

## STAFF SUMMARY FOR DECEMBER 9-10, 2015

**38B. FUTURE MEETINGS – PERPETUAL TIMETABLE FOR REGULATORY ACTION****Today's Item**Information Action 

Review and acknowledge requested changes to the perpetual timetable for anticipated regulatory actions.

**Summary of Previous/Future Actions**

- |   |                                  |
|---|----------------------------------|
| • Adopted 2015 rulemaking calendar              | Dec 3, 2014; Van Nuys            |
| • Last amended perpetual regulatory timetable   | Oct 2015                         |
| • <b>Today's requested changes to timetable</b> | <b>Dec 9-10, 2015; San Diego</b> |

**Background**

At each FGC meeting, FGC staff provides the latest approved timetable along with any requests for changes.

Through a memo (Exhibit B1) DFW has requested changes to the regulatory timetable (Exhibit B2):

- Add a proposed rulemaking to establish standards for imposing penalty enhancements for illegal take of game with defined characteristics.
- Add the semiannual recreational groundfish rulemaking to match federal changes.
- Add a Pacific halibut conformance package to initiate an automated approach to federal conformance regulations.

**Significant Public Comments (N/A)****Recommendation**

**FGC staff:** Acknowledge that requested changes to the regulatory timetable are acceptable.

**DFW:** See Exhibit B2 for DFW's requested changes.

**Exhibits**

- B1. [DFW memo requesting changes to the perpetual timetable for regulatory actions, dated Nov 24, 2015](#)
- B2. [Perpetual timetable for anticipated regulatory actions, updated Dec 1, 2015](#)

**Motion/Direction (N/A)**

## Memorandum

Date: November 24, 2015

To: Sonke Mastrup  
Executive Director  
Fish and Game Commission

From: Charlton H. Bonham  
Director

Subject: **Request for changes to the Fish and Game Commission's 2016 regulatory calendar.**

The Department of Fish and Wildlife (Department) requests the following schedule changes to the Fish and Game Commission's (Commission) 2016 regulatory calendar:

- Add a proposed rulemaking to establish standards for imposing penalty enhancements for illegal take of game with defined characteristics, pursuant to the Fish and Game Code Section 12013.3. The Department would like to vet this proposal at the May 2016 Wildlife Resources Committee meeting in Sacramento. Notice could occur at the August 2016 meeting with discussion and adoption scheduled for the October 2016 meeting.
- Add the regular sport fishing conformance rulemaking for groundfish to the Commission's calendar with notice scheduled at the August 2016 meeting, discussion at the October 2016 meeting and adoption at the December 2016 meeting.
- Add a proposed rulemaking to establish an automatic process to conform state ocean sport fishing regulations to Federal regulations pursuant to amended Fish and Game Code Section 205.1. The Department would like to use the Pacific halibut conformance regulations to test this approach. The proposed rulemaking would be noticed at the April 2016 meeting, discussed at the June 2016 meeting and adopted at the August 2016 meeting. If successful, the automatic conformance process would be in place for the 2017 Pacific halibut season.

If you have any questions or need additional information on the proposed changes, please contact Regulations Unit Manager, Craig Martz at (916) 653-4674 or by email at [Craig.Martz@wildlife.ca.gov](mailto:Craig.Martz@wildlife.ca.gov).

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# PERPETUAL TIMETABLE FOR CALIFORNIA FISH AND GAME COMMISSION ANTICIPATED REGULATORY ACTIONS

Note: Dates shown reflect the actual date intended for the subject regulatory action. Please check commission and committee meeting agendas to confirm dates and actions.

