

TITLE 14. DEPARTMENT OF FISH AND WILDLIFE
NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Department of Fish and Wildlife (Department) proposes to adopt the regulations described below regarding the Hunter Education Instructor Incentive Tags after considering all comments, objections, and recommendations regarding the proposed action. The Department invites interested persons to present statements or arguments with respect to alternatives to the regulations at the scheduled hearing or during the written comment period.

PUBLIC HEARING

The Department will hold a public hearing on March 25, 2014, from 1:30-2:30 p.m., at the Resources Building located at 1416 9th Street, Sacramento, California, twelfth floor in Room 1206. The room is wheelchair accessible. At the public hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that the persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. All written comments must be received by the Department at the office below not later than 5:00 p.m. on March 25, 2014. All written comments must include the true name and mailing address of the commenter.

Written comments may be submitted by mail, fax, or e-mail as follows:

Roy Griffith, Program Administrator
CDFW - HEI Program
1701 Nimbus Road
Rancho Cordova, CA 95670
Telephone: (916) 358-2946
Fax: (916) 653-3772
Email: Roy.Griffith@wildlife.ca.gov

Authority: Sections 200, 202, 203, 220, 460, 3051, 3452, 3453, 3953 and 4334, Fish and Game Code.

Reference: Sections 200, 202, 203, 203.1, 207, 458, 459, 460, 3051, 3452, 3453, 3953 and 4334, Fish and Game Code.

INFORMATIVE DIGEST (Policy Statement Overview)

Amend Section 360, Title 14, CCR, by adding a new subsection 360(e) providing for Hunter Education Instructor Incentive Tags.

The purpose of the proposed amendment is to add provisions to the regulations which will allow the use of 10 X-Zone deer tags by the Department for use as incentives to volunteer Hunter Education Instructors to join or remain in the program. This proposal would implement Section 3051 of the Fish and Game Code which directs the Department to use up to a maximum of 15 tags as incentives.

BENEFITS OF THE PROPOSED ACTION:

The Department anticipates nonmonetary benefits to the protection of public health and safety and to the environment. The Hunter Education Instructors work on a volunteer basis training tens of thousands of California residents each year. Important aspects of the training include firearms safety, first aid, wildlife management and conservation among others. Maintaining a large number of Hunter Education Instructors is vital, and the provision of a very small number of deer tags for the purpose of recruiting and keeping volunteer instructors is both economical and beneficial to the state.

The Department does not anticipate nonmonetary benefits to the protection of worker safety, the prevention of discrimination, the promotion of fairness or social equity, or to the increase in openness and transparency in business and government.

COMPATIBILITY WITH EXISTING STATE REGULATIONS:

The Department has reviewed the Title 14, CCR, and conducted a search of any similar regulations on this topic and has concluded that the proposed amendments to Section 360 are neither inconsistent nor incompatible with existing state regulations. No other state agency has the authority to promulgate regulations governing incentives for hunter education instructors.

DISCLOSURES REGARDING THE PROPOSED ACTION:

Mandate on local agencies or school districts: None.

Costs or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other nondiscretionary costs or savings imposed on local agencies: None.

Costs or savings in federal funding to the state: There are no related costs or savings in Federal Funding to the State.

Significant, statewide adverse economic impact directly affecting business, 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 businesses, including the ability of California businesses to compete with businesses in other states.

Effect on small business: The Department has determined that the proposed regulations are unlikely to affect small business.

Cost impacts on a representative private person or business: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Department does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses, the expansion of businesses in California, or benefits to worker safety.

Benefits to the Health and Welfare of California Residents:

The Department anticipates benefits to the health and welfare of California residents. Hunting provides opportunities for multi-generational family activities and promotes respect for California's environment by the future stewards of the State's resources. These benefits are maintained by improving the Department's capacity to recruit and retain volunteer Hunter Education Instructors who annually provide training to tens of thousands of California residents. Important aspects of the training include firearms safety, first aid, wildlife management and conservation among others. Maintaining a large number of qualified Hunter Education Instructors is vital, and the provision of a very small number of deer tags for the purpose of recruiting and keeping volunteer instructors is both economical and beneficial to the residents of the state.

Benefits to the State's Environment:

The Department anticipates benefits to the state's environment in the sustainable management of natural resources. It is the policy of this state to encourage the conservation and maintenance of the fish and wildlife resources of the state, for their use and enjoyment by the public. The new regulation will aid the Department's capacity to recruit and retain volunteer Hunter Education Instructors who annually provide training to tens of thousands of California residents regarding hunting ethics, wildlife management and conservation among others.

CONSIDERATION OF ALTERNATIVES:

The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

MITIGATION MEASURES REQUIRED BY REGULATORY ACTION:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Roy Griffith, Program Administrator
CDFW - HEI Program
1701 Nimbus Road
Rancho Cordova, CA 95670
Telephone: (916) 358-2946
Email: Roy.Griffith@wildlife.ca.gov

The backup contact person for these inquiries is:

Craig Stowers
CDFW - Wildlife Branch
1812 9th Street
Sacramento, CA 95811
Telephone: (916) 445-3553
Email: Craig.Stowers@wildlife.ca.gov

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Mr. Griffith at the above address.

AVAILABILITY OF THE INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE:

The Department will have the entire rulemaking file available for inspection and copying at its offices at the above addresses. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of the regulations, the Initial Statement of Reasons, the Economic Impact Assessment, the Economic and Fiscal Impact Assessment (STD. Form 399).

AVAILABILITY OF DOCUMENTS ON THE INTERNET:

Website Access: The entire rulemaking is available at www.dfg.ca.gov/news/pubnotice.

AVAILABILITY OF CHANGED OR MODIFIED TEXT:

After holding the hearing and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Roy Griffith as indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS:

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Roy Griffith as indicated above.