



Summary of Regulatory and Operational Changes affecting Scientific Collecting Permits

Sections 650 and 703, Title 14, California Code of Regulations

Goals of the sections 650, 703 rulemaking (as stated in the Initial Statement of Reasons):

- Goal 1:** Incorporate revisions to Fish & Game Code § 1002 and 1002.5 last amended by Chapter 559, Statutes of 2012 (Huffman, Assembly Bill 2402; effective January 1, 2013) in the regulatory proposal, and update for proposed SCP implementation.
- Goal 2:** Implement in regulations a permitting structure that reflects existing Department organization and permit processing, for operation in an online application and data management system.
- Goal 3:** Implement in regulations a fee schedule that reflects the revised permit structure.
- Goal 4:** update two existing permit forms, and incorporate by reference twelve (12) new forms reflecting the new permit structure.
- Goal 5:** Incorporate suggestions and comments gathered during pre-notice outreach into the regulatory proposal.

Operation or Procedure	Legacy SCP ("old" SCP and regulations)	General and/or Specific Use SCP ("new" SCP and regulations)
<i>Permit Administration</i>		
Permit Duration - Individual, Entity	• 3 years (changed from 2 years w/ AB 2402)	• 3 years
Permit Duration - Student	• 1 year	• 1 year
Regulatory Definitions	• Few to none	• subsection 650(b), Title 14, CCR: 26 new definitions, including for the 3 purposes for which a SCP is issued: Science, Education, and Propagation
Application & Submission Procedure	• PDF application • Hard copy mail-in	• Online application • Online submission
Application Status and Tracking	• User unable to track status of their application	• User tracks status of application(s) through "My Permits" dashboard in SCP Portal
Required Qualifications -Individual & Entity Permitholder Types	• None specified by regulation • Depending on species, letter of recommendation	Subsection 650(h), Title 14, CCR • CV or resume • Statement of Qualifications • Contact information for 2 references Letter of recommendation no longer required
Required Qualifications - Student Permitholder Type	• Letter of Sponsorship	Subsection 650(h), Title 14, CCR • CV or resume • Statement of Qualifications • Letter of Sponsorship from faculty advisor Letter of recommendation no longer required
Permit Structure	• "Person-based" - applicant applied for any number of studies or types of work; uncertain maintenance of adequate supervision	Subsection 650(i), Title 14, CCR • Two new permit types: General & Specific Use • "Person AND study-based" - applicant applies for a single study, or unified scope of work; single PI ensures adequate supervision
Permit Structure Improvements	• Multiple studies/ complicated requests delayed permit issuance	• Comparable permitted units streamline permit issuance
Number of SCPs Needed	• single permit per person; permit evolves as applicant seeks authorization for multiple types of work.	• One General Use per review program (Fisheries, Marine, Wildlife) • Single Specific Use SCP per study or planned undertaking • One or more permit(s) may be needed, depending on study/ planned undertaking
Scope of Renewal	• Can renew to add new studies or planned undertakings	• New Specific Use SCP for each new study or planned undertaking
Renewal	• Applicant re-enters app information each renewal	• Application information maintained in SCP Portal to streamline renewals
Administrative Updates	• Required phone call to License & Revenue Branch to update changes to affiliation, phone number, or email. • A paid Amendment was required to remove Authorized Individuals.	Subsection 650(l), Title 14, CCR • Applicants can manage affiliation, phone number, email address updates from their "Profiles" dashboard within the SCP Portal. • Request to remove Authorized Individuals can be emailed, and does not require payment of a fee.
Forms	• 1 application form - hard copy mailed • 1 amendment form - hard copy mailed • Report of Specimens Captured & Salvaged (RSCS) form - email or hard copy mailed • Notification of Intent to Collect - faxed	Subsection 703(c), Title 14, CCR • 3 app forms (General) and respective amendment forms- submit online • 1 app form (Specific) and respective amendment form - submit online • Mandatory Wildlife Report form (DFW 1379a) - email; submit online (replaces RSCS) • Notification of Field Work or Activity (DFW 1379b) - email; online submission phased in later (replaces ...Intent to Collect) • Chain of Custody (DFW 1379c) - PDF fillable • Standard Conditions for all SCPs - PDF informational

