

REGULAR

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2015-0519-07	REGULATORY ACTION NUMBER 2015-1001-02S	EMERGENCY NUMBER
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ENDORSED - FILED
in the office of the Secretary of State
California

NOV 13 2015

1:45 PM

For use by Office of Administrative Law (OAL) only	
NOTICE	REGULATIONS

2015 OCT - 1 P 4: 55
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY Fish and Game Commission	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Implementation of Bobcat Protection Act of 2013	TITLE(S) 14	FIRST SECTION AFFECTED 478	2. REQUESTED PUBLICATION DATE May 29, 2015
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Caren Woodson	TELEPHONE NUMBER 916-653-4899	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2015, 222	PUBLICATION DATE 5/29/2015	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Bobcat Protection Act	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	ADOPT
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	AMEND 478, 479
TITLE(S) 14	REPEAL

3. TYPE OF FILING	<input checked="" 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 §§11346.2-11347.3 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 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 Resubmittal of disapproved or withdrawn nonemergency filing (Gov.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 Resubmittal of disapproved or withdrawn emergency filing (Gov.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)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State §100 Changes Without Regulatory Effect Effective other (Specify) **11/20/2015; Gov Code 11343.4(b)(4)(A)**

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal

Other (Specify) _____

7. CONTACT PERSON Caren Woodson	TELEPHONE NUMBER 916-653-4899	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) caren.woodson@fgc.ca.gov
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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 	DATE 10/1/2015
TYPED NAME AND TITLE OF SIGNATORY Sonke Mastrup, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

NOV 13 2015

Office of Administrative Law

REGULATORY TEXT

Section 478, Title 14, CCR, is amended to read:

§ 478. Bobcat.

~~Except as provided in subsection (c) below no person shall pursue, take or possess any bobcat without first procuring a trapping license or a hunting license and bobcat hunting tags. The pursuit, take and/or possession of a bobcat under the authority of a hunting license and a bobcat hunting tag shall be in accordance with the provisions of this section and sections 472, 473, 474, 475, 478.1 and 479 of these regulations.~~

~~Bobcats taken under the authority of a trapping license shall be taken with traps or other means in accordance with this section and sections 465, 465.5 and 475. Bobcats taken under a trapping license must be tagged in accordance with the provisions of Section 479.~~

~~(a) Trapping Season and Area: Bobcat may only be taken under the authority of a trapping license as follows:~~

~~(1) Area: Statewide.~~

~~(2) Season: November 24 through January 31.~~

~~(b) Hunting Season and Area: Bobcats may only be taken under the authority of a hunting license and bobcat hunting tags as follows:~~

~~(1) Area: Statewide.~~

~~(2) Season: October 15 through February 28.~~

~~(c) Bag and Possession Limit:~~

~~(1) Bobcats taken under a hunting license and bobcat hunting tags: Five bobcats per season.~~

~~(2) Bobcats taken under a trapping license: No limit.~~

~~(d) This section shall not apply to bobcats trapped under the provisions of sections 4152 and 4180 of the Fish and Game Code (also see Section 480 of these regulations).~~

(a) It shall be unlawful to pursue, take or possess any bobcat without first procuring a hunting license and bobcat hunting tags. This Section shall not apply to bobcats taken pursuant to Section 4152 of the Fish and Game Code and Section 401 of these regulations.

(b) Hunting: The pursuit, take, or possession of a bobcat under the authority of a hunting license and a bobcat hunting tag shall be in accordance with the provisions of Section 3960 of the Fish and Game Code, this Section, and sections 472, 473, 474, 475, 478.1 and 479 of these regulations. Bobcats may be taken statewide under the authority of a hunting license and bobcat hunting tags between October 15 through February 28. The bag and possession limit is five bobcats per season.

(c) Trapping: It shall be unlawful to trap any bobcat, or attempt to do so, or to sell or export any bobcat or part of any bobcat taken in the State of California. Any holder of a trapping license who traps a bobcat shall immediately release the bobcat to the wild unharmed.

Note: Authority cited: Sections 200, 202, 203, and 4150, and 4155, Fish and Game Code. Reference: Sections 3960, and 4150, and 4155, Fish and Game Code.

REGULATORY TEXT

Section 479, Title 14, CCR, is amended to read:

§ 479. Bobcat Pelts.

~~Bobcat pelts may be taken only pursuant to the provisions of sections 465.5 and 478 of these regulations.~~

~~(a) Any person who takes a bobcat shall, at any time during the trapping season or within 14 days after the end of the bobcat season, have the following appropriate department mark or tag affixed to the pelt.~~

~~(1) Pelts from bobcats taken under a hunting license shall be tagged as provided in Section 478.1. Pelts taken by a licensed trapper for only his personal use shall, at no cost, be marked by the department. Such pelts shall not be sold.~~

~~(2) Pelts from bobcats taken for commercial purposes under a trapping license shall be tagged with a department shipping tag.~~

~~(b) It is unlawful for any person to sell, offer for sale, barter, trade, purchase, transport from this state, or offer for out-of-state shipment by any common carrier any bobcat pelts, or parts thereof unless the department has affixed a shipping tag to the pelt or parts thereof.~~

~~(c) Shipping tags and marking are available from the department. All persons taking bobcat pelts under provisions established by the commission must personally present the pelt to a representative of the department for placement of the nontransferable tag or mark and shall furnish the following:~~

~~(1) Date of take;~~

~~(2) County of take and nearest major geographical landmark;~~

~~(3) Sex; and~~

~~(4) Method of take (trap, call or hounds).~~

~~The department shall mark bobcat pelts and issue bobcat shipping tags for export of pelts at designated department offices during the trapping season and for a 14-day period immediately following the trapping season.~~

~~An administrative fee of \$3.00 shall be charged for the issuance of each shipping tag.~~

~~There is no fee for marking bobcat pelts not for sale.~~

(a) Except for bobcats taken under a hunting license and tagged with a bobcat hunting tag as set forth in Section 478.1, or as provided in subsection 479(b), it shall be unlawful for any person to possess, whether for sale, export, or personal use, any bobcat pelt or part thereof taken in California without a department mark or shipping tag affixed to the pelt or part. Beginning November 20, 2015, the department shall not affix a department mark or shipping tag on any bobcat pelt.

~~(d)-(b) It is unlawful for any person to import, receive from out-of-state, or receive for sale, any bobcat pelt, or parts thereof that is not:~~

~~(1) Marked with the current export or shipping tag from the state of origin.~~

~~(2) Accompanied by an import declaration in accordance with Section 2353 of the Fish and Game Code, and specifying the number and kind of raw pelts in the shipment, the state in which the bobcats were taken, the license number under which they were taken and attesting that they were legally taken. Demonstration of the declaration of entry, pelt ownership and proof of legal take and marking is required of anyone receiving bobcat~~

pelts from out-of-state upon the request of the department. ~~The provisions of subsections (a), (b) and (c) shall not apply to raw bobcat pelts, or parts thereof, which were not taken in California.~~

Note: Authority cited: Sections 3003.1, ~~and 4150,~~ and 4155, Fish and Game Code.

Reference: Sections 3003.1, ~~and 4150,~~ and 4155, Fish and Game Code.