12.95 will be amended to read:

12.95 Crooked Creek Closure (Mono Co.). Crooked Creek is closed to all fishing between Crowley Lake and the City of Los Angeles Gauging Station. (Also see Section 13.00).

(10) Section 13.24 will be amended to read:

13.24 Eagle Lake Closure (Lassen Co.). Eagle Lake is closed to all fishing from March 1 through the Friday preceding Memorial Day (See Section 14.20 for closure on Pine Creek and Pine Creek Slough.)

(11) Section 13.31 will be amended to read:

13.31 Fall River and Tributaries (including Spring Creek, Lava Creek, Eastman Lake, Little Tule River, Big Lake, Hoor Pond, Squaw Creek and Tule River, but excluding Bear Creek) Trout Restrictions (Shasta Co.).

(a) Limit: Two trout.

(b) Methods of take: Only artificial lures may be used in that portion of Fall River from its origin at Thousand Springs downstream to the Island Road Bridge and including Spring Creek, but excluding all other tributaries.

(12) Section 14.15 will be amended to read:

14.15 McCloud River Basin Dolly Varden (Bull Trout) Limit (Shasta and Siskiyou counties). Limit: Zero Dolly Varden (also known as bull trout). All Dolly Varden (bull trout) taken shall be immediately released and returned to the water.

(13) Subsections (b) and (c) of Section 16.05 will be amended to read:

16.05 Fishing Hours.

(b) All fish may be taken day or night in Amador Lake (Amador Co.), Camanche Lake (Amador, Calaveras and San Joaquin counties), Camp Far West Lake (Nevada, Placer and Yuba counties), Folsom Lake (Sacramento, Placer and El Dorado counties), Collins Lake (Yuba Co.), New Hogan Lake (Calaveras Co.), Oroville Lake (Butte Co.), Salt Springs Valley Reservoir (Calaveras Co.), and Wildwood Lake (Nevada Co.).

(c) All fish except trout and salmon may be taken day or night in the counties of Butte, Colusa, Glenn, Shasta, Solano, Sutter, Tehama, Yolo, Yuba and Sacramento County north of Interstate 80 except as noted in subsection (b) above.

(14) Subsections (b) and (c) of Section 16.10 will be amended, and subsection (d) will be added to Section 16.10 to read:

16.10 Special Gear Provisions.

(b) Butte Creek, Butte Co. (See Section 17.96).

(c) Sacramento River, Shasta Co. (See Section 19.46(b)).

(d) Gaffs: Gaffs are illegal in any stream in Shasta and Tehama counties, except that gaffs not exceeding three feet in total length (measured to the most distant part of the bend of the hook portion) may be used only while angling from a boat on the Sacramento River, exclusive of tributaries. (This section supersedes Section 5513 of the Fish and Game Code.)

(15) The title of Section 17.80 will be amended to read:

17.80 Buchanan (Eastman) Lake Black Bass (Madera Co.).

(16) Section 17.96 will be added to read:

17.96 Butte Creek (Butte Co.). No hook with more than one point may be used for the taking of fish in Butte Creek from February 1 through the Friday preceding the last Saturday in April, from the Durham Highway Bridge crossing (three miles downstream from Highway 99) to a point 150 feet upstream from the Centerville Powerhouse. (Also see Section 17.90.)

(17) Section 18.05 will be deleted.

(18) Section 18.07 will be added to read:

18.07 Big Chico Creek Salmon Closure (Butte Co.). Big Chico Creek upstream of Highway 32 is closed to the taking of salmon from June 1 through November 15.

(19) The title of Section 18.50 will be amended to read:

18.50 Feather River Trout and Salmon Season and Limit (Butte, Sutter and Yuba counties), Only from Mouth to Highway 70 Bridge in Oroville.

(20) The title of Section 18.70 will be amended to read:

18.70 Collins (Merle Collins Lake Black Bass (Yuba Co.)).

(21) Section 19.46 will be amended to read:

19.46 Sacramento River Special Gear Restrictions.

(a) Colusa and Sutter counties: Trolling is prohibited from sunset to sunrise on the Sacramento River between Knight's Landing and Princeton Ferry during the period April 15 through June 30.

(b) Shasta County: In the Sacramento River between Keswick Dam and the Deschutes Road bridge, no person shall use: any hook with more than one point nor any hook with a shank longer than two inches or a distance greater than 1/2 inch between the point of the hook and the shank nor any weight attached to or below a hook or attached to the line directly or indirectly within 18 inches of any hook.

(22) Subsections (b), (c), (d), (e) and (f) of Section 20.60 will be deleted, and new subsections (b) and (c) will be added to read:

20.60 Special Gear Provisions.

(b) No hook with more than one point or larger than size No. 1 may be used on the following streams from August 15 through December 31:

- (1) The Eel River including the North and South Forks;
- (2) The Mad River and tributaries from the mouth upstream to Ruth Dam;
- (3) The Mattole River;
- (4) The Van Duzen River including the South Fork;
- (5) The Smith River including all tributaries; and
- (6) Redwood Creek and all tributaries.

(c) Gaffs. Gaffs are illegal in any stream in Del Norte, Humboldt, Siskiyou and Trinity counties.

(23) Section 20.65 will be amended to read:

20.65 Waters Restricted to Artificial Lures. Putah Creek, Lake Co. (See Section 24.40), and Eel River, Lake Co. (See Section 22.82).

(24) Subsection (b) of Section 21.00 will be amended to read:

21.00 Black Bass.

(b) Limit: Five. (See Sections 22.31, 22.70, 22.71, 23.92, 24.42 and 25.03.)

(25) Section 22.80 will be amended to read:

22.80 Eel River System Closures (Humboldt, Mendocino, Trinity and Lake counties). The following parts of the Eel River System are closed to all fishing:

(a) Eel River from 1000 feet below the 600 feet above Van Arsdale Dam.

(b) Middle Fork Eel River from confluence with Bar Creek upstream to confluence with Uhl Creek, North Fork of Middle Fork Eel River from mouth upstream to confluence with Willow Creek, Balm of Gilead Creek from mouth upstream to the falls located 1-1/4 miles upstream.

(c) Middle Fork Eel River from mouth upstream to Bar Creek from March 1 through July 15.

(d) Van Duzen River from mouth of Bloody Run Creek upstream to the mouth of Baker Creek.

(26) Section 22.82 will be added to read:

22.82 Eel River, Main Stem Restrictions (Lake Co.). The following bag and minimum size limits and gear restrictions shall apply to the Eel River between Scott Dam and Van Arsdale Dam from the Saturday preceding Memorial Day through November 15.

(a) Bag Limit: Three fish.

(b) Minimum size: Ten inches total length.

(c) Methods of take: Only artificial lures with barbless hooks may be used.

(27) Subsection (c) will be added to Section 23.50 to read:

23.50 Klamath River Closures.

(c) The Klamath River from the Ishi Pishi Falls Road Bridge at Somes Bar upstream to and including Ishi Pishi Falls is closed to all fishing from August 15 through November 1.

