

STAFF SUMMARY FOR FEBRUARY 21, 2020

32B. ADMINISTRATIVE ITEMS – RULEMAKING TIMETABLE**Today's Item**Information Action

Review and consider approving requested changes to the perpetual timetable for anticipated regulatory actions

Summary of Previous/Future Actions

- FGC approved changes to rulemaking timetable Dec 11-12, 2019; Sacramento
- **Today consider approving the rulemaking timetable with proposed changes Feb 21, 2020; Sacramento**

Background

This is a standing agenda item for FGC staff or DFW to request changes to the FGC regulatory timetable, or for FGC to make changes during the course of today's meeting.

DFW is not proposing any changes ahead of this meeting. However, FGC staff has one proposed change, related to the commercial kelp and algae harvest rulemaking schedule, currently scheduled for notice in Jun and discussion/adoption in Aug.

Due to a vacant FGC regulatory analyst position, another regulatory analyst being redirected primarily to administrative functions (i.e., personnel), and a core team having not yet been established to coordinate between DFW and FGC staff in developing the necessary rulemaking materials, FGC staff requests a schedule change to assist with workload management. After consultation with DFW Marine Region leadership, FGC staff proposes moving the commercial kelp and algae harvest notice from Jun 2020 to Aug 2020 and discussion/adoption from Aug 2020 to Oct 2020.

The amended timetable is Exhibit 1.

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

Approve the proposed changes to the rulemaking timetable.

Exhibits

1. [Timetable for anticipated regulatory actions](#), dated Feb 12, 2020

Motion/Direction

Moved by _____ and seconded by _____ that the Commission approves the proposed changes to the rulemaking timetable as discussed today.

California Fish and Game Commission: Perpetual Timetable for Anticipated Regulatory Actions

Updated Thursday, February 12, 2020

Items proposed for change are shown in blue underlined font

Regulatory Change Category	Title 14 Section(s)	FGC Sacramento Feb 21, 2020	WRC Sacramento Mar 5, 2020	MRC Santa Rosa Mar 17, 2020	FGC Sacramento Apr 15, 2020	FGC Sacramento Apr 16, 2020	Teleconference May 14, 2020	WRC Santa Rosa May 14, 2020	FGC Santa Ana Area Jun 24, 2020	FGC Santa Ana Area Jun 25, 2020	MRC San Clemente Area Jul 21, 2020	TC Fortuna Area Aug 18, 2020	FGC Fortuna Area Aug 19, 2020	FGC Fortuna Area Aug 20, 2020	WRC Sacramento Sep 17, 2020	FGC Oakland Oct 14, 2020	FGC Oakland Oct 15, 2020	TC Monterey Area Nov 9, 2020	MRC Monterey Area Nov 10, 2020	FGC San Diego Dec 9, 2020	FGC San Diego Dec 10, 2020	WRC TBD TBD	TC TBD TBD
Recreational and Commercial Pacific Herring (Fishery Management Plan Implementation)	26.50, 28.50, 28.60, 28.62, 55.00, 55.01, 55.02, 163, 163.1, 163.5, 164, 705	E 3/1																					
Experimental Fishing Permit (EFP) Program (Phase I)	90 and 704			E 3/31																			
Possession of Nongame Animals (Nutria)	473				E 4/1																		
Upper Klamath-Trinity spring Chinook salmon sport fishing emergency regulations	7.50(b)(91.2)			EE 3/24																			
Upper Klamath-Trinity spring Chinook salmon sport fishing emergency regulations (2nd 90-day extension)	7.50(b)(91.2)	A		E 3/24 through 6/22				EE 6/22															
Upper Klamath-Trinity spring Chinook salmon sport fishing (certificate of compliance)	7.50(b)(91.2)	D				A		E 6/22															
Public use of Department of Fish and Wildlife lands ¹	550, 550.5, 551, 552, 630, 702	D				A				E 7/1													
Mammal Hunting	360, 361, 362, 363, 364, 364.1	D				A				E 7/1											N		
Waterfowl (Annual)	502, 507	D				A				E 7/1											N		
Central Valley Sport Fishing (Annual)	2.35, 7.00, 7.50(b)(5), (68), (124), (156.5)	D				D	A			E 7/16											N		
Klamath River Basin Sport Fishing (Annual) ²	5.87(f), 7.50(b)(91.1)	D				D	A					E 8/15									N		
Commercial Pacific Herring Eggs on Kelp (Fishery Management Plan Implementation)	163, 164				N				D/A							E 10/1							
Recreational Dungeness Crab Marine Life Protection Measures	1.74, 29.80, 29.85, 29.91	V			N				D				A					E 11/1					
Commercial Kelp and Algae Harvest Management	165, 165.5, 705								N				N, D/A			D/A E 10/1						E 1/1	
Simplification of Statewide Inland Fishing Regulations ³	5.00, 7.00, 7.50, 8, 10		R							N				D			A						

Rulemaking Schedule to be Determined	Title 14 Section(s)	FGC Sacramento Feb 21, 2020	WRC Sacramento Mar 5, 2020	MRC Santa Rosa Mar 17, 2020	FGC Sacramento Apr 15, 2020	FGC Sacramento Apr 16, 2020	Teleconference May 14, 2020	WRC Santa Rosa May 14, 2020	FGC Santa Ana Area Jun 24, 2020	FGC Santa Ana Area Jun 25, 2020	MRC San Clemente Area Jul 21, 2020	TC Fortuna Area Aug 18, 2020	FGC Fortuna Area Aug 19, 2020	FGC Fortuna Area Aug 20, 2020	WRC Sacramento Sep 17, 2020	FGC Oakland Oct 14, 2020	FGC Oakland Oct 15, 2020	TC Monterey Area Nov 9, 2020	MRC Monterey Area Nov 10, 2020	FGC San Diego Dec 9, 2020	FGC San Diego Dec 10, 2020	WRC TBD TBD	TC TBD TBD	
Santa Cruz Harbor Salmon Fishing (FGC Petition #2016-018)	TBD																							
European Green Crab (FGC Petition #2017-006)	TBD																							
Wildlife Areas/Public Lands ⁴	TBD																							
Experimental Fishing Permit (EFP) Program (Phase II)	TBD			V																				
Possess Game / Process Into Food	TBD																							
American Zoological Association / Zoo and Aquarium Association	671.1																							
Night Hunting in Gray Wolf Range (FGC Petition #2015-010)	474																							
Shellfish Aquaculture Best Management Practices	TBD																							
Ban of Neonicotinoid Pesticides on Department Lands (FGC Petition #2017-008)	TBD																							
Commercial Pink Shrimp Trawl	120, 120.1, 120.2																							
Ridgeback Prawn Incidental Take Allowance	120(e)																							

KEY

FGC = California Fish and Game Commission MRC = FGC Marine Resources Committee WRC = FGC Wildlife Resources Committee TC = FGC Tribal Committee

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

1 = FGC Petition #2018-005 2 = Includes FGC Petition 2019-020 3 = Includes FGC Petition #2018-008 4 = Includes FGC Petition #2018-003