

**DEPARTMENT OF PARKS AND RECREATION,  
DIVISION OF BOATING AND WATERWAYS**

**ADDENDUM TO THE NOTICE OF PROPOSED READOPTED  
EMERGENCY RULEMAKING**

**REQUEST FOR READOPTION OF EMERGENCY REGULATORY ACTION**

On October 1, 2013, the emergency regulations for the Quagga and Zebra Mussel Infestation Prevention Fee were approved by (OAL). The department requests to readopt the emergency regulations after the department has made substantial progress towards the adoption of the permanent regulations, such as collection of fees and hiring of staff needed to manage the Quagga and Zebra Mussel Infestation Prevention Program. In addition, the Proposed Text, the Notice of Proposed Rulemaking, Initial Statement of Reason and the Std 400 for the permanent Rulemaking are currently in review with DBW's Legal Unit, Accounting Unit and the Department of Finance and it is anticipated that the Rulemaking file will be submitted to OAL by July 22, 2014.

**ADOPTED EMERGENCY REGULATORY ACTION**

All revenues collected from the fee will be deposited into the Harbors and Watercraft Revolving Fund and shall be used for the following purposes: to cover reasonable costs incurred by the department associated with determining the prevention fee and the Department of Motor Vehicles initial programming costs, adoption of the regulations, and administering the prevention grant; no more than 15% of the remaining revenues collected may be expended by the Department of Fish and Game for inspection, quarantine and enforcement of quagga and zebra mussel prevention activities according to statute; and no less than 85% of the remaining revenues collected shall be made available for grants to entities for dreissenid mussel prevention, vulnerability assessment, monitoring, inspection and education according to Fish and Game Code Section 2302. See Estimated Annual Fiscal Impact Summary below:

**ESTIMATED ANNUAL FISCAL IMPACT SUMMARY – State of California Agencies**

Additional DBW Staff (\$85,000/year)	<u>Total Staff Cost</u>
	\$85,000
DBW Operating Expenses & Equipment	\$150,000
DMV Sticker Expenses/One Time Start-Up Cost	\$338,000

DFG costs to implement DFG prescribed preventions plans

(15% of remaining funds after DBW/DMV expenses) \$659,000

Grant funding \$3.7 mil

(85% of remaining funds after DBW/DMV expenses)

According to Department of Motor Vehicles Forecasting Unit up to May for fiscal year 13/14 the table below captures the estimated monthly revenue for the Quagga and Zebra Mussel Infestation Prevention sticker fees since the implementation of this program.

<u>FY</u> <u>13/1</u> <u>4</u>	<u>QZ Fee</u>	<u>Substitute</u> <u>Sticker</u> <u>Fee</u>	<u>Total</u>
Jul	\$0	\$0	<b>\$0</b>
Aug	\$0	\$0	<b>\$0</b>
Sep	\$3,040	\$0	<b>\$3,040</b>
Oct	\$1,705,312	\$0	<b>\$1,705,312</b>
Nov	\$2,412,304	\$16	<b>\$2,412,320</b>
Dec	\$3,447,617	\$112	<b>\$3,447,729</b>
Jan	\$1,063,016	\$1,856	<b>\$1,064,872</b>
Feb	\$258,336	\$1,304	<b>\$259,640</b>
Mar	\$225,296	\$2,656	<b>\$227,952</b>
Apr	\$228,528	\$5,630	<b>\$234,158</b>
May	Only Partial Month Forecast Available		
June	Unavailable		
<b>YTD Total</b>	<b>\$9,343,449</b>	<b>\$11,574</b>	<b>As of May 1, 2014 \$9,355,023</b>

## DISCLOSURES REGARDING THE PROPOSED ACTION

Pursuant to Government Code section 11345.6(a)(5), it has been determined that the regulations do not impose a mandate on local agencies and school districts that requires a reimbursement.

It has been determined that there is no cost or savings to any state agency, local agency or school district by the implementation of these regulations.

There would not be other non-discretionary costs or savings imposed upon local agencies by the implementation of these regulations.