Exception: Members of the Karok Indian Tribe listed on the current Karok Tribal Roll are allowed to take fish at Ishi Pishi Falls using hand held dip nets. Fish taken may not be sold.

(28) Section 24.42 will be added to read:

24.42 Ralphine Lake Black Bass (Sonoma Co.). Minimum size: Twelve inches total length.

(29) Section 24.55 will be added to read:

24.55 Redwood Creek Closure (Marin Co.). Redwood Creek, including tide-waters, is closed to all fishing.

(30) Section 25.03 will be added to read:

25.03 Spring Lake Black Bass (Sonoma Co.). Minimum size: Twelve inches total length.

(31) Section 27.51 will be added to read:

27.51 Robert W. Crown Reserve (Alameda Co.). No plant or invertebrate marine life may be taken between the high tide mark and 150 feet beyond the mean lower low tide mark in that portion of Robert W. Crown Memorial State Beach between the base of the jetty on the northwesterly corner of Crab Cove and a point approximately 2,800 feet southeasterly along the shoreline of Crab Cove opposite the bath house/restroom complex. Hook-and-line fishing is permitted in this area for fin fish only.

(32) Subsections (b) and (c) of Section 27.60 will be amended to read:

27.60 Limit.

(b) Within the overall bag limit of twenty fish the following special limits apply: Rockfish (rockcod)--fifteen fish, all of which may be of the same species; lingcod--five fish; salmon--three fish; trout (including steelhead) taken from ocean and bays--three fish; white seabass--three fish; sturgeon--one fish; striped bass--three fish; California halibut--five fish, except as provided in Section 28.15; Pacific halibut--two fish; giant (black) sea bass--one fish; broadbill swordfish--two fish; marlin--one fish; garibaldi--zero fish; gulf grouper--zero fish; broomtail grouper--zero fish.

(c) There is no limit on the following species: Albacore, anchovy, bluefin tuna, grunion, jacksmelt, petrale sole, Pacific butterfish (pompano), queenfish, rays, sanddabs, shiner surfperch, sharks, skipjack, Pacific staghorn sculpin, starry flounder and white croaker.

(33) Subsection (d) of Section 27.85 will be amended to read:

27.85 Striped Bass.

(d) Methods of take: No striped bass may be taken while using a sinker weighing over four pounds, or while using any power driven gurdy or winch. In waters of San Francisco Bay east of a line drawn between Pt. Lobos and Pt. Bonita, no sinkers weighing over eight ounces may be used.

(34) Section 27.95 will be added to read:

27.95 Sturgeon Closure. Sturgeon may not be taken in the following described area between December 1 and March 15: That portion of San Francisco Bay included within the following boundaries: A direct line between Pt. Chauncey (National Marine Fisheries Laboratory) and Pt. Richmond, the San Francisco-Oakland Bay Bridge and a direct line between Pt. Lobos and Pt. Bonita.

(35) Section 28.35 will be amended to read:

28.35 White Seabass.

(a) Minimum size: Twenty-eight inches total length or twenty and one-half inches alternate length.

(b) Season: Open all year, except that white seabass may not be taken in waters south of Pt. Conception between March 15 and June 15.

(36) Section 28.62 will be added to read:

28.62 Herring. Limit: Fifty pounds.

(37) Subsection (b) of Section 28.65 will be amended to read:

28.65 General.

(b) On public piers, breakwaters and other structures on which a fishing license is not required, no person shall use more than two rods and lines, two hand lines, or two nets, traps or other appliances used to take crabs.

(38) Subsections (b)(3) and (d) of Section 29.05 will be amended to read:

29.05 General.

(b)(3) Special Closures. No invertebrates shall be taken on the mainland shore within the boundaries of Ano Nuevo State Reserve between the high tide mark and 100 feet beyond the low tide mark between November 30 and March 16. No invertebrates may be taken between the high tide mark and 1000 feet beyond the low tide mark along the lee side of Santa Catalina Island between "Lion Head Point" and "Arrow Point".

(d) In all ocean waters, skin and SCUBA divers may take invertebrates as provided in this article except that in all ocean waters north of Yankee Point (Monterey Co.), self-contained underwater breathing apparatus (SCUBA) may be used only to take sea urchins, rock scallops, and crabs of the genus Cancer. For the purpose of this section, breathing tubes are not underwater artificial breathing devices.

(39) Subsection (c) will be added to Section 29.85 to read:

29.85 Crabs.

(c) All crabs of the genus Cancer, including Dungeness crabs, yellow crabs, rock crabs, red crabs, and slender crabs, may be brought to the surface of the water for measuring, but no undersize crabs may be placed in any type of receiver, kept on the person, or returned in any person's possession or under his direct control; all crabs shall be measured immediately and any undersize crabs shall be released immediately into the water.

(40) Section 29.86 will be added to read:

29.86 Bay Shrimp (Grass Shrimp). Limit: Five pounds.

PASSED UNANIMOUSLY.

6. CONSIDERATION OF REQUESTS FOR EXPERIMENTAL GEAR PERMITS.

Mr. Cribbs stated that under the provisions of Section 8606 of the Fish and Game Code, the following requests for experimental gear permits had been received:

Leonard Ingrande

Mr. Cribbs stated that Mr. Ingrande of San Diego was requesting an experimental gear permit to allow him to take mullet in San Diego Bay, utilizing a gill net with 3 - 3-1/4 inch mesh.

Mr. Ingrande came forward and requested that the Commission approve his request.

The Department recommended approval of Mr. Ingrande's request, subject to the following conditions:

1. Either set or drift gill nets may be used.
2. Nets may not be used north of the Coronado-San Diego Bridge.
3. Length of net meshes shall not be less than three inches nor more than six inches.
4. The maximum length of any net shall not exceed 100 fathoms.
5. Only mullet, Mugil cephalus, may be taken.
6. This permit shall be cancelled if the use of set or drift gill nets proves to be detrimental to other species of fish.
7. Gill nets shall be marked with buoys at each end. The buoys must be on the surface of the water and bear the permit number of the permittee, in a color which contrasts with that of the buoys. The permit number shall be at least 1-1/2 inches in height and all markings shall be at least 1/4 inch in width.
8. The permittee must notify Mr. John Duffy, Department of Fish and Game, State Building, Room 6042, 1350 Front Street, San Diego, California 92101,

telephone (714) 237-7311, prior to undertaking fishing operations. An observer may be assigned to determine the effect of the fishing operations upon non-target species.

It was then:

MOVED BY MR. BENSON, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY OF SECTION 8606 OF THE FISH AND GAME CODE, APPROVES THE REQUEST OF LEONARD INGRANDE FOR A PERMIT TO TAKE MULLET WITH A GILL NET IN SAN DIEGO BAY, UNDER THE TERMS APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

Joseph Cresci

Mr. Cribbs indicated that Mr. Cresci was requesting an amendment to his experimental gear permit No. X-809 to permit him to use monofilament line, rather than twine, in constructing his net. He noted that Mr. Cresci's present permit allowed him to take rockfish with set gill nets.

