STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATORY ACTION SUBMISSION

OAL FILE NUMBERS Z-2017-0725-14
REGULATORY ACTION NUMBER 2017-1121-01S
EMERGENCY NUMBER

AGENCY WITH RULEMAKING AUTHORITY
Fish and Game Commission

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

1. SUBJECT OF NOTICE
Commercial Taking of Sea Cucumber

2. REQUESTED PUBLICATION DATE
August 4, 2017

3. NOTICE TYPE
Regulatory Action

4. AGENCY CONTACT PERSON
Sherrie Fonbuena

5. OAL USE ONLY
ACTION ON PROPOSED NOTICE
Approved as Submitted
Approved as Modified
Disapproved/Withdrawn

6. NOTICE REGISTER NUMBER
2017-31-2

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)

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTIONS: (Including title 26, if toxics related)

3. TITLE(S) AFFECTED
(List all section number(s) individually. Attach additional sheet if needed.)

4. TYPE OF FILING

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11346.2, 11346.3, 11346.4)(Cal. Code Regs., title 1, §100)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRRENCY BY, ANOTHER AGENCY OR ENTITY

7. CONTACT PERSON
Sherrie Fonbuena

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
Melissa Miller-Henson, Deputy Executive Director

DATE 11/21/17

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.