

PROPOSED REGULATORY TEXT

Section 107, Title 14, CCR, is amended as follows:

§ 107. Broadbill Swordfish.

. . . [No changes to subsections (a) through (b)]

~~(c) Records. Pursuant to Section 190 of these regulations, each permittee shall complete and submit an accurate record of all swordfishing activities on a form (Swordfish Harpoon Log, DFG 107 (10/89) see Appendix A) provided by the department.~~

~~(d)~~ (c) Conditions of Permit. Provisions of the Fish and Game Code relating to commercial fish except as modified by the provisions of these regulations, shall be a condition of all permits to be fully performed by the holders thereof, their agents, servants, employees, or those acting under their direction or control.

~~(e)~~ (d) Cost of Permit. See ~~section~~ Section 8394.5 of the Fish and Game Code.

~~(f)~~ (e) Methods of Take.

(1) Swordfish may be taken only with hand-held hook and line or handthrust harpoon.

(2) Aircraft may be used to directly assist a permittee or any person in the taking of any species of fish while operating under a swordfish permit.

Only aircraft with current FAA registration which are registered with the department pursuant to Section 7892, Fish and Game Code, and aircraft pilots licensed pursuant to Section 7850, Fish and Game Code, may conduct flights for permittees. Such aircraft shall display the letters "SW" on the underside of each wing in block Roman alphabet at least 24 inches high x 3 inches wide, black in color and on a white background.

~~(g)~~ (f) Notification Procedure. The department shall notify permittees if the director, pursuant to ~~section~~ Section 8577 of the Fish and Game Code, closes the swordfish harpoon fishery or any area where the fishery is conducted. The department shall notify permittees by mail and by public announcement on VHF/Channel 16 between 0800 hours and 1000 hours during normal business days. Radio transmissions shall commence 48 hours prior to the effective date of a closure and shall continue for 24 hours after the effective date of such action. It shall be the responsibility of the permittee to daily monitor the named radio channel during the specified hours.

~~(h)~~ (g) Revocation of Permits. Any permit may be revoked and canceled by the commission upon breach or violation of any fish and game law or regulation or violation of the terms or conditions of the permit by the holders thereof, their agents, servants, employees or those acting under their direction and control.

Note: Authority cited: Sections 1050, 7857, 7892, 8026 and 8394, Fish and Game Code. Reference: Sections: 1050, 7857, 7892, 8026, 8394, 8394.5, and 8577, Fish and Game Code.

PROPOSED REGULATORY TEXT

Section 174, Title 14, CCR, is amended to read:

§ 174. Permit to Use Gill Nets or Trammel Nets for Commercial Purposes.

. . . [No changes to subsections (a) through (e)]

(f) Records. Pursuant to ~~section~~ Section 190 each permittee shall complete and submit ~~an accurate~~ a fishing activity record of all gill net and trammel net fishing activities on a ~~form logbook~~ (Gill and Trammel Net Log, (DFG 174 (10/89), see Appendix A) provided by the department.

(1) Any permittee targeting highly migratory species, as described in Section 1.49, and using drift gill net gear with a minimum 14-inch or greater mesh size, as described in Fish and Game Code Section 8573, is exempt from the logbook requirement.

. . . [No changes to subsections (g) through (i)]

Note: Authority cited: Sections 1050, 8026, 8681 and 8682, Fish and Game Code. Reference: Sections 1050, 1700, 7852.2, 8026, 8568, 8573, 8680, 8681, 8682 and 8683, Fish and Game Code.

PROPOSED REGULATORY TEXT

Section 176, Title 14, CCR, is amended to read:

§ 176. Trawl Fishing Activity Records.

~~Pursuant to Section 190 of these regulations, the master or his designee of any vessel operating any trawl net in the public waters under the jurisdiction of the state, or taking fish by such net without the state and bringing them into the state, shall complete and submit an accurate record of fishing activities on a form (Trawl Trip Log, DFG 176 (10/89), see Appendix A) provided by the department.~~

(a) Pursuant to Section 190, the owner and operator of a commercial fishing vessel or the holder of a commercial fishing license or permit participating in the following fisheries, shall keep and submit a complete and accurate record of fishing activities on the form Trawl Trip Log, DFG 176 (10/89), see Appendix A) provided by the department:

(1) California halibut bottom trawl permittees;

(2) Any trawl activity targeting finfish not described above; and,

(b) Federal groundfish trawl limited entry permittees are exempt from the log requirement in (a) when operating under a federal groundfish trawl permit and targeting federal groundfish as described in Section 1.91.

(c) Pursuant to Section 190, the owner and operator of a commercial fishing vessel or the holder of a commercial fishing license or permit participating in the following fisheries, shall keep and submit a complete and accurate record of fishing activities on the form Shrimp/Prawn Trawl Log (DFG 120 (10/89), see Appendix A) provided by the department:

(1) Pursuant to Section 120, golden and ridgeback prawn trawl permittees and northern or southern pink shrimp trawl permittees;

(2) Sea cucumber trawl permittees; and

(3) Any trawl activity targeting invertebrates not described above.

Note: Authority cited: ~~Section~~ Sections 1050, 8026, and 8841, Fish and Game Code. Reference: ~~Section~~ Sections 1050, 8026, and 8841, Fish and Game Code.

Appendix A Fishing Activity Records

SWORDFISH HARPOON LOG

No. 58552

Name of Skipper _____ SW Permit _____
 Name of Boat _____ Boat F&G No. _____

64 89826

DATE Month/Day	BLOCK No.	Aircraft Used Yes or No	CHECK ONE			FISH Harpooned	FISH Landed	Estimated Dressed Weight
			FISH Underwater	FISH Flailing	FISH Jumping			

Delete

Remarks _____

DFG 107 (10/90)