Director Fullerton stated that the design and construction of monofilament gill nets made them superior to twine nets in eliminating ghost fishing problems. It also stated that they tore more easily, caught larger fish, and were less apt to continue fishing if lost. He said the Department, therefore, recommended approval of Mr. Cresci's request, subject to the other terms and conditions of his existing permit.

Mr. Galletti asked Director Fullerton about the construction of monofilament versus twine gill nets. Director Fullerton indicated that the construction was similar with the principal difference the construction material.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY OF SECTION 8606 OF THE FISH AND GAME CODE, APPROVES THE REQUEST OF JOSEPH CRESCI FOR AN AMENDMENT OF HIS EXPERIMENTAL GEAR PERMIT NO. X-809 TO ALLOW HIM TO USE MONOFILAMENT MATERIAL IN THE CONSTRUCTION OF HIS GILL NETS.

PASSED UNANIMOUSLY.

Harvey L. Cosky

Mr. Cribbs pointed out that Mr. Cosky of Fort Bragg, was requesting an experimental gear permit to allow him to use a set gill net with five-inch mesh size to take rockfish and bottom fish in the area from Point Arena to False Cape.

The Department recommended approval of Mr. Cosky's request, subject to the following conditions:

1. The use of set gill nets shall be permitted between Point Arena and False Cape except that the use of set gill nets shall not be permitted in waters lying less than three nautical miles from the nearest point of land on the mainland shore in the following areas: (a) between lines running 250° magnetic from Point Delgada and Bear Landing; (b) between lines running 250° magnetic from Laguna Point and Russian Gulch; (c) between lines running 250° magnetic from Alder Creek to Arena Cove.

2. No salmon may be taken or possessed.

3. Length of net meshes shall not be less than five inches and shall not be constructed of twine larger than number 6 thread, except that the bottom 15 meshes may be constructed of twine not larger than number 15 thread.

4. Each set gill net shall be marked with buoys. The buoys must be on the surface of the water and bear the permit number of the permittee in a color which contrasts with that of the buoys. The permit numbers shall be at least 1-1/2 inches in height and all markings shall be at least 1/4 inch in width.

5. The permittee must notify either Mr. Steven Schultz, c/o Department of Parks and Recreation, Mendocino, California 95460, telephone (707) 937-0210, or Tom Riley (707) 964-9348, prior to undertaking fishing operations. An observer may be assigned to determine the effect of the fishing operations upon fishery resources.

6. The permittee shall keep an accurate log provided by the Department, which shall be submitted to the Department of Fish and Game, c/o Department of Parks and Recreation, Mendocino, California 95460, on a daily basis. Logs shall be required for all fishing trips, even if the catch is zero. Failure to keep and submit logs as required by these regulations may result in revocation of this permit.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTION 8606 OF THE FISH AND GAME CODE, APPROVES THE REQUEST OF HARVEY L. COSKY, FORT BRAGG, FOR A PERMIT TO USE SET GILL NETS TO TAKE ROCK COD, UNDER THE TERMS APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

Carl Burlesci

Mr. Cribbs indicated that Mr. Burlesci had asked that this item be withdrawn because the Department and Mr. Burlesci had been able to reach an agreement on his proposal, and that an experimental gear permit to use a midwater trawl would be issued under the blanket authority granted the Department by the Commission at the October 5, 1979 meeting.

7. CONSIDERATION OF REQUEST OF GERALD C. DeCARNELLE FOR A MODIFICATION OF HIS CAPTIVE RAPTOR BREEDING PERMIT.

Mr. Cribbs stated that the Commission office had received a request from Mr. Gerald C. DeCarnelle of Manhattan Beach to amend his captive raptor breeding

permit to allow him to possess one pair each of peregrine falcons, Harris' hawks, goshawks and gyrfalcons, and also one additional pair consisting of either gryfalcons or peregrine falcons. Mr. Cribbs reported that he had recently discussed the matter with Mr. DeCarnelle and that he had stated that if there was a problem with this he would amend his request to one pair each of peregrine falcons and gyrfalcons or a combination thereof and one goshawk.

Mr. Cribbs concluded by stating that Mr. DeCarnelle intended to imprint the one goshawk to humans and then to artificially inseminate the bird.

Mr. Red Hunt, Chief of the Department's Wildlife Management Branch, stated that Mr. DeCarnelle's facilities did not meet the local building code restrictions. In addition, he said, the facilities were only adequate for two pair of birds, which did not agree with Mr. DeCarnelle's request. The Department, he said, would therefore recommend that there either be two pair or one pair and one imprinted bird.

Because there was some confusion as to the request, Director Fullerton requested that the matter be put over until the December meeting to allow the Department to clarify the matter. It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION PUTS OVER ITS CONSIDERATION OF THE REQUEST OF GERALD C. DeCARNELLE, MANHATTAN BEACH, FOR AN AMENDMENT OF HIS CAPTIVE RAPTOR BREEDING PERMIT UNTIL THE COMMISSION'S DECEMBER 6-7, 1979 MEETING IN SACRAMENTO.

PASSED UNANIMOUSLY.

8. CONSIDERATION OF REQUEST OF DR. LASZLO de BORONDY, CASA de PETS, STUDIO CITY, FOR A PERMIT TO IMPORT AND POSSESS PROHIBITED SPECIES.

Mr. Cribbs stated that the Commission office had received a telephone call from Dr. de Borondy's secretary asking that his request be withdrawn until further notice. Mr. Cribbs also informed the Commission that the Commission office had received a letter from Action of Animal Rights in opposition to the request.

9. CONSIDERATION OF REQUEST OF MURRAY CRUM, ANIMAL SPECIALTIES, SIMI VALLEY, TO IMPORT AND POSSESS PROHIBITED SPECIES OF REPTILES AND AMPHIBIANS FOR SALE TO ZOOS AND RESEARCH INSTITUTIONS.

Mr. Cribbs noted a letter was received from Mr. Murray Crum, Animal Specialties, Simi Valley, requesting a permit to import and possess prohibited species of reptiles and amphibians for sale to zoos and research institutions.

Mr. Cribbs also stated that a letter in opposition to Mr. Crum's request had been received from Action for Animals Rights.

Mr. Cribbs noted that the Department had provided information from the City of Simi Valley which stated that Mr. Crum's residence was not zoned for

the type of activity he was requesting. Mr. Crum stated that the city was more concerned about the Fish and Game regulations than it was about the zoning ordinances.

Mr. Galletti asked Mr. Crum if he was operating out of his home. Mr. Crum said "yes". Mr. Galletti also asked him if he had a business license; Mr. Crum said that he had.

The Director pointed out that the Department could not recommend approval until there were holding facilities to inspect.

Dr. Dasmann indicated concern about the shopping list type of request for animals to be imported and sold.

Dr. Venrick wondered if a permit could be issued contingent upon meeting the City of Simi Valley's zoning ordinances.

