

**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

**(Continuation of California Notice Register 2006, No. 35-Z,
and Meetings of August 4, October 6, November 3 and December 8, 2006.)**

(NOTE: See Updated Informative Digest changes shown in **bold face** type.)

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 219 and 220 of the Fish and Game Code and to implement, interpret or make specific sections 18, 200, 202, 205 and 220, of said Code, proposes to amend sections Amend Sections 1.62, 5.80, 27.60, 27.90, 27.95, 195, and 701 Add Sections 5.81 and 27.91, Title 14, California Code of Regulations, relating to sturgeon upper slot limit size.

Updated Informative Digest/Policy Statement Overview

Item Provide for increase in Sturgeon slot limit from 60" to 66"

In response to public testimony during the sport fishing discussion hearings, and after receiving testimony from Department of Fish and Game biologists that there would be no adverse affect on the fishery, the Commission, at the December 8, 2006 meeting, voted to approve the proposed regulations with only one exception, to increase the maximum size in the proposed slot limit from 60 inches to 66 inches total length. This slight increase in the maximum size will not result in any additional adverse effect on the fishery and will respond favorably to the public recommendations received during the review process.

NOTICE IS ALSO GIVEN that, if needed to comply with statutory requirement, a teleconference hearing relevant to this action will be held in Fish and Game Commission Conference Room, 1416 Ninth Street, Room 1320, Sacramento, California on Wednesday, January 3, 2007 at 9:30 a.m., or as soon thereafter as the matter may be heard. Written comments must be submitted on or before 5:00 pm on January 2, 2007, at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. If a hearing is held, comments will also be accepted at that time.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Jon Snellstrom at the above address or phone number. **Scott Barrow, Department of Fish and Game, (916) 651-7670, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address

above when it has been received from agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The proposed amendments and additions will promote a more stable and productive fishery, with direct benefits to anglers, guides, and bait shops.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action, other than the \$0-\$7.50 fee for the Sturgeon Fishing Report Card.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The estimated fiscal impacts to the State government are projected to be approximately \$370,000. These conservative estimates result from costs associated with development and analysis of the sturgeon report cards, regulation development and review, enforcement, Commission review, and public outreach and education.

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

Effect on Small Business

It has been determined that the adoption of these regulations will not affect small business.

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

Date: December 18, 2006

Jon K. Fischer
Assistant Executive Director