



June 26, 2015

## **NOTICE OF PROPOSED EMERGENCY REGULATORY ACTION**

Subject: Procedures for imposing civil penalties and conducting hearings pursuant to Fish and Game Code sections 12025, subdivision (e), and 12025.1, subdivision (d)

The California Department of Fish and Wildlife (Department) proposes this emergency rulemaking action under the Administrative Procedure Act (APA) to adopt regulations that afford procedural and substantive due process rights to any person or entity on which a civil penalty may be imposed pursuant to Fish and Game Code sections 12025 and 12025.1. The Department proposes these emergency regulations for adoption into California Code of Regulations, Title 14, Division 1, Subdivision 3, Chapter 3, section 748.5.

Under the APA, Government Code section 11346.1, subdivision (a)(2), requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency regulations to OAL, any interested person shall have five (5) calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6. Upon submission, OAL will have ten (10) calendar days within which to review and make a decision on the proposed emergency regulations. If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for one hundred and eighty (180) days. Within the 180-day effective period, the Department will proceed with a regular rulemaking action, including a public comment period. The emergency regulations will remain in effect during this rulemaking action.

The specific language of the Department's proposed emergency regulations and Finding of Emergency are available on the Department's website at the following address:  
<https://www.wildlife.ca.gov/Notices/Regulations/Civil-Penalties>.

If you have any questions regarding this proposed emergency action, please contact Craig Martz, Department Regulations Unit Manager, Wildlife and Fisheries Division, at (916) 653-4681. Related comments or questions can also be submitted to the Department via email at the following address: [Regulations@wildlife.ca.gov](mailto:Regulations@wildlife.ca.gov).