

## STAFF SUMMARY FOR APRIL 18-19, 2018

**38B. ADMINISTRATIVE ITEMS – RULEMAKING TIMETABLE****Today's Item**Information Action 

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

**Summary of Previous/Future Actions**

- FGC approved changes to rulemaking timetable Feb 7-8, 2018; Sacramento
- **Today approve proposed rulemaking timetable Apr 18-19, 2018; Ventura**

**Background**

FGC maintains a perpetual timetable for anticipated regulatory actions. At each FGC meeting, staff provides the latest approved timetable along with requests for changes from FGC staff and DFW highlighted in bolded and underlined blue text (Exhibit 1).

For this meeting, DFW has submitted a request for several changes to the rulemaking timetable (Exhibit 2).

In addition, FGC staff has proposed three changes:

- Given the lack of a WRC advisor, proposal to cancel the May WRC meeting, as discussed under agenda item 38A,
- Add recreational take of purple sea urchin emergency, per FGC request at the Feb 7, 2018 meeting, and
- Add recreational take of red abalone, per FGC request at the Feb 7, 2018 meeting

**Significant Public Comments (N/A)****Recommendation**

**FGC staff:** Adopt the proposed changes to the timetable for anticipated regulatory actions and provide direction on the scheduling of any proposed rulemaking changes identified during the meeting.

**Exhibits**

1. [Proposed timetable for anticipated regulatory actions, dated Apr 6, 2018](#)
2. [DFW memo requesting changes to the FGC timetable, dated Apr 5, 2018](#)

**Motion/Direction**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission approves the proposed changes to the rulemaking timetable.

## California Fish and Game Commission – Perpetual Timetable for Anticipated Regulatory Actions

(dates shown reflect the date intended for the subject regulatory action)

Updated: 04/06/18

ITEMS PROPOSED FOR CHANGE ARE SHOWN IN BLUE FONT

For FGC Staff Use				REGULATORY CHANGE CATEGORY		ACTION DATE, TYPE AND LOCATION		2018												2019					
QUARTERLY EFFECTIVE	DFW RU/ANALYST	FGC ANALYST	LEAD					APR	APR	MAY	JUN	JUN	JUN	JUL	AUG	SEP	OCT	OCT	NOV	DEC	JAN	FEB	FEB	MAR	APR
								18	19	17	19	20	21	17	22	23	20	16	17	18	14	12	13	TBD	6
								FGC VENTURA	WRC LOS-ALAMITOS	TC SACRAMENTO	FGC SACRAMENTO	MRC SAN CLEMENTE	FGC FORTUNA	WRC SACRAMENTO	TC FRESNO	FGC FRESNO	MRC SACRAMENTO	FGC OCEANSIDE	WRC TBD	TC SACRAMENTO	FGC TBD	MRC TBD	FGC TELECONFERENCE		
								File Notice w/OAL by	02/20/18		04/24/18		06/26/18		08/21/18		10/16/18				12/12/17		02/13/18		
								Notice Published	03/02/18		05/04/18		07/06/18		08/31/18		10/26/18				12/22/17		02/23/18		
				Title 14 Section(s)																					
MR	JS	WLB	Mammal Hunting (annual rulemaking, if needed)		TBD																				
KM	RP	FB	Central Valley Salmon Sport Fishing (Annual)		7.50(b)(5), (68) & (156.5)						E 7/1												A		
MR	JS	WLB	Waterfowl (Annual)		502						E 7/1														
KM	SF	FB	Klamath River Basin Salmon Sport Fishing (Annual)		7.50(b)(91.1)																		A		
MR	DT	MR	Recreational Purple Sea Urchin (Emergency)		29.11																				
MR	JS	WLB	Upland (Resident) Game Bird (Annual)		300																				
MR	JS	WLB	Sage Grouse Preferential Points and Draw		716																				
SB	SF	FGC	Tribal Take in MPAs		632(b)(33), (34), (97), (98), (112), (117)																				
*	SB	RP	FGC Rockport Rocks Special Closure		632(b)(17)																				
*	SB	RP	MR Ridgeback Prawn Incidental Take Allowance		120(e)																		E 4/1		
*	SB	TBD	MR Commercial Non-Cancer Crab Incidental Take in Trap Fisheries		120(e)(4), 125.1(c), 126(a)(7) & 129																		E 4/1		
MR	RP/SF	WB	Trapping Fees		TBD																				
*	SB	ST	MR Groundfish		TBD																				
MR	JS	LED	Deer/Elk Tag Validation		708.6, 708.11																				
MR	JS	LED	Archery Equipment and Crossbow		354(f)																				
KM	JS	FB	Sport Fishing (Annual)		1.05 et al.																				
*	TBD	TBD	MR Harvesting of Herring Eggs		164																				
*	KM	ST	FB Commercial Take of Rattlesnakes		42, 43, 651, 703																				
*	MR	ST	MR Commercial Fisheries Landing Requirements		197																				

