STATE OF CALIFORNIA–OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-2013-0628-01	2013-1015-03 S	

ENDORSED FILED IN THE OFFICE OF DEBRA BOWEN SECRETARY OF STATE 2013 NOV 21 PM 3:46

For use by Office of Administrative Law (OAL) only

RECEIVED FOR FILING PUBLICATION DATE JUN 28 '13 JUL 12 '13 Office of Administrative Law NOTICE

2013 OCT 15 AM 11:58 OFFICE OF ADMINISTRATIVE LAW REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY: Department of Fish and Wildlife

AGENCY FILE NUMBER (If any)

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

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
Mountain Lion Possession Permitting	14	251.4	July 12, 2013

3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
[X] Notice re Proposed Regulatory Action [ ] Other	Eric Loft	(916) 445-3555	(916) 445-4048

OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
	[ ] Approved as Submitted [ ] Approved as Modified [ ] Disapproved/ Withdrawn	2013, 282	7/12/2013

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S): Mountain Lion Possession Permitting

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)

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

AMEND: 251.4, Title 14, CCR

REPEAL

TITLE(S): 14

3. TYPE OF FILING

[X] Regular Rulemaking (Gov. Code §11346)

[ ] Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)

[ ] Emergency (Gov. Code, §11346.1(b))

[ ] 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.

[ ] Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)

[ ] Emergency Readopt (Gov. Code, §11346.1(h))

[ ] File & Print

[ ] Other (Specify)

[ ] Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)

[ ] Print Only

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)

[X] 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)

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	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
Stephanie Brenner	916-653-4679		Stephanie.Brenner@wildlife.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: [signature] DATE: 6/25/13

TYPED NAME AND TITLE OF SIGNATORY: Charlton H. Bonham, Director

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ENDORSED APPROVED

NOV 21 2013

Office of Administrative Law

Section 251.4, Title 14, CCR is amended to read:

§ 251.4. Mountain Lion ~~Tagging~~ Possession Permit.

(a) Permit~~s and Tagging~~ Requirements.

Pursuant to Section 4800 of the Fish and Game Code, no person may sell or possess any mountain lion, part or product thereof, unless ~~he/she~~ he is in possession of ~~an authorizing~~ a valid, nontransferable permit issued by the department ~~and said mountain lion, part or product thereof, has been tagged by the department~~. ~~Permits and numbered tags~~ A permit shall be issued ~~from~~ by the department ~~Wildlife Protection Division, 1416 Ninth Street, Box 944209, Sacramento, Ca 94244-2090 (Telephone No. 916-653-4094)~~ only to: 1) any person ~~persons~~ who can demonstrate that the mountain lion, part or product thereof, was in ~~their~~ his possession on or before June 6, 1990~~.~~; or 2) a nonprofit museum or government-owned facility generally open to the public, or an educational institution, for display, exhibition, or storage, for a bona fide scientific or educational purpose as determined by the department. Permits shall be made available to department employees for inspection upon request and may be revoked by the department for failure to comply with the terms of the permit, this section, or Section 4800 of the Fish and Game Code. Any person issued a permit or a tag from the department for a mountain lion, or part or product thereof, prior to January 1, 2014, shall not be required to obtain a new permit, provided he maintains and makes available his existing permit or tag upon request of a department employee.

(b) ~~Prohibition of Removal of Tag~~ Information Required to Obtain a Permit.

~~No person shall remove the tag applied to a lion, part or product thereof, pursuant to this section.~~

The application for a permit issued pursuant to subdivision (a) above shall be in the form of a letter to the department's Wildlife and Fisheries Division located at 1416 Ninth Street, Sacramento, CA 95814 and the applicant shall submit the following information:
(1) Full name of the person requesting a permit. If an entity is requesting a permit, the request shall be made on official letterhead with an original signature.
(2) Physical address where mountain lion carcass or part or product thereof shall be located.
(3) Description of mountain lion carcass or part or product thereof, subject to the permit.
(4) Description of how the mountain lion carcass, or part or product thereof shall be uniquely identified by the applicant pursuant to subdivision (c).
(5) . Description of how the mountain lion carcass or part or product thereof shall be used and the anticipated length of time for use.
(c) ~~Permit Fee: $5.00.~~ Unique Identification.
Any person in possession of a permit to possess a mountain lion carcass, part or product thereof pursuant to this section shall uniquely identify such mountain lion carcass or part or product thereof. Unique identification methods include, but are not limited to, permanent marking, tattooing, microchipping, detailed photographs,

descriptive measurements, or another suitable method approved in advance by the department.

(d) Change of Address or Name.

The permittee shall notify the department in writing of any change of address or name related to the permit within thirty days of the change.

(e) Disposition. Any permittee no longer desiring to possess a mountain lion carcass or part or product thereof shall transfer such carcass or part or product thereof to the department.

Note: Authority cited: Sections ~~200 and 3080,~~ 702, 1002 and 1050, Fish and Game Code.

Reference: Sections ~~200 and~~ 702, 1002, 1050 and 4800, Fish and Game Code.