After additional discussion, the Director recommended that the matter be put over until the December meeting and in the interim the Department could work with Mr. Crum to define his proposal more clearly with regard to the location, the species he desired to import and possess, and the potential disposition of these animals. It was then:

MOVED BY MR. GALLETTI, SECONDED BY MR. BENSON, THAT THE FISH AND GAME COMMISSION PUTS OVER ITS CONSIDERATION OF THE REQUEST OF MURRAY CRUM, ANIMAL SPECIALTIES, SIMI VALLEY, TO IMPORT AND POSSESS PROHIBITED SPECIES OF REPTILES AND AMPHIBIANS FOR SALE TO ZOOS AND RESEARCH INSTITUTIONS, UNTIL THE COMMISSION'S DECEMBER 6-7, 1979 MEETING IN SACRAMENTO.

PASSED UNANIMOUSLY.

10. CONSIDERATION OF REQUEST OF ARLENE F. VANNIER, VANNIER GROUP, INC. FOR PERMIT TO POSSESS ELAND FOR FOOD CONVERSION STUDIES.

Mr. Cribbs indicated that Mrs. Arlene F. Vannier of Vannier Group, Inc., New York, had submitted a request for a permit to allow her and her husband to possess eland on their ranch in El Dorado County for food conversion studies. He summarized the request by saying that the Vannier Group intended to obtain a pair (or a pair plus a female) of eland from the Sacramento Zoo, which would then be placed in a suitable fenced area on their ranch in El Dorado County. He said their intent was to observe how these antelope fair on natural grazing and browsing to discern what rate of weight gain could be made by these animals on such forage. They intend also to look into what problems might be involved with calving and other aspects of the raising of these animals.

Mr. Cribbs indicated that a letter had been received in the Commission office from Mr. William E. Meeker, Superintendent of the Sacramento Zoo, indicating that the eland that were to be used in this food conversion study would be supplied by California zoos from animals born in the state. Both Mrs. Vannier and Mr. Meeker indicated that they would answer any questions that the Commissioners might have regarding the study.

Dr. Venrick asked what the ultimate goal of the study was, and Mrs. Vannier responded that it was for commercial meat purposes.

Dr. Dasmann indicated that he thought this study was quite worthwhile.

The Director indicated that the Department recommended approval under certain conditions. He said these would include a limit on the duration of the study; and also that certain fencing requirements be met. It was agreed that the permit should be valid for a five year period with the understanding that the permit could be renewed if the operation proved to be acceptable.

After some additional discussion, it was:

MOVED BY DR. DASMANN, SECONDED BY DR. VENRICK, THAT
THE FISH AND GAME COMMISSION APPROVES THE REQUEST OF
MRS. ARLENE L. VANNIER OF THE VANNIER GROUP, INC. FOR
AUTHORIZATION TO POSSESS ELAND ON THEIR RANCH IN EL
DORADO COUNTY, UNDER THE TERMS APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

11. CONSIDERATION OF REQUEST OF R. G. DROLETTE FOR A PERMIT TO IMPORT AND POSSESS A NEUTERED FEMALE FERRET.

Mr. Cribbs noted that in June the Commission office had received a request from Mr. R. G. Drolette of San Diego for a permit to import and possess a neutered female ferret, which had been purchased in Kentucky in October 1978.

Mr. Cribbs pointed out that in November 1978, a veterinarian in San Diego had informed the Drolettes that unless the animal was spayed and had the required shots it would be illegal to have it in California. He said in January the animal had been spayed. Mr. Cribbs noted that in May 1979 the animal had escaped and was turned over to the Department. He further stated it was not until then that the Drolettes contacted the Department to obtain the necessary permit to possess the ferret. He concluded by stating that the matter had been originally scheduled for the Commission's June meeting; however, at the specific request of Mrs. Drolette the matter had been put over until the November 2 meeting, which was in their home town.

Director Fullerton recommended that the request of Mr. Drolette be denied.

Captain Roumasset gave a report regarding the circumstances surrounding the capture of the Drolette's escaped ferret, and also the present disposition of the animal.

Dr. Venrick indicated that perhaps the regulations should be re-evaluated because there seemed to be a significant increase in the number of such requests.

After considerable discussion, it was suggested that the matter be put over until the December meeting, and in the interim the Department should get together with the Departments of Food and Agriculture and Health to discuss this issue more fully.

Mr. Galletti instructed the Commission staff to inform the Drolettes that unless they appear in Sacramento to make their request, the Commission would respond negatively to the matter. It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. BENSON, THAT THE FISH AND GAME COMMISSION PUTS OVER ITS CONSIDERATION OF THE REQUEST OF MR. R. G. DROLETTE, SAN DIEGO, FOR A PERMIT TO IMPORT AND POSSESS A NEUTERED FEMALE FERRET UNTIL THE COMMISSION'S DECEMBER 6-7, 1979 MEETING IN SACRAMENTO.

PASSED UNANIMOUSLY.

12. CONSIDERATION OF REQUEST OF MARINE BIOLOGICAL CONSULTANTS, INC., COSTA MESA, FOR A PERMIT TO COLLECT MARINE INVERTEBRATES, FISH, AND RESIDENT BIRDS FROM WITHIN THE UPPER NEWPORT BAY ECOLOGICAL RESERVE.

Mr. Cribbs indicated that Mr. Charles T. Mitchell, President, Marine Biological Consultants, Inc., Costa Mesa, had requested a permit to take marine invertebrates, fish, and resident non-endangered bird species from the Upper Newport Bay Ecological Reserve for the period of November 2, 1979 to November 2, 1980. He said copies of the proposal were before the Commissioners.

Mr. Rick Ware, representing Marine Biological Consultants, Inc., came forward to request several changes in the proposed study plan.

These, he noted, included under task of their original proposal: (1) limiting their sampling of invertebrates to ghost shrimp genus Callianassa only. They anticipate taking up to 300 individuals; (2) sampling vegetation - Spartina (five species); (3) approval to use temporary and removable station markers; and a request that a Fish and Game representative be present when birds were collected.

Director Fullerton indicated these changes were acceptable to the Department with the stipulation that the Department approve the design of the station markers. He pointed out that the Department may have to charge Marine Biological Consultants, Inc. for an observer, if the sampling interfered with his regular duties.

It was then:

MOVED BY DR. VENRICK, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION APPROVES THE REQUEST OF MARINE BIOLOGICAL CONSULTANTS, INC. FOR A PERMIT TO COLLECT MARINE INVERTEBRATES, FISH, AND RESIDENT BIRDS FROM WITHIN THE UPPER NEWPORT BAY ECOLOGICAL RESERVE, UNDER THE TERMS APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

13. CONSIDERATION OF REVOCATION OF HUNTING PRIVILEGES OF ALAN POLK COOK.

Mr. Cribbs indicated that pursuant to the provisions of Section 12155 of the Fish and Game Code, the Department was requesting that the Commission revoke

the hunting privileges of Alan Polk Cook for a period of time not to exceed three years from the date of his last conviction. He said Mr. Cook had been sent a certified letter notifying him of the possible action to be taken by the Commission. He concluded by stating that Mr. Cook was further notified that should he be unable to attend the November 2 meeting, he should provide the Commission office with a letter of explanation of the citations issued to him.