### RULEMAKING SCHEDULE TO BE DETERMINED

*		MR	Kelp and Algae Harvest Management		165, 165.5, 704																		
*			Possess Game / Process Into Food		TBD																		
*		OGC	American Zoological Association / Zoo and Aquarium Association		671.1																		
			Night Hunting in Gray Wolf Range		474																		
			Shellfish Aquaculture Best Management Practices		TBD																		
*		ST	Fisher		670.5																		
*		ST	Northern Spotted Owl		670.5																		
*			Ban of Neonicotinoid Pesticides on Department Lands		TBD																		
*		MR	Commercial Pink Shrimp Trawl		120, 120.1 and 120.2																		
		MR	Recreational Take of Red Abalone		29.15																		

EM = Emergency, EE = Emergency Expires, E = Anticipated Effective Date (RED "X" = expedited OAL review), N = Notice Hearing, D = Discussion Hearing, A = Adoption Hearing, V = Vetting, R = Committee Recommendation, WRC = Wildlife Resources Committee, MRC = Marine Resources Committee, TC = Tribal Committee

## Memorandum

Date: April 5, 2018

To: Valerie Termini  
Executive Director  
Fish and Game Commission

From: Charlton H. Bonham  
Director



Subject: **Request for changes to the Fish and Game Commission's Timetable for Anticipated Regulatory Actions**

The Department of Fish and Wildlife (Department) requests the following schedule changes to the Fish and Game Commission's (Commission's) 2018 regulatory timetable:

- Move up two TBD rulemakings to amend Subsection 120(e) for the incidental take of ridgeback prawns and amend subsections 125.1(c) and 126(a)(7) and add Subsection 120(e)(4) and Section 129 for the incidental take of non-cancer crabs.
  - These two rulemakings will need to be scheduled independently due to different CEQA coverage.
  - The requested meeting schedule for both rulemakings is notice at the June 2018 meeting, and discussion/adoption for the October 2018 meeting.
- Add the Herring Fishery Management Plan.
  - The requested meeting schedule is discussion at the October 2018 meeting, and adoption at the December 2018.
- Add a rulemaking to amend Section 164 for implementing regulations for the Herring Fishery Management Plan.
  - The requested meeting schedule is notice at the October 2018 meeting, discussion at the December 2018, and adoption at the February 2019 meeting.

If you have any questions or need additional information, please contact Regulations Unit Manager, Michelle Selmon at (916) 653-4674 or by email at [Michelle.Selmon@wildlife.ca.gov](mailto:Michelle.Selmon@wildlife.ca.gov).

ec: Stafford Lehr, Deputy Director  
Wildlife and Fisheries Division  
[Stafford.Lehr@wildlife.ca.gov](mailto:Stafford.Lehr@wildlife.ca.gov)

David Bess, Chief  
Law Enforcement Division  
[David.Bess@wildlife.ca.gov](mailto:David.Bess@wildlife.ca.gov)

Valerie Termini, Executive Director  
Fish and Game Commission  
April 5, 2018  
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Craig Shuman, D. Env., Manager  
Marine Region  
[Craig.Shuman@wildlife.ca.gov](mailto:Craig.Shuman@wildlife.ca.gov)

Kevin Shaffer, Chief  
Fisheries Branch  
Wildlife and Fisheries Division  
[Kevin.Shaffer@wildlife.ca.gov](mailto:Kevin.Shaffer@wildlife.ca.gov)

Kari Lewis, Chief  
Wildlife Branch  
Wildlife and Fisheries Division  
[Kari.Lewis@wildlife.ca.gov](mailto:Kari.Lewis@wildlife.ca.gov)

Joshua Morgan, Chief  
License and Revenue Branch  
[Joshua.Morgan@wildlife.ca.gov](mailto:Joshua.Morgan@wildlife.ca.gov)

Michelle Selmon, Program Manager  
Regulations Unit  
Wildlife and Fisheries Division  
[Michelle.Selmon@wildlife.ca.gov](mailto:Michelle.Selmon@wildlife.ca.gov)

**Fish and Game Commission:**

Melissa Miller-Henson  
Deputy Executive Director  
[Melissa.Miller-Henson@fgc.ca.gov](mailto:Melissa.Miller-Henson@fgc.ca.gov)