

## Staff Summary for December 11-12, 2024

**21B. Rulemaking Timetable Updates****Today's Item**Information Action 

Review and potentially approve changes to the perpetual timetable for anticipated regulatory actions.

**Summary of Previous/Future Actions**

- Commission approved rulemaking timetable October 9-10, 2024
- **Today consider approving changes to the rulemaking timetable December 11-12, 2024**

**Background**

This is a standing agenda item for staff and the Department to request changes to the Commission's rulemaking timetable (Exhibit 2), confirm changes made by the Commission during this meeting, and highlight minor changes made by staff.

The Department recommends six changes to the rulemaking timetable (Exhibit 1):

- Correct the expiration date for the "Emergency Regulations for Mandatory Testing for Chronic Wasting Disease (CWD)" rulemaking to January 22, 2025.
- Rename the "Mammal Hunting for 2025-2026 Seasons" rulemaking to "Big Game Hunting for 2025-2026 Seasons and Chronic Wasting Disease Testing" and indicate that the affected Title 14 sections are 360, 362, 363, 364, 364.1 and 708.5. The new title more accurately reflects the scope of the rulemaking.
- Add a new "Commercial Harvest of Kelp and Other Aquatic Plants" rulemaking, amending sections 165 and 705.1, to implement changes for sea palm harvesting as discussed at the November 2024 Marine Resources Committee meeting. The changes are necessary to improve data-gathering on sea palm density and prohibit take in areas where significant decline has been documented. The proposed rulemaking schedule is notice in February 2025, with discussion and adoption in April 2025, and an anticipated effective date of January 1, 2026.
- Add a new "Market Squid Fishery Management Plan Amendment" rulemaking, to amend sections 53.00 through 53.03 to update the Market Squid Fishery Management Plan (FMP) to reflect Department recommendations coming out of the Squid Fishery Advisory Committee (e.g. electronic logbook requirements, adjusting the weekend closure statewide, and others). The proposed rulemaking schedule is notice in April 2025, discussion in June 2025, and adoption in August 2025.
- Add a new "Commercial Take of Market Squid" rulemaking, to amend Section 149 to make necessary changes to the commercial squid fishery, such as an extension of closures and new ribline requirements for nets. If the Commission adopts proposed amendments to the Market Squid FMP, this rulemaking is necessary to align the current regulatory language with the elements of the FMP. The proposed rulemaking schedule is notice in April 2025, discussion in June 2025, and adoption in August 2025.

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- Add a new “Recreational Crab Fishery Gear and Validations” rulemaking, to amend sections 29.80, 29.85, 190, 195 and 701, to allow for commercial passenger fishing vessel validation stamps, clarify hoop net use and recreational marine life entanglement triggers, and prohibit the use of lines required by other fisheries. These changes are necessary to implement a regulation change petition granted in-part by the Commission (Petition 2022-11) and increase available tools to address the marine life entanglement risk of recreational crab gear. The proposed rulemaking schedule is notice in April 2025, discussion in June 2025, and adoption in August 2025.

Commission staff requests one change to the rulemaking timetable:

- Remove the effective date for the “Commercial California Halibut and White Seabass Set Gill Nets” rulemaking and add a disclaimer indicating that the package was withdrawn from OAL on November 25, 2024 and that re-submittal is pending a notice of modified regulatory language.

Note, the locations for all meetings in the latter half of 2025 and the dates of the June meeting, referenced in Exhibit 2, may change pending the decision made under Item 21C, *Administrative Items – Future Meetings*.

### Significant Public Comments (N/A)

### Recommendation

**Commission staff:** Approve the proposed changes to the rulemaking timetable as identified in this staff summary and Exhibit 2, and any other changes identified during this meeting.

**Department:** Approve the proposed changes to the rulemaking timetable as identified in Exhibit 1.

### Exhibits

1. [Department memo, received November 22, 2024](#)
2. [“Perpetual Timetable for Regulatory Actions,” dated December 3, 2024](#)

### Motion

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission approves the proposed changes to the rulemaking timetable as recommended by staff and the Department and discussed today.

