

## STAFF SUMMARY FOR APRIL 13-14, 2016

**34B. FUTURE MEETINGS – REGULATIONS PERPETUAL TIMETABLE****Today's Item**Information Action 

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

**Summary of Previous/Future Actions (N/A)****Background**

FGC maintains a perpetual timetable for FGC anticipated regulatory actions (Exhibit B1). At each FGC meeting, staff provides the latest approved timetable along with any requests for changes.

DFW and FGC staff have submitted memos requesting changes to the FGC timetable for anticipated regulatory actions (Exhibits B2 and B3).

**Recommendation**

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

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

**Exhibits**

- B1. [Amended timetable for anticipated regulatory actions, updated Apr 1, 2016](#)
- B2. [DFW memo, received Apr 6, 2016](#)
- B3. [FGC staff memo, dated Mar 30, 2016](#)

**Motion/Direction**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission approves the proposed amendments to the rulemaking calendar.

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

Updated: 04/07/16

ITEMS PROPOSED FOR CHANGE ARE SHOWN IN BLUE

For FGC Staff use.				2016												2017						
				APR 12	APR 13	APR 14	APR 18	MAY 18	JUN 21	JUN 22	JUN 23	JUL 21	AUG 24	AUG 25	SEP 21	OCT 19	OCT 20	NOV 17	DEC 7	DEC 8	JAN ?	FEB ?
QTRLY EFFECTIVE	DFW RU ANALYST	FGC ANALYST	LEAD	REGULATORY CHANGE CATEGORY	ACTION DATE, TYPE AND LOCATION	TRIBAL COMMITTEE GEYSERSVILLE	FGC SANTA ROSA	TELECONFERENCE	WRC WEST SACRAMENTO	TRIBAL COMMITTEE BAKERSFIELD	FGC BAKERSFIELD	MRC PETALUMA	FGC FOLSOM	WRC WOODLAND	FGC TBD	MRC IRVINE	FGC SAN DIEGO	WRC TBD	FGC TBD	TELECONFERENCE	MRC TBD	
						File Notice w/OAL by Notice Published	2/16/16 2/26/16	2/23/16 3/4/16	4/26/16 5/6/16	6/28/16 7/8/16	8/1/15 8/21/15	10/13/15 10/23/15	TBD TBD	TBD TBD								
				Title 14 Section(s)																		
	SB	JS	FB	SPORT FISH	1.05 et al.				R				N		D		A				E 3/1	
	SB	SF	MR	PACIFIC HALIBUT SPORT FISHING	28.20		A		E 5/1								N		D			
	SB	SF	MR	OCEAN SALMON SPORT FISHING (PHASE I)	27.80(c)	E 4/1											N		D		A	
	SB	SF	MR	OCEAN SALMON SPORT FISHING (PHASE II)	27.80(d)			A	E 5/1								N		D			
	SB	SF	FB	KLAMATH RIVER SPORT FISHING	7.50(b)(91.1)			A	V				E 8/1				N		D			
*		ST	OGC	CLEAR LAKE HITCH	670.5	E 4/1																
*		ST	OGC	TRICOLORED BLACKBIRD - 2084 EMERGENCY	749																	
	SB	ST	FB	UPPER SACRAMENTO RIVER EMERGENCY	7.50(b)(156.5)																	
	MR	JS	FB	CENTRAL VALLEY SALMON SPORT FISHING	7.50(b)			A									N		D			
	MR	JS	WLB	MAMMAL HUNTING 2016-2017	265 et al.		A		V			E 7/1					N		D			
	SB	JS	FB	FISHERIES AT RISK EM 1ST 90 DAY EXTENSION	8.01																	
				FISHERIES AT RISK EM 2ND 90 DAY EXTENSION	8.01																	
				FISHERIES AT RISK REGULAR RULEMAKING	8.01		A															
	MR	JS	WLB	WATERFOWL	502		D/A					E 7/1					N		D			
*	MR	CW	MR	ELECTRONIC REPORT OF MARINE LOGBOOKS	190		D/A					E 7/1										
*	MR	ST	MR	COMMERCIAL SEA URCHIN (PHASE I)	120.7		D/A					E 7/1										
*	MR	SF	FGC	COMMISSION MEETING PROCEDURES	665		D				A			E 10/1								
*	SB	ST	MR	SPINY LOBSTER, SPORT AND COMMERCIAL	29.80 et al.		D				A			E 10/1								
*	SB	CW	WLB	NONLEAD AMMUNITION COUPON PROGRAM	250.2		N				D/A			E 10/1								
	SB	JS	LED	TIDAL WATERS SF/SAN PABLO BAY	1.53 27.00 28.65(a)		N				D		A								E 1/1	
	SB	CW	WLB	DFW LANDS PASS	550 et al.		N				D		A								E 1/1	
*	MR	CW	OGC	CONFLICT OF INTEREST CODE	782		N				N		D/A			D/A					E 1/1	
	MR	CW	WLB	UPLAND (RESIDENT) GAME BIRD	300, 311, 745.5		N				D		A	E 9/1, V							R	
*	MR	JS	WLB	FALCONRY CLEAN-UP	670		N				DN		AD			A					E 1/1	
*	MR	CW	WLB	NONGAME ANIMALS - GENERAL PROVISIONS	472		N				N		D/A									E 1/1
*	SB	SF	MR	COMMERCIAL HAGFISH BARREL TRAPS	180.6(b)					N			D/A									E 1/1
*	MR	CW	LED	UPLAND GAME BIRD SPECIAL HUNT DRAWING	TBD (new)						N		D			A					E 1/1	
	MR	SF	MR	RECREATIONAL GROUND FISH	27.20 et al.								N			D						E 1/1
*	SB	CW	LED	ENHANCE PENALTIES FOR GAME ILLEGAL TAKE	715 (new)				V				N			A						E 1/1
	MR	JS	WLB	BIG GAME TAG QUOTA REPORTING PROCESS	360, 361, 362, 363, 364								N			D						E 4/1
*			MR	KELP AND ALGAE HARVEST MANAGEMENT	165, 165.5, 704							V										
*	MR	SF	MR	PACIFIC HALIBUT SPORT CONFORM PROCESS [2016]	28.20																	
*			MR	COMMERCIAL SEA CUCUMBER [2016]	128																	
*		ST	MR	COMMERCIAL SEA URCHIN (PHASE II) [TBD]	120.7																	
*				POSSESS GAME / PROCESS INTO FOOD [TBD]	TBD																	
*			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

