

**State of California
Office of Administrative Law**

In re:
Fish and Game Commission

Regulatory Action:

Title 14, California Code of Regulations

Amend section: 27.65

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

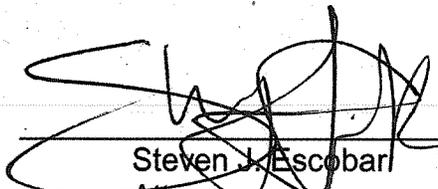
OAL Matter Number: 2019-0305-02

OAL Matter Type: Regular (S)

This regular rulemaking by the Fish and Game Commission adds a 6.75-inch minimum fillet length, and requires that the entire skin remain intact, allowing legal-sized California sheephead to be filleted on board vessels while at sea and brought ashore as fillets.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2019.

Date: March 28, 2019



Steven J. Escobar
Attorney

**Original: Melissa Miller-Henson, Acting
Executive Director**

Copy: Craig Castleton

NOTICE PUBLICATION/REGULATIONS 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-2018-1106-09	REGULATORY ACTION NUMBER 2019-0305-02S	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only		<p>2019 MAR -5 P 1:19</p> <p>OFFICE OF ADMINISTRATIVE LAW</p>	
<p>NOTICE</p> <p>AGENCY WITH RULEMAKING AUTHORITY Fish and Game Commission</p>		<p>REGULATIONS</p> <p>AGENCY FILE NUMBER (if any)</p>	

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

MAR 28 2019

2:47 PM

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

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2018, 46-2	PUBLICATION DATE 11/16/2018

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Filleting of fish on vessels, California sheephead	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)		
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		
	AMEND 27.65		
TITLE(S) 14	REPEAL		
3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <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"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only			
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) January 24, 2019 - January 31, 2019			
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 type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> §100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) 04/01/2019 per Gov Code 11343.4(b)(4)(A)			
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 Craig Castleton	TELEPHONE NUMBER (916) 651-1329	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) craig.castleton@fgc.ca.gov

per agency request SE, 3/21/2019

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 	DATE March 5, 2019
TYPED NAME AND TITLE OF SIGNATORY David Theseff, Program Manager	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAR 28 2019

Office of Administrative Law

Approved Regulatory Language

Section 27.65, Title 14, CCR, is amended to read:

§27.65. Filleting of Fish on Vessels.

... [Subsections (a) and (b) are provided for context only. No changes are proposed]

(a) Definition of Fillet: For the purpose of this section a fillet is the flesh from one side of a fish extending from the head to the tail which has been removed from the body (head, tail and backbone) in a single continuous piece.

(b) Fish That May be Filleted: No person shall fillet on any boat or bring ashore as fillets any fish, except in accordance with the following requirements:

... [No changes to subsections (b)(1) through (b)(11)]

(12) California sheephead: Fillets must be a minimum of 6 and three-quarter inches in length and shall bear the entire skin intact.

~~(12)-(13)~~ All other species except those listed in subsection (c) of this section: Each fillet shall bear intact a one-inch square patch of skin. The fillets may be of any size.

... [No changes to subsection (c)]

Authority cited: Sections 200, 202, 205, 265, 313, 5508 and 5509, Fish and Game Code.

Reference: Sections 200, 202, 205, 220, 240, 265, 313, 399, 5508 and 5509, Fish and Game Code.

per agency
request

JE, 3/28/2019