

Staff Summary for February 12-13, 2025

28B. 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 December 11-12, 2024
- **Today consider approving changes to the rulemaking timetable February 12-13, 2025**

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 requests four changes to the rulemaking timetable (Exhibit 1):

- Add two 90-day extensions for the existing "Adding Golden Mussel to the List of Restricted Species Emergency" rulemaking, to be adopted in April 2025 and June 2025 respectively. The presence of golden mussel, a non-native and invasive species, is an ongoing emergency situation; a regular rulemaking will be proposed later this year to keep golden mussel on the list of restricted species after the emergency expires.
- If authorized under Agenda Item 16B (Wildlife Resources Committee) at this meeting, add a "Falconry" rulemaking to amend Section 670. This rulemaking is necessary to make amendments to falconry regulations stemming from ongoing litigation and to ensure compliance with federal regulations. The proposed rulemaking schedule is notice in April 2025, discussion in May 2025, and adoption in June 2025.
- Reschedule the existing "White Sturgeon Sport Fishing During California Endangered Species Act (CESA) Candidacy (Second 90-day Extension)" rulemaking from adoption in April 2025 to adoption in May 2025. Moving the rulemaking to May reduces the number of agenda items on a full agenda in April and provides sufficient time for completing the second extension prior to expiration of the first extension.
- Remove the "Inland Sport Fishing Special Waters, Bait, Gear, and Boundary Adjustments" rulemaking, which is currently scheduled for notice in April 2025. This rulemaking is being delayed for one year to consolidate the proposed changes with any necessary changes identified this year into a single rulemaking next year.

Commission staff requests one change to the rulemaking timetable:

- Rename the "Recreational Crab Fishery Gear and Validations" rulemaking to "Recreational Crab Fishing Gear and Commercial Passenger Fishing Vessel Trap Validation." The name change is to clarify the scope of the rulemaking and proposed validation stemming from regulation change petition #2022-11.

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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 January 29, 2025](#)
2. ["Perpetual Timetable for Regulatory Actions," dated February 3, 2025](#)

Motion

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

Memorandum

Date: January 28, 2025

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

From: Charlton H. Bonham
Director

Subject: **February 2025 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) 2025 regulatory timetable for amendments to Title 14, California Code of Regulations (CCR):

1. Please add two follow-up rulemakings for the existing emergency regulation, "Golden Mussel Response – Restricted Species" for the first of two 90-day re-adoption actions, the first of which should be for the April 16-17, 2025 meeting, and the 2nd 90-day re-adoption action for the June 11-12, 2025 meeting.
2. If authorized at the February 2025 meeting, please add a new rulemaking, "Falconry" amending Section 670, requesting to authorize notice at the April 2025 meeting, discussion at the May teleconference, and adoption in June 2025. The reason for this this rulemaking is to make amendments to falconry regulations stemming from ongoing litigation and to ensure compliance with federal regulations.
3. Please move the existing rulemaking, "White Sturgeon Sport Fishing During CESA Candidacy (Second 90-day Extension) from request for Adoption at the April 16-17, 2025 meeting, to the May 14, 2025 Teleconference.
4. Please remove the rulemaking, "Inland Sport Fishing Special Waters, Bait, Gear, and Boundary Adjustments" amending sections 4.20, 5.00, 5.84, 7.00, 7.40, 7.50, and 8.10 from the rulemaking calendar. This rulemaking is being postponed by one year for the 2027 season, along with any other inland sport fishing changes that are identified in 2025.

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.

Melissa Miller-Henson, Executive Director
Fish and Game Commission
January 28, 2025
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cc: Chad Dibble, Deputy Director
Wildlife and Fisheries Division
Department of Fish and Wildlife

Robert Pelzman, Assistant Chief
Law Enforcement Division
Department of Fish and Wildlife

Scott Gardner, Branch Chief
Wildlife Branch
Department of Fish and Wildlife

Jay Rowan, Branch Chief
Fisheries Branch
Department of Fish and Wildlife

Ona Alminas, Env. Program Manager
Regulations Unit
Department of Fish and Wildlife
Regulations@wildlife.ca.gov

