

## NOTICE PUBLICATION/REGULATORY SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2014-1028-07	REGULATORY ACTION NUMBER 2015-0622-04SR	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

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

JUL 31 2015

1:51 PM

AGENCY WITH RULEMAKING AUTHORITY  
Fish and Game Commission

AGENCY FILE NUMBER (if any)

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

1. SUBJECT OF NOTICE Petitions for Regulation Change		TITLE(S) 14	FIRST SECTION AFFECTED 662	2. REQUESTED PUBLICATION DATE November 7, 2014	
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Sherrie Fonbuena		TELEPHONE NUMBER (916) 654-9866	FAX NUMBER (Optional) (916) 653-5040
OAL USE ONLY		ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER	PUBLICATION DATE
<input type="checkbox"/> Approved as Submitted		<input type="checkbox"/> Approved as Modified		<input type="checkbox"/> Disapproved/Withdrawn	
				2014, 452	11/7/2014

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Petitions for Regulation Change		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2015-0309-02s	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT 662	
		AMEND	
TITLE(S) 14		REPEAL	
3. TYPE OF FILING			
<input 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 §511346.2-11347.3 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 checked="" 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 Resubmittal of disapproved or withdrawn nonemergency filing (Gov.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 Resubmittal of disapproved or withdrawn emergency filing (Gov.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) February 13-March 2, 2015; May 20-June 4, 2015 and June 10, 2015			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Sherrie Fonbuena		TELEPHONE NUMBER (916) 654-9866	FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) Sherrie.Fonbuena@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>Melissa Miller-Henson</i>	DATE 6/22/15
TYPED NAME AND TITLE OF SIGNATORY Melissa Miller-Henson, Staff Services Manager I	

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ENDORSED APPROVED

JUL 31 2015

Office of Administrative Law

**Chapter 2 of Subdivision 3, of Division 1, Title 14, California Code of Regulations is renamed:**

Chapter 2. Commission Business Practices and Procedures

**Section 662, Title 14, California Code of Regulations, is added to read:**

**§662. Petitions for Regulation Change.**

The following rules and procedures govern the submission and review of petitions for adding, amending, or repealing regulations under the authority of the commission:

- (a) Petition Requirement. Except for the department, every person or agency recommending that a regulation be added, amended, or repealed must submit a petition to the commission using the authorized petition form (PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE, FGC 1 (New 10/23/14), which is incorporated by reference herein), available at [www.fgc.ca.gov](http://www.fgc.ca.gov).
- (b) Staff Review of Petition: A petition will be rejected by commission staff if it is not submitted on form FGC 1 (New 10/23/14), if it fails to contain necessary information in each of the required categories listed on FGC 1, or if it does not pertain to regulations under the commission's authority. A rejected petition will be returned to the petitioner by the commission staff within 10 working days of receipt.
- (c) Transmittal of Petition to the Department: An accepted petition may be forwarded to the department for initial evaluation.
- (d) Commission Action on Petition: An accepted petition will be scheduled for consideration at the next available commission meeting. The commission will consider the petition, the commission staff's recommendation, department's initial evaluation, if any, and any oral or written public comments received, and take one of the following actions:
  - (1) If the commission finds that the petition does not provide sufficient information to indicate that the petitioned change may be warranted, the commission may deny the petition.
  - (2) If any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted, the commission may deny the petition.
  - (3) If the commission finds that the petition provides sufficient information to indicate that the petitioned change may be warranted, the commission may grant the petition for further consideration and add the petitioned change to its rulemaking schedule. Further proceedings of the commission on the petitioned change will be held in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

Note: Authority: Section 108, Fish and Game Code. Reference: Sections 108 and 207, Fish and Game Code.





Tracking Number: [\(Click here to enter text.\)](#)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, 1416 Ninth Street, Suite 1320, Sacramento, CA 95814 or via email to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov).

### **SECTION I: Required Information.**

*Please be succinct. Responses for Section I should not exceed five pages*

**1. Person or organization requesting the change (Required)**

Name of primary contact person: [\(Click here to enter text.\)](#)

Address: [\(Click here to enter text.\)](#)

Telephone number: [\(Click here to enter text.\)](#)

Email address: [\(Click here to enter text.\)](#)

**2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: [\(Click here to enter text.\)](#)**

**3. Overview (Required) - Summarize the proposed changes to regulations: [\(Click here to enter text.\)](#)**

**4. Rationale (Required) - Describe the problem and the reason for the proposed change: [\(Click here to enter text.\)](#)**

### **SECTION II: Optional Information**

**5. Date of Petition: [\(Click here to enter text.\)](#)**

**6. Category of Proposed Change**

Sport Fishing

Commercial Fishing

Hunting

Other, please specify: [\(Click here to enter text.\)](#)





7. **The proposal is to:** (To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)

- Amend Title 14 Section(s): [Click here to enter text.](#)
- Add New Title 14 Section(s): [Click here to enter text.](#)
- Repeal Title 14 Section(s): [Click here to enter text.](#)

8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.](#)  
Or  Not applicable.

9. **Effective date:** If applicable, identify the desired effective date of the regulation. If the proposed change requires immediate implementation, explain the nature of the emergency: [Click here to enter text.](#)

10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: [Click here to enter text.](#)

11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: [Click here to enter text.](#)

12. **Forms:** If applicable, list any forms to be created, amended or repealed:  
[Click here to enter text.](#)

**SECTION 3: FGC Staff Only**

Date received: [Click here to enter text.](#)

FGC staff action:

- Accept - complete
- Reject - incomplete
- Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: \_\_\_\_\_

Meeting date for FGC consideration: \_\_\_\_\_

FGC action:

- Denied by FGC
  - Denied - same as petition \_\_\_\_\_
- Tracking Number
- Granted for consideration of regulation change

