

Regulatory Language

Section 111, Title 14, CCR, is to be added as follows:

Section 111. Designated Forage Fish Species or Species Groups (Federal Shared Ecosystem Component Species).

(a) General Provisions. The intent of this section is to conform regulations for California state waters to federal regulations established in Title 50, Code of Federal Regulations, Parts 600 and 660, 81 Fed. Reg. 19054-19058 (April 4, 2016). In order to prevent development of new large-scale directed commercial fisheries for designated forage fish species (otherwise known as Federal Shared Ecosystem Component Species), except as provided in a federal exempted fishing permit (EFP) issued pursuant to Title 50, Code of Federal Regulations, Part 600.745, it is unlawful for any person to engage in directed commercial fishing for designated forage fish species or species groups from a vessel, as defined in (b)(2) below. No person shall take designated forage fish species while engaged in commercial fishing activities except as authorized in (b)(2) below, and as otherwise specified by the Fish and Game Code and regulations provided herein.

(b) General Definitions.

(1) Designated forage fish species or species groups, otherwise known as Federal Shared Ecosystem Component Species. The following species or species groups constitute designated forage fish:

(A) Round herring (*Etrumeus teres*) and Thread herring (*Ophisthonema libertate* and *O. medirastre*),

(B) Mesopelagic fishes of the families Myctophidae, Bathylagidae, Paralepididae, and Gonostomatidae,

(C) Pacific sand lance (*Ammodytes hexapterus*)

(D) Pacific saury (*Cololabis saira*)

(E) Silversides (family Atherinopsidae),

(F) Smelts of the family Osmeridae,

(G) Pelagic squids (families: Cranchiidae, Gonatidae, Histioteuthidae, Octopoteuthidae, Ommastrephidae except Humboldt squid [*Dosidicus gigas*], Onychoteuthidae, and Thysanoteuthidae).

(2) Directed commercial fishing. For the purposes of this section, “directed commercial fishing” means that a fishing vessel lands designated forage fish species or species groups without landing any species other than designated forage fish species or species groups, or lands designated forage fish species or species groups with other species and in amounts more than:

(A) 10 metric tons combined weight of all designated forage fish species or species groups from any fishing trip; or

(B) 30 metric tons combined weight of all designated forage fish species or species groups in any calendar year.

NOTE:

Authority cited: Section 7652 Fish and Game Code. Reference: Sections 7650, 7652, 7652.1, 7652.2, 7652.3, and 7653, Fish and Game Code; and Title 50, Code of Federal Regulations, Parts 600 and 660, 81 Fed. Reg. 19054-19058 (April 4, 2016).