David Thesell, Deputy Executive Director
Fish and Game Commission
fgc@fgc.ca.gov

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

February 3, 2025

Proposed changes are shown in blue ~~strikeout~~/underline

Subject of Rulemaking	Title 14 Section(s)	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 11, 2025	FGC Sacramento June 12, 2025	MRC Sacramento July 17, 2025	TC Sacramento August 12, 2025	FGC Sacramento August 13, 2025	FGC Sacramento August 14, 2025	WRC Sacramento September 11, 2025	FGC Sacramento October 8, 2025	FGC Sacramento October 9, 2025	MRC Sacramento November 6, 2025	TC Sacramento December 9, 2025	FGC Sacramento December 10, 2025	FGC Sacramento December 11, 2025	WRC Ontario/ San Bernardino January 13, 2026
Central Valley Sport Fishing (Annual)	7.40(b)(4), (43), (66), (80)	N				D		A				E 7/15											
Klamath River Basin Sport Fishing (Annual)	7.40(b)(50)	N				D		A				E 7/15											
Waterfowl Hunting, 2025-26 (Annual)	502	D				A						E 7/1											
Commercial California Halibut and White Seabass Set Gill Nets	174.1				Withdrawn from OAL on 11/25. Re-submitted to OAL on 1/6. EUF.																		
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				E 4/1																		
Recreational Take of Barred Sand Bass	28.30		D					A				E 6/1											
Commercial Red Sea Urchin ²	120.7		N					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				E 3/5							EE 6/3											
White Sturgeon Sport Fishing During CESA Candidacy Emergency (Second 90-Day Extension)	5.78, 27.93					A		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				E 4/1																		
Adding Golden Mussel to the List of Restricted Species Emergency	671											EE 6/17											
<u>Adding Golden Mussel to the List of Restricted Species Emergency (First 90-Day Extension)</u>	<u>671</u>							A				<u>E 6/17</u>											
<u>Adding Golden Mussel to the List of Restricted Species Emergency (Second 90-Day Extension)</u>	<u>671</u>																<u>E 9/15</u>						
<u>Inland Sport Fishing Special Waters, Bait, Gear, and Boundary Adjustments</u>	<u>4.20, 5.00, 5.88, 7.00, 7.40, 7.50, 8.10</u>					N						D				A							E 4/4
Commercial Harvest of Sea Palm; Kelp and Other Aquatic Plants Harvest Reporting	165, 705.1		N					D/A															E 1/1
Market Squid Fishery Management Plan Amendment	53.00, 53.01, 53.02, 53.03							N															E 1/1
Commercial Take of Market Squid	149							N															E 1/1
<u>Recreational Crab Fishery Gear and Validations, Fishing Gear and Commercial Passenger Fishing Vessel Trap Validation</u>	<u>29.80, 29.85, 190, 195, 701</u>							N															E 1/1
<u>Falconry</u>	<u>670</u>					N		D				A											E 10/1
Big Game Hunting, 2025-26 Seasons, and Chronic Wasting Disease Testing	360, 362, 363, 364, 364.1, 708.5	D				A						E 7/1											

Future Rulemakings: Schedule to be Determined

Subject of Rulemaking	Title 14 Section(s)	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 11, 2025	FGC Sacramento June 12, 2025	MRC Sacramento July 17, 2025	TC Sacramento August 12, 2025	FGC Sacramento August 13, 2025	FGC Sacramento August 14, 2025	WRC Sacramento September 11, 2025	FGC Sacramento October 8, 2025	FGC Sacramento October 9, 2025	MRC Sacramento November 6, 2025	TC Sacramento December 9, 2025	FGC Sacramento December 10, 2025	FGC Sacramento December 11, 2025	WRC Ontario/ San Bernardino January 13, 2026
Santa Cruz Harbor Salmon Fishing (CFGFC Petition 2016-018)	TBD																						
European Green Crab (CFGFC 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 (CFGFC Petition 2015-010)	474																						
Donation of Fish to Non-Profit Organizations ¹	TBD																						
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
 CFGC = California Fish and Game Commission MRC = CFGC Marine Resources Committee WRC = CFGC Wildlife Resources Committee TC = CFGC 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 = Committee Vetting R = Committee Recommendation 1 = Considers CFGC Petition 2023-10 2 = Considers CFGC Petition 2023-04