Updated: 12/01/15

ITEMS PROPOSED FOR CHANGE ARE SHOWN IN **BLUE**

| For FGC Staff use. |                |             |           | REGULATORY CHANGE CATEGORY                       | ACTION DATE, TYPE AND LOCATION | 2015          |                | 2016           |                |                 |                               |                |                |                |                                   |                      |          |                |                |                  |              |       |
|--------------------|----------------|-------------|-----------|--|--------------------------------|---------------|----------------|----------------|----------------|-----------------|-------------------------------|----------------|----------------|----------------|-----------------------------------|----------------------|----------|----------------|----------------|------------------|--------------|-------|
|                    |                |             |           |  |                                | DEC 9 : 10    | JAN 20         | FEB 10 : 11    | MAR 15         | MAR 21          | APR 12                        | APR 13 : 14    | APR 18         | MAY 18         | JUN 21                            | JUN 22 : 23          | JUL 21   | AUG 24 : 25    | SEP 21         | OCT 19 : 20      | NOV 17       |       |
| QTRLY PUB          | DFW RU ANALYST | FGC ANALYST | LEAD      |  |                                | FGC SAN DIEGO | WRC SACRAMENTO | FGC SACRAMENTO | TELECONFERENCE | MRC LOS ANGELES | TRIBAL COMMITTEE GEYSERSVILLE | FGC SANTA ROSA | TELECONFERENCE | WRC SACRAMENTO | TRIBAL COMMITTEE HUNTINGTON BEACH | FGC HUNTINGTON BEACH | MRC NAPA | FGC SACRAMENTO | WRC SACRAMENTO | FGC CRESENT CITY | MRC IRVINE   |       |
|                    |                |             |           | File Notice w/OAL by                             | 10/13/15                       |               |                | 12/15/15       | 1/19/16        |                 |                               | 2/16/16        | 2/23/16        |                |                                   | 4/26/16              |          | 6/28/16        |                |                  | 8/11/15      |       |
|                    |                |             |           | Notice Published                                 | 10/23/15                       |               |                | 12/24/15       | 1/29/16        |                 |                               | 2/26/16        | 3/4/16         |                |                                   | 5/6/16               |          | 7/8/16         |                |                  | 8/21/15      |       |
| *                  | SB             | SF          | MR        | MARINE PROTECTED AREAS                           | 632                            | A             |                |                |                | E 3/1           |                               |                |                |                |                                   |                      |          |                |                |                  |              | D     |
| *                  | MR             | ST          |           | GRAY WOLF  | 670.5                          | A             |                |                |                | E 3/1           |                               |                |                |                |                                   |                      |          |                |                |                  |              |       |
|                    | SB             | MS          | FB        | SPORT FISH                                       | 1.05 et al.                    | A             |                |                |                | E 3/1           |                               |                |                | R              |                                   |                      |          | N              |                |                  |              | D     |
| *                  | MR             | JS          | FB        | TRANSGENIC DEFINITION, APPLICATION & FEE         | 1.92, 703                      |               | E 1/1          |                |                |                 |                               |                |                |                |                                   |                      |          |                |                |                  |              | D/A   |
|                    | SB             | SF          | MR        | PACIFIC HALIBUT                                  | 28.20                          | N             |                | D              |                |                 |                               | A              |                | E 5/1          |                                   |                      |          |                |                |                  |              |       |
| *                  | SB             | SF          | MR        | OCEAN SALMON SPORT FISHING (PHASE I)             | 27.80(c)                       | N             |                | D              | A              |                 | E 4/1                         |                |                |                |                                   |                      |          |                |                |                  |              |       |
|                    | SB             | SF          | MR        | OCEAN SALMON SPORT FISHING (PHASE II)            | 27.80(d)                       |               |                | D              |                |                 |                               |                | A              | E 5/1          |                                   |                      |          |                |                |                  |              |       |
|                    | SB             | SF          | FB        | KLAMATH RIVER SPORT FISHING                      | 7.50(b)(91.1)                  | N             |                | D              |                |                 |                               |                | A              | V              |                                   |                      |          |                |                |                  | E 8/1        |       |
| *                  |                | SF          | FGC       | COMMISSION MEETING PROCEDURES                    | 665                            | N             |                | D              |                |                 |                               | A              |                |                |                                   |                      | E 7/1    |                |                |                  |              |       |
|                    | MR             | JS          | FB        | CENTRAL VALLEY SALMON                            | 7.50(b)                        | N             |                | D              |                |                 |                               |                | A              |                |                                   |                      |          |                |                |                  | E 8/1        |       |
|                    | MR             | JS          | WLB       | MAMMAL 2016-2017                                 | 265 et. al.                    | N             |                | D              |                |                 |                               |                | A              | V              |                                   |                      |          |                |                |                  | E 7/1        |       |