Alan Polk Cook was arrested as follows:

1. Cited September 1, 1976 for violation of Section 311.5, Title 14, CAC, shooting dove with shotgun holding six shells. He forfeited \$50 bail plus \$15 penalty assessment in the Oroville Justice Court on September 13, 1976.

2. Cited November 2, 1976 for violation of Section 2016 of the Fish and Game Code, trespass for the purpose of hunting. He pled guilty in the Marysville Justice Court on January 10, 1977 and was fined \$100 plus \$25 penalty assessment.

3. Cited November 1, 1978 for violation of Section 2016 of the Fish and Game Code, trespass for the purpose of hunting. He pled guilty in the Marysville Justice Court on December 11, 1978 and was fined \$205 plus \$50 penalty assessment.

Mr. Cribbs asked if Mr. Cook was present; there was no response. It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION FINDS THAT ALAN POLK COOK HAS BEEN CONVICTED OF THREE VIOLATIONS OF THE CALIFORNIA HUNTING LAWS OR REGULATIONS WITHIN A FIVE-YEAR PERIOD AND HAS BEEN INVITED TO APPEAR BEFORE THIS COMMISSION TO SHOW CAUSE WHY HIS HUNTING PRIVILEGES SHOULD NOT BE REVOKED. BASED UPON ITS FINDINGS, THE FISH AND GAME COMMISSION NOW DECLARES THAT PURSUANT TO SECTION 12155 OF THE FISH AND GAME CODE, THE HUNTING PRIVILEGES OF ALAN POLK COOK ARE HEREBY REVOKED, AND ANY HUNTING LICENSE PREVIOUSLY ISSUED TO HIM SHALL BE REVOKED AND CANCELLED AND NO NEW HUNTING LICENSE SHALL BE ISSUED TO HIM UNTIL DECEMBER 11, 1981.

PASSED UNANIMOUSLY.

14. CONSIDERATION OF REVOCATION OF FISHING PRIVILEGES OF DAVID RANSOM BANKS.

Mr. Cribbs stated that pursuant to the provisions of Section 12154 of the Fish and Game Code, the Department was recommending that the sport fishing privileges of David Ransom Banks be revoked for a period of time not to exceed three years from the date of his last conviction. He reported that a certified letter had been sent to Mr. Banks informing him of the possible action to be taken by the Commission. He noted that Mr. Banks had also been notified that should he be unable to attend the November 2 meeting, he should inform the Commission office, in writing, of the circumstances surrounding his citations.

David Ransom Banks was arrested as follows:

1. Cited on March 16, 1976 for violation of Section 700, Title 14, CAC, angling without a valid fishing license. He pled guilty in the Sacramento Municipal Court on April 6, 1976 and was given credit for time served (time spent in court was considered time served).

2. Cited October 2, 1977 for violation of Section 700, Title 14, CAC, angling without a valid fishing license. He pled guilty in the Sacramento Municipal Court on October 17, 1977 and was fined \$10 plus \$5 penalty assessment.

3. Cited March 25, 1979 for violation of Section 700, Title 14, CAC, angling without a valid fishing license. He forfeited \$25 bail plus \$10 penalty assessment in the Sacramento Municipal Court on April 16, 1979.

Mr. Cribbs asked if Mr. Banks was present; there was no response. It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. VENRICK, THAT THE FISH AND GAME COMMISSION FINDS THAT DAVID RANSOM BANKS HAS BEEN CONVICTED OF THREE VIOLATIONS OF THE CALIFORNIA FISHING LAWS OR REGULATIONS WITHIN A FIVE-YEAR PERIOD AND HAS BEEN INVITED TO APPEAR BEFORE THIS COMMISSION TO SHOW CAUSE WHY HIS FISHING PRIVILEGES SHOULD NOT BE REVOKED. BASED UPON ITS FINDINGS, THE FISH AND GAME COMMISSION NOW DECLARES THAT PURSUANT TO SECTION 12154 OF THE FISH AND GAME CODE, THE FISHING PRIVILEGES OF DAVID RANSOM BANKS ARE HEREBY REVOKED, AND ANY FISHING LICENSE PREVIOUSLY ISSUED TO HIM SHALL BE REVOKED AND CANCELLED AND NO NEW FISHING LICENSE SHALL BE ISSUED TO HIM UNTIL APRIL 16, 1982.

PASSED UNANIMOUSLY.

15. CONSIDERATION OF REVOCATION OF COMMERCIAL ABALONE CREWMEMBER PERMIT OF MARK P. SEXTON.

Mr. Cribbs noted that the Department was requesting that the Commission take action to revoke the commercial abalone crewmember permit of Mark P. Sexton, San Bruno. He said this action was based upon the fact that Mr. Sexton was cited on July 22, 1979 for a violation of Section 100(b)(2), Title 14, CAC, crewmember diving while abalone permit holder is taking abalone. He reported that Mr. Sexton had pled guilty in the Central Municipal Court, San Bruno, on July 31, 1979, and had paid a fine of \$25 plus a \$10 penalty assessment. Mr. Cribbs said that Mr. Sexton had been observed to dive and take an abalone while working on a commercial abalone boat as a crewmember. He said the diver for the boat had taken and was in possession of four abalone.

Mr. Cribbs also noted that a letter had been received by the Commission from Mark P. Sexton's father indicating that his son was a student at Chico State University and would not be able to attend the San Diego meeting, but would like to attend a future meeting in northern California.

After additional discussion of the matter, it was:

MOVED BY DR. DASMANN, SECONDED BY DR. VENRICK, THAT THE FISH AND GAME COMMISSION HEREBY REVOKES THE COMMERCIAL ABALONE CREWMEMBER PERMIT OF MARK P. SEXTON UNTIL HE APPEARS BEFORE THE COMMISSION TO SHOW CAUSE WHY HIS PERMIT SHOULD BE RETURNED TO HIM.

PASSED UNANIMOUSLY.

16. RECEIPT OF DEPARTMENT REPORT "ANNUAL PROOF OF USE STATEMENTS FOR OYSTER ALLOTMENTS AND MARICULTURE LEASES".

Mr. Cribbs pointed out that the Commission's November 10, 1978 and January 5, 1979 meetings there was a lengthy discussion regarding the ability of those holding oyster allotments or mariculture leases to make the committed plantings on these areas. The Commission, at that time, he said, had requested a staff report on these types of operations.

Director Fullerton asked Ed Greenhood, Chief, Marine Resources Branch, to give a report regarding the annual proof of use statements.

Following the report, Mr. Cribbs indicated that at the Commission's November 10, 1978 meeting there had also been a discussion of a request from those in the Tomales Bay area for a moratorium on the allotment of additional water bottoms until a comprehensive development plan for the area could be prepared. He reminded the Commissioners that they had taken that action.

