



VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:  
California Fish and Game Commission  
1416 Ninth Street  
Sacramento, California 95814

VIII. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative:

Under the no change alternative, the public would continue to be confused regarding the scheduling and timing of Commission action on regulation change requests, and petitions for regulation changes would continue to be presented in inconsistent formats, often lacking critical information.

(c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

IX. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations only affect the process through which the Commission will receive and consider petitions for regulation changes.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California.

The Commission anticipates benefits to the health and welfare of California residents in an increase in transparency and understanding of the Commission's regulatory process and consistency in the processing of public requests for regulation change.

The Commission does not anticipate any benefits to worker safety or the environment.

- (c) Cost Impacts on a Representative Private Person or Business: None.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

## Updated Informative Digest/Policy Statement Overview

Under current law (Government Code Section 11340.6) any interested person may petition the Fish and Game Commission (Commission) to adopt, amend or repeal a regulation. This section also requires that any petition clearly and concisely state the substance or nature of the requested regulation change, the reason for the request, and reference to the authority of the Commission to take the requested action.

The proposed action adds new Section 662, Title 14, California Code of Regulations (CCR). The proposed regulation outlines the process under which petitions will be evaluated and scheduled for receipt and Commission action and requires the use of the form entitled "PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATORY CHANGE," FGC 1 (New 10/23/14, and being incorporated by reference), for submitting regulation change proposals.

**The following changes were made to the originally proposed regulatory text and petition form:**

- In subsection 662(d) and on Form FGC1, terminology regarding Commission action on a petition was changed from accept/reject to grant/deny to match terminology in Government Code, Section 11340.7;
- Regulatory text in subsection 662 (b) concerning staff review of a petition was clarified to state that a petition may be rejected if the petition fails to contain necessary information in the *required* categories of petition form FGC1;
- Regulatory text regarding rejection of a petition similar to a previous petition was moved from subsection 662(b) concerning staff action a petition to subsection 662(d) concerning Commission action on a petition. In addition the text was revised to clarify that a petition may be denied if *any* petition requesting a *functionally equivalent* regulation change was considered within the previous twelve months. Furthermore, the proposed regulation was revised to clarify that new information means information not submitted in a previous petition;
- In subsection 662(d), the proposed regulation was revised to clarify that a petition will be scheduled for consideration at the next available *Commission* meeting;
- In subsections 662(d) and (e), regulatory text concerning a two meeting process and regulatory text concerning referral to the Department of Fish and Wildlife or to one of the Commission's committees for evaluation and recommendation prior to commencement of the rulemaking was removed;
- Form FGC1 was revised to clarify which information is required and which information is optional; and
- Form FGC1's check box "Reject – same as petition \_\_\_\_\_" was moved from the section regarding staff action to the section regarding Commission action and changed to "Deny – same as petition \_\_\_\_\_"

The benefits of the proposed regulation are increased transparency and understanding of the Commission's regulatory process and consistency in the processing of public requests for regulation change.

Commission staff has searched the CCR and has found that the proposed regulation is neither inconsistent nor incompatible with existing State regulations.

**It is impractical to publish the petition form [FGC 1, "PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATORY CHANGE, (New 10/23/14")]** in Title 14, CCR, because it is lengthy. The proposed form was available upon request and was also posted on the Commission's website during the notice periods (November 7, 2014 through February 11, 2015 and May 20, 2015 through June 4, 2015 and June 10, 2015).

**At the Commission's June 10, 2015, meeting, it adopted the revised proposed regulatory language as shown in the May 20, 2015 15-day notice.**