

State of California
Office of Administrative Law

RECEIVED
CALIFORNIA
FISH AND GAME
COMMISSION

2020 MAR -2 PM 2:00

In re:
Fish and Game Commission

Regulatory Action:

Title 14, California Code of Regulations

Amend section: 473

NOTICE OF APPROVAL OF REGULATORY
ACTION

Government Code Section 11349.3

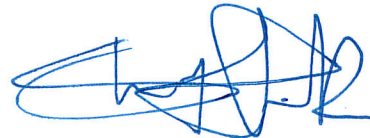
OAL Matter Number: 2020-0114-01

OAL Matter Type: Regular (S)

This regular rulemaking by the Fish and Game Commission bans the possession of live nutria (*Myocastor coypus*) and prevents the issuance of any permit authorizing possession of any live nutria.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2020.

Date: February 27, 2020



Steven J. Escobar
Attorney

Original: Melissa Miller-Henson,
Executive Director

Copy: Jon Snellstrom

For: Kenneth J. Pogue
Director

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 <i>Z-2019-0813-03</i> | REGULATORY ACTION NUMBER <i>2020-0114-01S</i> | EMERGENCY NUMBER |
|------------------|---|--|------------------|

For use by Office of Administrative Law (OAL) only

2020 JAN 14 A 10:52
OFFICE OF ADMINISTRATIVE LAW

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

FEB 27 2020

1:39 PM

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
California Fish and Game Commission

AGENCY FILE NUMBER (if any)

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

| | | | |
|---|--|---|---|
| 1. SUBJECT OF NOTICE Possession of Nongame Animals: Nutria | TITLE(S) 14 | FIRST SECTION AFFECTED 473 | 2. REQUESTED PUBLICATION DATE 08/23/19 |
| 3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other | 4. AGENCY CONTACT PERSON Jon Snellstrom | TELEPHONE NUMBER (916) 654-9868 | FAX NUMBER (Optional) |
| OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn | ACTION ON PROPOSED NOTICE | NOTICE REGISTER NUMBER <i>2019-342</i> | PUBLICATION DATE <i>8-23-2019</i> |

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

| | |
|--|--|
| 1a. SUBJECT OF REGULATION(S) <i>Possession of Nongame Animals: Nutria</i> | 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) | ADOPT |
| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) | AMEND 473 |
| TITLE(S) 14 | REPEAL |

| | | | | |
|-------------------|---|---|---|---|
| 3. TYPE OF FILING | <input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) | <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"/> Emergency Readopt (Gov. Code, §11346.1(h)) | <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) |
| | <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) | <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) | <input type="checkbox"/> File & Print | <input type="checkbox"/> Print Only |
| | <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) | | <input type="checkbox"/> Other (Specify) | |

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)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))

Effective on filing with Secretary of State

\$100 Changes Without Regulatory Effect

Effective other (Specify)

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

Department of Finance (Form STD. 399) (SAM §6660)

Fair Political Practices Commission

State Fire Marshal

Other (Specify)

| | | | |
|-------------------------------------|------------------------------------|-----------------------|--|
| 7. CONTACT PERSON Jon Snellstrom | TELEPHONE NUMBER (916) 653-4899 | FAX NUMBER (Optional) | E-MAIL ADDRESS (Optional) jon.snellstrom@fgc.ca.gov |
|-------------------------------------|------------------------------------|-----------------------|--|

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 <i>David Thesell</i> | DATE January 14, 2019 |
| TYPED NAME AND TITLE OF SIGNATORY David Thesell, Program Manager | |

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

FEB 27 2020

Office of Administrative Law

per agency request 1/16/2020

Regulatory Language

Section 473, Title 14, CCR, is amended to read:

§ 473. Possession of Nongame Animals.

(a) Any nongame bird or mammal that has been legally taken pursuant to this chapter may be possessed.

(b) It is unlawful to possess live nutria (*Myocastor coypus*), and the Department shall not issue any permit authorizing possession of any live nutria.

Note: Authority cited: Section 4150, Fish and Game Code. Reference: ~~Section~~ Sections 2118, 3005.5 and 4150, Fish and Game Code.

per agency
request

JE, 2/25/2020