Legacy SCP ("old" SCP and regulations)		General and/or Specific Use SCP ("new" SCP and regulations)
Operation or Procedure		
<i>Fees & Payment Process</i>		
Nonrefundable application fee	<ul style="list-style-type: none"> • \$100 - Individual, Entity • \$25 - Student (before adjustments pursuant to FGC § 713 & 1055)	Subsection 703(c), Title 14, CCR <ul style="list-style-type: none"> • \$49.94 - Individual, Entity (General) • \$79.92 - Individual, Entity (Specific) • \$27.82 - Student (General or Specific) (2019 license year fees)
Permit (issuance) fee	<ul style="list-style-type: none"> • \$300 - Individual, Entity • \$50 - Student (before adjustments pursuant to FGC § 713 & 1055)	<ul style="list-style-type: none"> • \$206.54 - Individual, Entity (General) • \$299.15 - Individual, Entity (Specific) • \$55.65- Student (General or Specific) (2019 license year fees)
Amendment fee	<ul style="list-style-type: none"> • \$100 - Individual, Entity • \$25 - Student (before adjustments pursuant to FGC § 713 & 1055)	<ul style="list-style-type: none"> • \$68.04 - Individual, Entity (General) • \$99.92 - Individual, Entity (Specific) • \$27.82- Student (General or Specific) (2019 license year fees)
Fee Payment Process	<ul style="list-style-type: none"> • Hard copy mail: credit card authorization form, or check • phone in with credit card 	<ul style="list-style-type: none"> • Hard copy mail: credit card authorization form, or check • phone in with credit card • online payment via Online License & Sales Service
<i>Adequate Supervision</i>		
Ownership of Entity Permit	• PI owns the permit	• Entity itself owns the permit
Principal Investigator	• one (1) <u>or more</u> PI allowed per SCP	• single (1) PI allowed per SCP
List of Authorized Individuals (LAI)	• Only Entity permit holders can have a LAI (Student Permit holders cannot)	• Individual and Entity Permit holders can <u>both</u> have a LAI (Student Permit holders cannot)
LAI size	• no cap on the number requested	<ul style="list-style-type: none"> • General - hard cap (max) of 8 AIs per Authorization. Can request change or add up to 8 per Authorization via General Use Amendment. • Specific - soft cap of 8 AIs per Specific Use. With justification, can request more than 8 AIs via Specific Use Amendment.
Field Assistants	• Names needed on application even if directly supervised in the field	• Names <u>not</u> needed in application (don't need to be named on the permit, if directly supervised in the field)
<i>Other Regulatory Updates</i>		
Notification of Field Activity	Fax form to regional office: <ul style="list-style-type: none"> • by noon one (1) business day prior to field activity, and no more than two weeks (14 days) in advance of activity. 	email DFW 1379b to appropriate LED contact (Legacy permit holders), or, submit form within SCPP: <ul style="list-style-type: none"> • no more than two weeks (14 days) in advance of field activity, and at least 36 hours in advance of field activity.
Reporting requirements	<ul style="list-style-type: none"> • Report of Specimens Captured and Salvaged (spreadsheet) submitted via email or hard copy, required within 30 days of permit expiration. • Additional reports may be required in other formats. 	<ul style="list-style-type: none"> • Mandatory Wildlife Report (spreadsheet) submitted electronically only, required within 30 days of permit expiration, or upon submittal of renewal application. • Additional reports may be required in other formats.
Permit denial, revocation	• regulatory guidance absent from old regulations	• New language in subsections 650(r), 650(s), 650(t), Title 14, CCR
Possession of Wildlife	• Certain organizations possessing accidentally killed and legally acquired wildlife, youth organizations, and person or group federally permitted exempt from needing a permit	• this exemption still applies; additional language added to subsection 650(q), Title 14, CCR to clarify transfer in possession occurs via the Chain of Custody form
Exemptions to needing a SCP	• Unclear from old regulations	<ul style="list-style-type: none"> • Certain dreissenid monitoring activities • water and sediment sampling outside of Marine Protected Areas • take of most terrestrial invertebrates, except for 303 species on the "Terrestrial Invertebrates of Conservation Priority" list
<i>Review Program Jurisdiction</i> (Legacy and New Regulations)		
Inland Fisheries	(taken in inland waters Section 1.53, Title 14, CCR)	<ul style="list-style-type: none"> • anadromous fish • non-anadromous fish • aquatic invertebrates
Marine	(taken in marine waters Section 27.00, Title 14 CCR)	<ul style="list-style-type: none"> • marine and anadromous fish • marine algae and plants • marine invertebrates
Terrestrial Wildlife	** • A General Use SCP is required for non-routine incidental capture of inverts on the "California Terrestrial and Vernal Pool Invertebrates of Conservation Priority List" (dated June 12, 2017) during field activities; and <ul style="list-style-type: none"> • A Specific Use SCP is required for the intentional take of these "Prioritized Invertebrates" 	<ul style="list-style-type: none"> • terrestrial and vernal pool invertebrates** • amphibians • reptiles • mammals • birds