

NOTICE PUBLICATION/REGULATION SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2017-0725-14	REGULATORY ACTION NUMBER 2017-1121-01S	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

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OFFICE OF ADMINISTRATIVE LAW

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NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
Fish and Game Commission

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Commercial Taking of Sea Cucumber	TITLE(S) 14	FIRST SECTION AFFECTED 128	2. REQUESTED PUBLICATION DATE August 4, 2017
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Sherrie Fonbuena	TELEPHONE NUMBER (916) 654-9866	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2017, 31-2	PUBLICATION DATE 8-4-17	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Commercial Taking of Sea Cucumber	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 128
	AMEND
TITLE(S) 14	REPEAL

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Sherrie Fonbuena	TELEPHONE NUMBER (916) 654-9866	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Sherrie.Fonbuena@fgc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Melissa A. Miller-Henson</i>	DATE 11/21/17
TYPED NAME AND TITLE OF SIGNATORY Melissa Miller-Henson, Deputy Executive Director	

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ENDORSED APPROVED

DEC 21 2017

Office of Administrative Law

Regulatory Language

Section 128, Title 14, CCR, is added to read:

§ 128. Commercial Taking of Sea Cucumber.

(a) Closed Season. Warty sea cucumber may not be taken for commercial purpose from March 1 through June 14.

(b) All warty sea cucumber taken during the closed season shall be immediately returned to the water. Warty sea cucumber may not be possessed aboard or landed from any commercial fishing vessel during the closed season.

(c) Pursuant to Section 190 of these regulations, each sea cucumber dive permit holder shall complete and submit an accurate record of his/her sea cucumber fishing activities on the logbook form incorporated by reference under Section 120.7, of these regulations. The completed daily records shall be sent to the department address specified on the logbook.

Note: Authority cited: Section 8405.3, Fish and Game Code. Reference: Sections 8026, 8405.1, 8405.3 and 8500, Fish and Game Code.