



15 Day Notice of California Notice Register 2015, No. 4-Z-2015-0113-07

Re: Dreissenid Mussels

May 11, 2015

This letter is to provide you with a 15 day continuation notice of proposed regulatory action relative to additional amendments to sections 672, 672.1, and 672.2, Title 14, California Code of Regulations (CCR), and DFW Form 1014 and DFW Form 1016, relating to the proposed Dreissenid Mussel regulations, which were published in the California Regulatory Notice Register on January 23, 2015, Register 2015, No. 4-Z: OAL Notice File No. Z-2015-0113-07.

The following additional changes for public notice will reduce public confusion, clarify the intent of Fish and Game Code, sections 2301 and 2302, and improve enforcement of the regulations:

1. Clarify the definitions in two subsections (a)(1) and (a)(3) of Section 672 in response to public comments,
2. Correct three subsection references in subsection (a)(8) of Section 672.1, (b)(6) of Section 672.1, and subsection (a) of Section 672.2,
3. Correct subsection (b)(3) of Section 672 to clarify that these regulations do not authorize collection of live or dead mussels and align with the requirements on DFW Form 1014 (Dreissenid Mussel Permit Application),
4. Correct five typographic errors in subsections (a)(4) and (c)(2) of Section 672, subsections (a) and (b)(1) of Section 672.1, and subsection (b)(1) of Section 672.2,
5. Revise DFW Form 1014 (Dreissenid Mussel Permit Application) and DFW Form 1016 (Administrative) Penalty as follows:
 - a. Update version dates on both forms and their references in subsections (c) of Section 672 and subsection (c)(5) of Section 672.1,
 - b. Add new line in Section 2 of DFW Form 1014 to allow for requests of other dreissenid mussels not listed on the form,
 - c. Correct three typographic errors in Section 4 and 5 of DFW Form 1014,
 - d. Remove reference to Section 746 in the Application Certification box on page 2 of DFW Form 1014 as it not applicable to these regulations,
 - e. Add Department approval signature to the DFW Form 1014 as required by subsection 672(c)(1), and
 - f. Correct Department contact information on page 4 of DFW Form 1016.

Please note that the other proposed additions for sections 672, 672.1, 672.2, Title 14, CCR, and DFW Forms 1014, 1015, and 1016 have not changed from the original notice.

Jennifer LaBay, Invasive Species Program, has been designated to respond to questions on the substance of the proposed regulations.

All written comments must include the true name and mailing address of the commenter and may be submitted by mail, fax, or e-mail as follows:

California Department of Fish and Wildlife, Invasive Species Program
Attn: Jennifer LaBay
1416 9th Street, 12th Floor, Sacramento, CA 95814
Telephone: (916) 653-3868
Fax: (916) 651-3120
Email: Jennifer.LaBay@wildlife.ca.gov

All written comments on the additional changes must be received not later than 5:00 p.m. on May 26, 2015.

Additional information and all associated documents may be found on the Department of Fish and Wildlife website at: <https://www.wildlife.ca.gov/Notices/Regulations>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig P. Martz", with a stylized flourish at the end.

Craig P. Martz
Program Manager, Regulations Unit

Attachment(s)