State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
1416 9th Street
Sacramento, CA 95814
http://www.dfg.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

Los Angeles County Fish and Game Commission
500 West Temple Street, Room B-50
Los Angeles, CA 90012

October 11, 2011

TO ALL INTERSESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to Section 602, Title 14, California Code of Regulations, relating to the SHARE Program, which will be published in the California Regulatory Notice Register on October 14, 2011.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

Ms. Victoria Barr, SHARE Program Coordinator, Department of Fish and Game, phone (916) 445-4034, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Craig Stowers

Craig Stowers
Senior Environmental Scientist

Title 14. Department of Fish and Game
Notice published October 14, 2011

NOTICE OF PROPOSED RULEMAKING

The Department of Fish and Game (Department) proposed to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Department will hold a public hearing starting at 10:00 a.m. on November 28, 2011, in the conference room at 1812 9th Street, Sacramento, California 95811. The conference room is wheelchair accessible. At the 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 this office no later than 5:00 p.m. on November 28, 2011. 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:

Department of Fish and Game
Wildlife Branch
Victoria Barr, SHARE Program Coordinator
1812 9th Street
Sacramento, CA 95811
Fax: (916) 445-4048
Email: vbarr@dfg.ca.gov

AUTHORITY AND REFERENCE

Fish and Game Code Section 1572 (b) authorizes the Department to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific Sections 1570, 1573, and 1574 of the Fish and Game Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The regulations proposed in this rulemaking action clarifies and makes specific the landowner enrollment process, the public application and permit issuance process, and the general operating conditions for the Shared Habitat Alliance for Recreational Enhancement (SHARE) program.

Fish and Game Code Sections 1570-1574 also authorizes DFG to: 1) enter into contracts with private landowners, nonprofit organizations, governmental entities, or any other entities to provide payment for providing wildlife-dependant recreational activities on their property; 2) establish and impose user fees in an effort to fund the program appropriately; and 3) promulgate regulations to implement the program.

Specifically:

1) Section 602(a) defines what constitutes a SHARE program property;
2) Section 602(b) describes the landowner enrollment process;
3) Section 602(c) describes permitted uses allowed on a SHARE property;
4) Section 602(d) places responsibility on the permit holders to follow all state law and regulations governing the permitted activity;
5) Section 602(e and f) describes the public application and permit issuance process;
6) Section 602(g) describes access for law enforcement purposes;
8) Section 602(h) describes agreement cancellation.

DISCLOSURES REGARDING THE PROPOSED ACTION

The department has made the following initial determinations:

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 cost or savings imposed on local agencies: None.

Costs or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.

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.

Adoption of these regulations will not:

(1) create or eliminate jobs within California
(2) create new businesses or eliminate existing businesses within California; or
(3) affect the expansion of businesses currently doing business within California

Significant effect on housing costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

CONSIDERATION OF ALTERNATIVE

In accordance with Government Code Section 11346.5, subdivisions (a)(13), the Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which this action is proposed or would be as effective and less burdensome to affected private persons that 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.

COTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Victoria Barr
Address:	1812 Ninth Street Sacramento, CA 95811
Telephone No.:	916-445-4034
Fax No.:	916-445-4048
E-Mail Address:	vbarr@dfg.ca.gov

The backup contact person is:

Name:	Craig Stowers
Address:	1812 Ninth Street Sacramento, CA 95811
Telephone No.:	916-445-3553
Fax No.:	916-445-4048
E-Mail Address:	cstowers@dfg.ca.gov

Website Access: Materials regarding this proposal can be found at: www.dfg.ca.gov/news/pubnotice .

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 Ms. Barr at the above address.

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Copies may be obtained by contacting Ms. Barr.

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 Victoria Barr at the address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABLITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Barr at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at: www.dfg.ca.gov/news/pubnotice .