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STATE OF CALIFORNIA

Fish and Game Commission

June 19, 2009

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the continuation notice of proposed regulatory action relative to Section 632, Title 14, California Code of Regulations, relating to marine protected areas. The original notice is posted on the Commission's website at www.fgc.ca.gov and is available upon request by contacting the Commission office at the letterhead address, phone number, facsimile number, or e-mail address.

During the regulatory process to amend Section 632, changes were made in the originally proposed regulatory language, which is scheduled for adoption at the Commission's August 5, 2009, meeting. Two options now exist within the Integrated Preferred Alternative (IPA) regarding Sea Lion Cove State Marine Conservation Area (SMCA): Option 1 includes Sea Lion Cove as originally proposed, and Option 2 removes Sea Lion Cove from the proposed IPA network. In addition, within the revised proposal, a correction to the southern boundary has been made to Salt Point SMCA in both the IPA and Alternative 3. The southern boundary has been adjusted by one half minute (0.5') northward. No other changes have been made to the proposed regulatory language.

The revisions are found on pages 2, 3, and 41 of the attached revised proposed regulatory language.

Because these regulations are different from, yet sufficiently related to, the originally proposed regulations, the Administrative Procedure Act requires that we make these changes available to you for at least a 15-day written comment period.

This is also to provide you with the notice of availability of the revised Initial Statement of Reasons Attachment 2: "Detailed description, objectives and maps of the preferred alternative (IPA)" and the revised Economic and Fiscal Impact Statement (Std. 399) for this rulemaking.

Please note the date and location of the public hearing related to this matter and associated deadlines for receipt of written comments.

Ms. Marija Vojkovich, Regional Manager, Marine Region, Department of Fish and Game, (805) 568-1246 has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachments

TITLE 14. Fish and Game Commission Notice of Proposed Changes in Regulations

(Continuation of California Notice Register 2009, No. 18-Z,
and Meetings of October 2, 2008 and May 14, 2009.)

(NOTE: See Updated Informative Digest changes shown in **bold face** type.)

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203.1, 205(c), 219, 220, 1590, 1591, 2860, 2861, and 6750, Fish and Game Code; and sections 36725(a) and 36725(e), Public Resources Code and to implement, interpret or make specific sections 200, 202, 203.1, 205(c), 219, 220, 1580, 1583, 2861, 5521, 6653, 8420(e), and 8500, Fish and Game Code; and sections 36700(e), 36710(e), 36725(a) and 36725(e), Public Resources Code, proposes to amend Section 632, Title 14, California Code of Regulations, relating to Marine Protected Areas.

Updated Informative Digest/Policy Statement Overview

Please refer to the original notice dated April 21, 2009 for the full description of the proposed regulations.

Based on direction from the Commission at its May 14, 2009 meeting, the revised proposal adds an option within the Commission's Preferred Alternative to remove Sea Lion Cove SMCA. In addition the revised proposal corrects an error in the southern boundary of Salt Point SMCA in the Preferred Alternative and Alternative 3 and moves its boundary northward by 0.5' latitude to align with the Salt Point State Park land boundary. No other changes to the originally noticed regulatory text have been made.

Initial Statement of Reasons Attachment 2: "Detailed description, objectives and maps of the preferred alternative (IPA)" and the Economic and Fiscal Impact Statement (Std. 399) for this rulemaking have been amended and are available on the Commission's website at www.fgc.ca.gov or upon request by contacting the Commission office (1416 Ninth Street, Box 944209, Sacramento, California 94244-2090; telephone (916) 653-4899; facsimile (916) 653-5040; or e-mail FGC@fgc.ca.gov). Interested persons may also inspect these documents at the Commission office, 1416 Ninth Street, Suite 1320, Sacramento, California, between the hours of 8:00 am and 5:00 pm, Monday through Friday.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Yolo Fliers Club Ballroom, 17980 County Road 94B, Woodland, California, on Wednesday, August 5, 2009, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 31, 2009 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 3, 2009.** All comments must be received no later than August 5, 2009, at the hearing in Woodland, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sherrie Fonbuena at the preceding address or phone number. **Ms. Marija Vojkovich, Regional Manager, Department of Fish and Game, phone (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from agency program staff.

FISH AND GAME COMMISSION

Date: June 19, 2009

John Carlson, Jr.
Executive Director