## Memorandum

**Date:** November 20, 2024

**To:** Melissa Miller-Henson  
Executive Director  
Fish and Game Commission

**From:** Charlton H. Bonham  
Director

**Subject:** **December 2024 Request for Changes to the Fish and Game Commission's Timetable for Anticipated Regulatory Actions**

The Department of Fish and Wildlife (Department) requests the following schedule changes to the Fish and Game Commission's (Commission's) 2024 regulatory timetable for amendments to Title 14, California Code of Regulations (CCR):

1. For the rulemaking, "Emergency Regulations for Mandatory Testing for Chronic Wasting Disease (CWD)," update the emergency expiration date from January 1 to January 22, 2025.
2. Rename the existing rulemaking, "Mammal Hunting for 2025-2026 Seasons" to "Big Game Hunting for 2025-2026 Seasons and Chronic Wasting Disease Testing," and include the following Title 14 sections: 360, 362, 363, 364, 364.1, and 708.5.
3. Add a new rulemaking, "Commercial Harvest of Kelp and Other Aquatic Plants" requesting to publish notice at the February 2025 meeting, and discuss/ adopt at the April 2025 meeting, to amend sections 165 and 705.1. This rulemaking includes changes for sea palm harvesting as discussed at the November 2024 Marine Resources Committee (MRC) and other minor updates. The requested effective date will be January 1, 2026.
4. Add a new rulemaking, "Market Squid Fishery Management Plan Amendment" requesting to publish notice at the April 2025 meeting, discuss at the June 2025 meeting, and adopt at the August 2025 meeting, to amend sections 53.00 through 53.03. The proposed changes, presented at the November MRC, included updates to the Market Squid FMP to reflect Department recommendations coming out of the Squid Fishery Advisory Committee actions over the last two years, including electronic logbook requirements, adjusting the weekend closure statewide, and overall incorporation of the recommendations into the FMP - incorporated by reference into Section 53.01.

5. Add a new, but related rulemaking, “Commercial Taking of Market Squid” requesting to publish notice at the April 2025 meeting, discuss at the June 2025 meeting, and adopt at the August 2025 meeting, to amend Section 149. This rulemaking would cover adjustments to the commercial squid fishery necessary for consistency with the Market Squid FMP updates if adopted, as well as extension of closures, and new ribline requirements for nets.
6. Add a new rulemaking, “Recreational Crab Fishery Gear and Validations” requesting to publish notice at the April 2025 meeting, to amend sections 29.80, 29.85, 190, 195, and 701. The proposed changes presented at the November Marine Resources Committee meeting included: allowing for Commercial passenger Fishing Vessel (CPFV) validation stamp, clarification of hoop net use, updating recreational marine life entanglement triggers, and prohibition of use of lines required by other fisheries.

If you have any questions or need additional information, please contact Regulations Unit Manager, Ona Alminas, at (916) 902-9222 or [Regulations@wildlife.ca.gov](mailto:Regulations@wildlife.ca.gov).

cc: **Department of Fish and Wildlife**

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**Fish and Game Commission**

