

Regulatory Language

Section 681, Title 14, CCR, is added to read:

§ 681 Hybrids.

(a) Hybrids are the progeny of animals or plants of different species. Provisions of the Fish and Game Code and regulations adopted pursuant thereto regulating, restricting, or relating to a species that has contributed to the lineage of a hybrid shall apply to that hybrid. Unless otherwise provided in these regulations, when two or more provisions regulating a hybrid conflict with each other, the provision that provides the highest level of protection or that allows the most restrictive level of take, possession, size limit, or bag limit will supersede any other conflicting provisions.

(b) Subsection (a) does not apply:

(1) To any duck or goose determined, by the department, to be a hybrid of any domestic species of goose or duck.

(2) When the department determines that the animal or plant is a hybrid of a threatened, endangered, rare, or fully protected species and further determines that the level of protection is not reasonably extended to provisions of the California Environmental Quality Act, California Endangered Species Act, or provisions of these regulations and the Fish and Game Code dealing with threatened, endangered, rare, or fully protected species.

(c) Determinations by the department pursuant to subsection (b) do not have to be based on past or newly initiated studies.

Note: Authority: Sections 200, 203, 205 and 2120, Fish and Game Code.

Reference: Sections 1002, 2000, 2001, 2116, 2118, 2118.2, 2118.4, 2119-2155, 2190, and 2271, Fish and Game Code.