Mr. Cribbs stated that inasmuch as the Department's input on the development plan had been submitted, it was suggested that the Commission lift its moratorium on consideration of requests for allotments of water bottoms in Tomales Bay. Mr. Cribbs further stated that this would permit consideration of items 17 and 18. He concluded by stating that item 18 had been held in abeyance since March of this year.

17. CONSIDERATION OF REQUEST OF INTERNATIONAL SHELLFISH ENTERPRISES TO ADD RAFT CULTURE TO APPROVED CULTURAL METHODS ON ALLOTMENTS M430-04 AND M430-08; AND TO PUBLISH NOTICE OF INTENT TO CONSOLIDATE PARCELS 1 AND 2 OF ALLOTMENT M430-08, TOMALES BAY, MARIN COUNTY.

Mr. Cribbs indicated that the Commission had before them a letter from Mr. Bruce Morgan, Executive Vice President, International Shellfish Enterprises, Moss Landing requesting a modification of the terms of its existing oyster allotments Nos. M430-04 and M430-08 to permit the use of raft culture and further requesting a consolidation of allotment No. 430-08, parcels 1 and 2. He said these allotments were located in Tomales Bay, Marin County.

Director Fullerton indicated that there was some problem with the request for raft culture that would take time to resolve. He said that inasmuch as the consolidation of parcels 1 and 2 required a 90-day notice, he recommended that the raft culture portion be put over and considered with the consolidation of parcels 1 and 2 at the March 7 meeting of the Commission. It was then:

MOVED BY MR. BENSON, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION PUTS OVER CONSIDERATION OF THE REQUEST OF INTERNATIONAL SHELLFISH ENTERPRISES TO ADD RAFT CULTURE TO APPROVED CULTURE METHODS ON ALLOTMENTS M430-04 AND M430-08 UNTIL THE COMMISSION'S MARCH 7, 1980 MEETING IN SACRAMENTO.

With regard to the consolidation of parcels 1 and 2, Mr. Cribbs noted that Mr. Morgan had stated that parcel 1 would probably not be developed because of its close proximity to the County of Marin's Miller Park and its public launch ramp; and further, that the entire parcel was densely populated with eel grass, which complicated their utilization of the area. Therefore, they were requesting that eight acres from parcel 1 be relocated to the south end of parcel 2.

Mr. Cribbs noted that in actuality this was a bifurcated request: (1) to abandon the eight acre parcel 1; and (2) an allotment of an eight acre parcel, which would be contiguous to the southern boundary of parcel 2.

Mr. Cribbs reported that International Shellfish Enterprises had submitted the necessary application, map and filing fee. He stated that the request was for authorization to publish notice of the Commission's intent to consider the allotment of approximately eight acres of state water bottoms to International Shellfish Enterprises, Moss Landing, to provide for consolidation of parcels 1 and 2 of allotment M430-08 in Tomales Bay, Marin County.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTIONS 6510-6536 OF THE FISH AND GAME CODE, AUTHORIZES ITS STAFF TO PUBLISH NOTICE OF ITS INTENT TO CONSIDER, AT ITS MARCH 7 MEETING IN SACRAMENTO, THE ALLOTMENT OF APPROXIMATELY EIGHT ACRES OF WATER BOTTOMS IN TOMALES BAY, MARIN COUNTY, TO PROVIDE FOR CONSOLIDATION OF PARCELS 1 AND 2 OF ALLOTMENT M430-08.

PASSED UNANIMOUSLY.

18. CONSIDERATION OF REQUEST OF MANFRED SCHICKENBERG TO PUBLISH NOTICE OF INTENT TO ALLOT THREE PARCELS TOTALING APPROXIMATELY 10.5 ACRES IN TOMALES BAY, MARIN COUNTY, FOR MARICULTURE PURPOSES.

Mr. Cribbs stated that Mr. Manfred Schickenberg of Half Moon Bay had submitted a letter to the Commission on February 17, 1979, requesting an allotment of three parcels, totaling approximately 10.5 acres, of state water bottoms in Tomales Bay, Marin County, for the purpose of raising rainbow trout.

He said that due to the Commission's November 1978 decision to place a moratorium on consideration of mariculture applications for Tomales Bay until such time as a comprehensive management plan had been prepared, this matter had been held in abeyance since that time. He noted that with the lifting of the moratorium, this matter should be considered by the Commission. He said that

Mr. Schickenberg had submitted the necessary application, map and filing fee for this request, and that the Department recommended publication of notice.

Mr. Cribbs noted that as with the other requests for allotment of state water bottoms, this matter required the publication of 90 days' notice, which would mean that the matter would be considered by the Commission at its March 7, 1980 meeting in Sacramento.

It was then:

MOVED BY DR. DASMANN, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY VESTED BY SECTIONS 6480-6492 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTIONS OF SAID CODE, AUTHORIZES ITS STAFF TO PUBLISH NOTICE OF ITS INTENT TO CONSIDER, AT ITS MARCH 7, 1980 MEETING IN SACRAMENTO, THE ALLOTMENT OF THREE PARCELS OF STATE WATER BOTTOMS, TOTAL-INT APPROXIMATELY 10.5 ACRES, IN TOMALES BAY, FOR MARICULTURE PURPOSES (RAISING RAINBOW TROUT).

PASSED UNANIMOUSLY.

19. CONSIDERATION OF REQUEST OF CALIFORNIA MARINE ASSOCIATES TO PUBLISH NOTICE OF INTENT TO ALLOT APPROXIMATELY 3 ACRES OF WATER BOTTOMS IN "CHINA HARBOR", SAN LUIS OBISPO COUNTY, FOR MARICULTURE PURPOSES.

Mr. Cribbs indicated that California Marine Associates, Cayucos, California, had submitted the necessary application, map and filing fee with its request for an allotment of approximately three acres of state water bottoms, lying near the northern limit of Estero Bay in the area known as "China Harbor", San Luis Obispo County, for mariculture purposes. He said California Marine Associates intended to cultivate red, pink, white, green, and associate hybrid abalone.

He concluded by stating that pursuant to the provisions of the Fish and Game Code, the item required 90 days' publication of notice and would then be considered by the Commission at its March 7, 1980 meeting in Sacramento.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTIONS 6480-6492 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTIONS OF SAID CODE, AUTHORIZES ITS STAFF TO PUBLISH NOTICE OF ITS INTENT TO CONSIDER THE REQUEST OF CALIFORNIA MARINE ASSOCIATES, CAYUCOS, FOR AN ALLOTMENT OF APPROXIMATELY THREE ACRES OF STATE WATER BOTTOMS AT "CHINA HARBOR", SAN LUIS OBISPO COUNTY, FOR ABALONE CULTIVATION.

PASSED UNANIMOUSLY.