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

December 3, 2024

Items proposed for change are shown in blue underlined or strikeout font

Subject of Rulemaking	Title 14 Section(s)	TC Sacramento December 10, 2024	FGC Sacramento December 11, 2024	FGC Sacramento December 12, 2024	WRC Sacramento January 15, 2025	FGC Sacramento February 12, 2025	FGC Sacramento February 13, 2025	MRC Sacramento March 13, 2025	TC Sacramento April 15, 2025	FGC Sacramento April 16, 2025	FGC Sacramento April 17, 2025	FGC Teleconference May 14, 2025	WRC Sacramento May 15, 2025	FGC Sacramento June 18, 2025	FGC Sacramento June 19, 2025	MRC San Diego Area July 17, 2025	TC Fortuna August 12, 2025	FGC Fortuna August 13, 2025	FGC Fortuna August 14, 2025	WRC Sacramento September 11, 2025	FGC San Jose October 8, 2025	FGC San Jose October 9, 2025	MRC Sacramento November 6, 2025
Central Valley Sport Fishing (Annual)	7.40(b)(4), (43), (66), (80)									D		A											
Klamath River Basin Sport Fishing (Annual)	7.40(b)(50)									D		A											
Emergency Closures of Sport Fishing in Klamath River Basin for Spring Chinook Salmon	7.40(b)(50)	EE 12/10																					
Waterfowl (Annual)	502			N		D				A													
Inland Sport Fish Bag Limits, Gear, and Low-Flow Information	2.30, 5.00, 7.50, 8.00, 703				E 1/1																		
White Sturgeon Emergency (Second 90-Day Extension)	5.79, 5.80, 27.90, 27.92		EE 11/13																				
Fisheries Logbook Forms and Fishing Block Charts	120.7, 122, 165, 190, 705.1				E 1/1																		
<u>Commercial California Halibut and White Seabass Set Gill Nets</u>	174.1				E 4/4				Withdrawn from OAL on 11/25. Re-submittal pending re-notice of modified regulatory language														
Possession of Wildlife and Wildlife Rehabilitation	679, 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8, 679.9, 703			A					E 4/1														
Federal Groundfish and Associated Species	27.20, 27.40, 27.45, 27.50, 27.65, 28.27, 28.28, 28.29, 28.54, 28.65				E 1/1																		
Emergency Regulations for Mandatory Testing for Chronic Wasting Disease (CWD)	708.5				EE-4/4	EE 1/22																	
Barred Sand Bass Limit for 2025	28.30		N								A			E 6/1									
Commercial Red Sea Urchin <sup>2</sup>	120.7										A					E 7/1							
White Sturgeon Sport Fishing During CESA Candidacy Emergency	5.78, 27.93								EE 3/5														
White Sturgeon Sport Fishing During CESA Candidacy Emergency (First 90-Day Extension)	5.78, 27.93			A					E 3/5					EE 6/3									
White Sturgeon Sport Fishing During CESA Candidacy Emergency (Second 90-Day Extension)	5.78, 27.93										A			E 6/3						EE 9/1			
White Sturgeon Sport Fishing 2084	5.78, 5.79, 5.80, 27.90, 27.92, 27.93					N				D				A						E 9/1			
Importation of Live Aquatic Plants and Animals for Research Purposes	236		A						E 4/1														
Inland Sport Fish Special Waters, Bait, Gear, and Boundary Adjustments	4.20, 5.00, 5.85, 7.00, 7.40, 7.50, 8.10									N						D			A				
<u>Commercial Harvest of Kelp and Other Aquatic Plants</u>	<u>165, 705.1</u>											D/A											
<u>Market Squid Fishery Management Plan Amendment</u>	<u>53.00, 53.01, 53.02, 53.03</u>											N				D						A	
<u>Commercial Take of Market Squid</u>	<u>149</u>											N				D						A	
<u>Recreational Crab Fishery Gear and Validations</u>	<u>29.80, 29.85, 190, 195, 701</u>											N				D						A	
<u>Mammal Hunting for 2025-2026 Season- Big Game Hunting for 2025-2026 Seasons and Chronic Wasting Disease Testing</u>	<u>362-363, 364, TBD-360, 362, 363, 364, 364.1, 708.5</u>			N		D						A				E 7/1							

## Future Rulemakings: Schedule to be Determined

Subject of Rulemaking	Title 14 Section(s)	TC Sacramento December 10, 2024	FGC Sacramento December 11, 2024	FGC Sacramento December 12, 2024	WRC Sacramento January 15, 2025	FGC Sacramento February 12, 2025	FGC Sacramento February 13, 2025	MRC Sacramento March 13, 2025	TC Sacramento April 15, 2025	FGC Sacramento April 16, 2025	FGC Sacramento April 17, 2025	FGC Teleconference May 14, 2025	WRC Sacramento May 15, 2025	FGC Sacramento June 18, 2025	FGC Sacramento June 19, 2025	MRC San Diego Area July 17, 2025	TC Fortuna August 12, 2025	FGC Fortuna August 13, 2025	FGC Fortuna August 14, 2025	WRC Sacramento September 11, 2025	FGC San Jose October 8, 2025	FGC San Jose October 9, 2025	MRC Sacramento November 6, 2025
Santa Cruz Harbor Salmon Fishing (FGC Petition 2016-018)	TBD																						
European Green Crab (FGC Petition 2017-006)	TBD																						
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																						
Donation of Fish to Non-Profit Organizations <sup>1</sup>	TBD																						
White Sturgeon Sport Fishing	5.79, 27.90, 27.92																						
Electronic Report Cards	1.74, 5.79, 5.80, 5.81, 5.87, 5.88																						
Shellfish Aquaculture Best Management Practices	TBD																						
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 OAL = Office of Administrative Law  
 EM = Emergency EE = Emergency Expires E = Anticipated Effective Date (RED "X" = expedited OAL review) EUF = Effective Upon Filing w/ Secretary of State  
 N = Notice Hearing D = Discussion Hearing A = Adoption Hearing V = Vetting R = Committee Recommendation 1 = Considers FGC Petition 2023-10 2 = Considers FGC Petition 2023-04