|                    | SB             | JS          | FB        | FISHERIES AT RISK EM 1ST 90 DAY EXTENSION        | 8.01                           | EM            | OAL NLT 12/19  |                |                | Expires 3/29    |                               |                |                |                |                                   |                      |          |                |                |                  |              |       |
|                    | SB             | JS          | FB        | FISHERIES AT RISK EM 2ND 90 DAY EXTENSION        | 8.01                           |               |                |                | EM             | OAL NLT 3/19    |                               |                |                |                |                                   |                      |          |                |                |                  |              |       |
|                    | SB             | JS          | FB        | FISHERIES AT RISK REGULAR RULEMAKING             | 8.01                           | N             |                | D              |                |                 |                               | A              |                |                |                                   |                      |          |                |                |                  |              |       |
|                    | MR             | JS          | WLB       | WATERFOWL  | 502                            | N             |                | D              |                |                 |                               | A              |                |                |                                   |                      |          |                |                |                  | E 7/1        |       |
| *                  | MR             | CW          | MR        | ELECTRONIC REPORT OF MARINE LOGBOOKS             | 190                            |               |                | N              |                |                 |                               | D/A            |                |                |                                   |                      |          |                |                |                  | E 7/1        |       |
| *                  | SB             | ST          | MR        | SPINY LOBSTER, SPORT AND COMMERCIAL              | 29.80, 29.90, 121-122          |               |                | N              |                |                 |                               | D              |                |                |                                   | A                    |          |                |                |                  |              |       |
|                    | SB             | CW          | WLB       | DFW LANDS PASS                                   | 550, 550.5, 551, 630, 703      |               |                | N              |                |                 |                               | D              |                |                |                                   | A                    |          |                |                |                  |              |       |
| *                  | MR             | JS          | WLB       | FALCONRY CLEAN-UP                                | 670                            |               |                | N              |                |                 |                               | D              |                |                |                                   | A                    |          |                |                |                  |              |       |
|                    | <b>MR</b>      | <b>SF</b>   | <b>MR</b> | <b>PACIFIC HALIBUT SPORT CONFORMANCE PROCESS</b> | <b>28.20</b>                   |               |                |                |                |                 |                               | <b>N</b>       |                |                |                                   | <b>D</b>             |          |                | <b>A</b>       |                  | <b>E 9/1</b> |       |
|                    | MR             | CW          | WLB       | UPLAND (RESIDENT) GAME BIRD                      | 300                            |               | R              |                |                |                 |                               | N              |                |                |                                   | D                    |          |                |                |                  | A            | E 9/1 |
|                    | <b>MR</b>      | <b>SF</b>   | <b>MR</b> | <b>RECREATIONAL GROUND FISH</b>                  | <b>27.20 et. al.</b>           |               |                |                |                |                 |                               |                |                | <b>V</b>       |                                   |                      |          | <b>N</b>       |                |                  | <b>D</b>     |       |
|                    | <b>SB</b>      | <b>CW</b>   | <b>EB</b> | <b>ENHANCE PENALTIES FOR GAME ILLEGAL TAKE</b>   | <b>715 (new)</b>               |               |                |                |                |                 |                               |                |                | <b>V</b>       |                                   |                      |          |                | <b>N</b>       |                  | <b>A</b>     |       |
|                    | MR             | JS          | WLB       | BIG GAME TAG QUOTA REPORTING PROCESS             | 360, 361, 362, 363, 364        |               |                |                |                |                 |                               |                |                |                |                                   |                      |          |                |                |                  | N            | D     |
| *                  |                |             | MR        | KELP FEES, RATE AND DEPOSITS [2016]              | 165, 165.5, 704                |               |                |                |                |                 |                               |                |                |                |                                   |                      |          |                |                |                  |              | V     |
| *                  |                |             | MR        | COMMERCIAL SEA CUCUMBER [2016]                   | 128                            |               |                |                |                |                 |                               |                |                |                |                                   |                      |          |                |                |                  |              |       |
| *                  |                |             | MR        | COMMERCIAL SEA URCHIN [TBD]                      | 120.7                          |               |                |                |                |                 |                               |                |                |                |                                   |                      |          |                |                |                  |              |       |
|                    |                |             | OGC       | AZA/ZAA [TBD]                                    | 671.1                          |               |                |                |                |                 |                               |                |                |                |                                   |                      |          |                |                |                  |              |       |

EM = Emergency, E = Anticipated Effective Date (RED = expedited review), N = Notice Hearing, D = Discussion Hearing, A = Adoption Hearing, V = Vetting, R = Committee Recommendation, WRC = Wildlife Resources Committee, MRC = Marine Resources Committee