20. CONSIDERATION OF DEPARTMENT REQUEST TO SET THE 1980 FEES FOR THE COMMERCIAL SALMON STAMP PROGRAM AND COMMERCIAL SALMON LICENSE VALIDATION.

Mr. Cribbs stated that Section 7852.5 of the Fish and Game Code required the Commission to establish a fee for the commercial Salmon Stamp. Legislation providing for such a stamp, which must be purchased by each individual participating in the commercial salmon fishery, was passed in 1978.

Paul Jensen, Chief of the Department's Anadromous Fisheries Branch, explained the proposal, stating that the purpose of the stamp program was to provide funds with which to raise one million king salmon juveniles to yearling size. He said the price of the stamp in 1979 was set at \$15, and 9,223 stamps were sold through August, resulting in revenues of \$138,345. He noted that estimated sales by the end of the 1979 season will approach \$150,000.

He said the total costs of rearing one million king salmon to yearling size would be approximately \$100,000, and revenues at the end of the 1980 season, at the current stamp price of \$15, would exceed program expenses by a substantial amount.

He said the Department therefore requested that the Commission set the fee for the 1980 Commercial Salmon Stamp at \$10.

Mr. Jensen reported that legislation enacted in 1979 provided for a two year moratorium on new entry into the commercial salmon fishery. He said participation in the fishery in 1980 and 1981 would essentially be limited to those individuals who successfully fished for and sold salmon in at least one of the years 1974 through 1979.

He pointed out that proof of such sale would primarily be through possession of a Fish and Game delivery receipt in the name of the applicant. However, there were other more involved procedures for achieving qualification which would require review and approval by an Appeals Board established by the legislation.

He said the legislation also required that the Commission establish a fee to defray the costs of administering the moratorium. He pointed out that these costs would include an estimated \$15,000 in clerical help, record searching and administrative assistance to the Appeals Board, and approximately \$25,000 to pay travel expenses of the five Appeals Board members.

He said the Department recommended that the Commission establish a fee of \$5 to defray administrative costs of the moratorium.

Mr. Jensen concluded by stating that if the Commission adopted these proposed fees, the total cost would be \$15, and that it was the Department intention to use the stamp as the vehicle for validation of commercial licensees to fish for salmon, indicating on the stamp itself the purpose and distribution of the fees.

Mr. Benson asked about how the salmon stamp fee had been received by the fishermen. The director said "positively".

Mr. Jensen provided information requested at an earlier meeting about the mariculture operation at Davenport Landing. He said eggs had already been taken from 200 fish and that the operator hoped for a three million egg take.

It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTIONS 1050 AND 7852.5 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTIONS OF SAID CODE, SETS THE FEE FOR THE 1980 COMMERCIAL SALMON STAMP AT \$10, AND THE COMMERCIAL SALMON LICENSE VALIDATION FEE AT \$5, FOR A TOTAL OF \$15.

PASSED UNANIMOUSLY.

21. CONFIRMATION OF EMERGENCY AUTHORIZATION OF EXPLOSIVES PERMIT ISSUED TO ROY E. LADD, INC., REDDING, RE REMOVAL OF BRIDGE PIER ON THE SOUTH FORK TRINITY RIVER NEAR FOREST GLEN, TRINITY COUNTY.

Mr. Cribbs noted that on September 26, Commissioners Chickering, Venrick, and Dasmann, by emergency action, had authorized the Department to issue a permit to Roy E. Ladd, Inc. for the purpose of using explosives in the South Fork of the Trinity River in conjunction with the demolition of the pier on the old State Highway Bridge, near Forest Glen.

Mr. Cribbs further noted that the Department recommended confirmation of the earlier emergency action. It was then:

MOVED BY DR. DASMANN, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTION 5500 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTION OF SAID CODE, CONFIRMS ITS EMERGENCY ACTION OF SEPTEMBER 26, 1979, AUTHORIZING THE DEPARTMENT TO ISSUE AN EXPLOSIVES PERMIT TO ROY E. LADD, INC. FOR THE PURPOSES OF USING EXPLOSIVES IN THE SOUTH FORK OF THE TRINITY RIVER IN CONJUNCTION WITH THE DEMOLITION OF A PIER ON THE OLD STATE HIGHWAY BRIDGE, NEAR FOREST GLEN.

PASSED UNANIMOUSLY.

22. CONFIRMATION OF EMERGENCY AUTHORIZATION OF EXPLOSIVES PERMIT ISSUED TO THE U.S. BUREAU OF LAND MANAGEMENT RE REMOVAL OF DIVERSION DAM ON THE UPPER MERCED RIVER, MARIPOSA COUNTY.

Mr. Cribbs stated that on October 15, Commissioners Venrick, Dasmann, and Galletti had given telephonic approval to the Department authorizing it to issue a permit to the U.S. Bureau of Land Management to allow the use of explosives in conjunction with the removal of a diversion dam on the Upper Merced River in Mariposa County. He noted that in its request the Bureau of Land Management had stated that it administered the white water rafting and other recreational use on the Upper Merced River, and that for some time they had recognized an old concrete diversion dam on the river as a distinct hazard to the public.

The Bureau stated that this year in May, a drowning had occurred as a result of the dam, and that the BLM solicitors had advised removal of the obstruction.

Mr. Cribbs pointed out that the Bureau of Land Management intended to complete the work with the aid of the U.S. Army Reserve Engineering Battalion from Sacramento sometime during the latter part of October; however, the actual time at which the work would be completed would be dependent upon the schedule of the reserve unit. He said the permit was issued for the period October 15 through December 15, to give enough flexibility to BLM to permit it to complete the work.

Mr. Cribbs concluded by stating that the Commission office had received no correspondence on this matter, and that the Department recommended confirmation of the earlier emergency action.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTION 5500 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTION OF SAID CODE, CONFIRMS ITS EMERGENCY ACTION OF OCTOBER 15, AUTHORIZING THE DEPARTMENT TO ISSUE A PERMIT TO THE U.S. BUREAU OF LAND MANAGEMENT TO ALLOW IT TO USE EXPLOSIVES IN CONJUNCTION WITH THE REMOVAL OF THE DIVERSION DAM ON THE UPPER MERCED RIVER, MARIPOSA COUNTY.

PASSED UNANIMOUSLY.

23. CONSIDERATION OF DEPARTMENT REQUEST TO PUBLICIZE COMMISSION INTENT TO CONSIDER A CHANGE IN ITS "DEER POLICY" AT ITS DECEMBER 7 MEETING IN SACRAMENTO.

Mr. Cribbs indicated that the Commission's October 5 meeting, it had been anticipated that the Department would present the Commission with the proposed revisions to its deer policy. He said that at that time the Department had asked that the matter be put over to the Commission's November 2 meeting. Mr. Cribbs suggested that the Commission request the Department and the Commission staff to publicize the fact that the Commission will consider the proposed revision of this policy at its December 7 meeting in Sacramento. He noted that considerable interest had been shown on the part of the sportsmens' groups with respect to this proposed change, and that it would be desirable to give these entities an opportunity to comment on the proposal prior to action being taken by the Commission. It was then:

MOVED BY DR. DASMANN, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION AUTHORIZES ITS STAFF AND THE DEPARTMENT TO PUBLICIZE THE FACT THAT IT INTENDS TO CONSIDER AMENDMENTS TO ITS DEER POLICY AT ITS DECEMBER 7 MEETING IN SACRAMENTO.