## Memorandum

2016 APR -6 AM 9:33

Date: March 30, 2016

To: Michael Yaun, Acting 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 requests the following schedule changes to the Fish and Game Commission's 2016 regulatory calendar:

- Move the request to publish notice of the Commission's intent to amend the falconry regulations in Section 670 from the April meeting in Santa Rosa to the June meeting in Bakersfield. Discussion would occur at the August meeting, with adoption at the October meeting. Additional time is needed to vet the draft regulations with the falconry community.
- Add a request to publish notice of the Commission's intent to add a new Section 715, Upland Game Bird Special Hunt Drawing to the June meeting. Discussion would occur at the August meeting, with adoption at the October meeting. The Department proposes transferring existing upland game bird hunt drawings from the Wildlife Branch to the Automated License Data System to be consistent with procedures for other special hunts.

If you have any questions or need additional information, 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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STATE OF CALIFORNIA  
**FISH AND GAME COMMISSION**  
**MEMORANDUM**

**DATE:** March 30, 2016

**TO:** Commission Members

**FROM:** Commission Staff

**SUBJECT:** **Recommended changes to the perpetual timetable for rulemaking actions**

No later than January 30 each year, FGC submits to the Office of Administrative Law (OAL) a rulemaking calendar with known rulemakings for that year, pursuant to the Administrative Procedure Act (Government Code, Section 11017.6). The calendar is published in the California Regulatory Notice Register, and is used by OAL and the California Department of Finance in scheduling their regulatory reviews.

Staff recommends two regulatory timetable changes:

1. ***Amend Timing of Conflict of Interest Code.*** At its December 9-10, 2015 meeting in San Diego, the Commission was scheduled to approve a conflict of interest code; however, new information was provided by legal counsel that a formal, multi-agency rulemaking was necessary. Given recent changes in the Commission office, staff has been unable to complete a draft ISOR for consideration under the original timeline. Staff requests that the notice hearing be moved to the June 22-23, 2016 Commission meeting and the discussion/adoption hearing be moved to the October 19-20, 2016 meeting.
2. ***Add Possession of Game and Processing into Food pursuant to Fish and Game Code Section 3080(e).*** At its Oct 2015 meeting, the Commission received a recommendation from WRC to support the continuing effort to implement Fish and Game Code Section 3080(e). Consistent with WRC's recommendation, regulations will be drafted and vetted at future meetings. In recognition of the ultimate goal of adopting regulations to implement the statutory language and to maintain space on next year's calendar, staff recommends adding this rulemaking to the perpetual timetable as a "TBD" placeholder. Staff will bring to the Commission a more specific proposed timeline for adopting regulations as progress is made on drafting and vetting.