PASSED UNANIMOUSLY.

24. CONFIRMATION OF EMERGENCY AMENDMENT OF SECTION 148, TITLE 14, CAC, RE
REMOVAL OF THE LOAD COMPOSITION RESTRICTIONS FOR THE COMMERCIAL TAKE OF
PACIFIC MACKEREL.

Mr. Cribbs stated at the Commission's October 5 meeting it had authorized its staff to publish notice of its intent to confirm its emergency amendments to Section 148, Title 14, CAC, regarding removal of the load composition restrictions for the commercial take of Pacific mackerel. He reminded the Commissioners that the original emergency action had been taken on September 13-14, and that this telephonic action had been confirmed at the Commission's October 5 meeting. He said that as required by the Government Code, when the Commission takes emergency action, it must, within 120 days, publish notice and confirm that action. He reported that that legal notice had been published; that the Commission office had received no correspondence on this issue; and that the Department recommended confirmation.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT
THE FISH AND GAME COMMISSION CONFIRMS ITS EMERGENCY ACTION
OF SEPTEMBER 13-14, 1979, WHICH AMENDED SECTION 148, TITLE 14,
CALIFORNIA ADMINISTRATIVE CODE, TO REMOVE THE LOAD COMPOSI-
TION RESTRICTIONS FOR THE COMMERCIAL TAKE OF PACIFIC MACKEREL.

PASSED UNANIMOUSLY.

Mr. Cribbs reported that since publication of the Commission's agenda for the November 2 meeting, the Department had submitted an additional request, and had asked that it be heard by the Commission. He, therefore, requested that the Commission suspend its rules to hear this additional agenda item. It was then:

MOVED BY DR. VENRICK, SECONDED BY DR. DASMANN, THAT
THE FISH AND GAME COMMISSION HEREBY SUSPENDS ITS RULES
TO HEAR AN ADDITIONAL AGENDA ITEM.

PASSED UNANIMOUSLY.

24a. CONSIDERATION OF REQUEST OF CALIFORNIA SEAFOOD INSTITUTE FOR EMERGENCY
ACTION TO AMEND SECTION 120, TITLE 14, CAC, TO PROVIDE FOR AN EXTENSION
OF THE PRAWN AND SHRIMP SEASON IN PERMIT AREA C THROUGH NOVEMBER 19.

Mr. Cribbs stated that the California Seafood Institute had requested a two-week extension of the shrimp season in permit area C. He pointed out that the season closed on October 31, 1979.

Director Fullerton stated that the Department recommended approval of the two-week extension based upon the fact that the shrimp resource was in good shape as indicated by the percent of one-year old shrimp, the average catch per hour, and the number of shrimp per pound in the catches exceeded the minimum criteria used to determine if the resource was being endangered.

It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. BENSON, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY OF SECTION 8842 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTION OF SAID CODE, BY EMERGENCY ACTION AMENDS SECTION 120(e), TITLE 14, CALIFORNIA ADMINISTRATIVE CODE, AS FOLLOWS:

(1) Subsection (e) of Section 120 is amended to read:

(e) Season. April 16 through October 31 in permit areas A, B1 and B2. April 16 through November 19 in permit area C, except for the taking of spot and ridgeback prawns as provided in Section 120.3 of these regulations.

(1) Emergency closing of shrimp or prawn trawling season. The director may close the season in any permit area at any time the department finds that the shrimp resource is being endangered. Such emergency closing will be brought to the commission's attention at its next regular meeting, and will remain in effect only if confirmed by the commission. The department shall monitor the fishery in each permit area and evaluate criteria including percent one-year-old shrimp in the catches and average catch per hour to determine if the resource is being endangered.

(2) Announcement of emergency closing date in each permit area will be made not less than forty-eight (48) hours in advance of that closing date. Announcement of closing date shall be made by mailing a copy thereof, postage prepaid, to each permit holder at his last address shown on the records of the department, and such mailing shall constitute notice to permit holders of such closing date, or dates, on the day following the date of mailing. The permit holder shall keep the department informed in writing of his correct, current address.

(3) The director may reopen the shrimp trawling season in any permit area closed pursuant to this subsection at any time. The department shall monitor the fishery and re-evaluate the criteria provided in subsection (e)(1) of these regulations to determine if the season should remain open. The director shall seek confirmation of this reopening at the next regular meeting of the Fish and Game Commission.

PASSED UNANIMOUSLY.

25. ANNOUNCEMENT OF FUTURE MEETINGS.

December 6-7, 1979

Auditorium, Resources Building, 1416 Ninth Street, Sacramento.

January 4, 1980

City Council Chambers, 305 W. 3rd Street, Oxnard.

February 1, 1980

Supervisors' Chambers, 2281 Tulare Street, Fresno.

March 7, 1980

Room 1092, 722 Capitol Mall, Sacramento

April 4, 1980

San Diego

April 25, 1980

Room 1138, State Building, 107 S. Broadway,
Los Angeles.

Mr. Cribbs proposed that the herring appeals hearing be held on December 6 in San Francisco. After additional discussion, it was decided that because of the apparently full agenda for the December meeting, and the herring appeals hearing, that a two-day Commission meeting be held in Sacramento on December 6 and 7, with the herring appeals hearing on the 6th, as well as selected agenda items.

Mr. Cribbs also stated that a substantial number were expected to request a hearing even though they did not hold a herring permit during the 1978-79 season. He pointed out that the regulations specifically require that an applicant must have held a permit during the past year to be eligible for a new permit. He asked for a clarification on the eligibility of those who failed to meet the requirement. The Commission reiterated its position that these individuals would be denied an appeal hearing.

Director Fullerton reported on the waterfowl season. He indicated there was a good opening on the public areas, with Wister setting an all-time record for the opener. He also indicated that on those public areas where the 25 shell possession limit was in effect that comments were favorable and that sky-scraping had been reduced.

The Director also reported that the pressure during the deer season was down about 10%, with success up about 13% in the early season and up 23% for the late season. He indicated that in zone X5-b, hunter success was up 44%. He felt that the deer plan was starting to have a positive affect on the deer resource.

Mr. James Leiby, the Department's Chief of Operations, gave a report on the mitigation for the state water project in southern California. He reported that an agreement had been signed by the Director between the Metropolitan Water District, the Department of Water Resources, and the Department of Fish and Game.

There being no further business the meeting was adjourned at 11:23 a.m.

(NOTE: Copies of the environmental reports with respect to items considered by the Commission at this meeting and responses to alternatives proposed by the public are available upon request from the Fish and Game Commission office, 1416 Ninth Street, Sacramento, California 95814.)