

NONSUBSTANTIVE

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2018-1010-02N	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

2018 OCT 10 A 8:35
OFFICE OF ADMINISTRATIVE LAW

ENDORSED - FILED
in the office of the Secretary of State
of the State of California
NOV 15 2018
2:13P

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
Fish and Game Commission

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Form DFW-120.7 (REV. 12/08/17), Commercial Dive Fishing Log	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT
AMEND Subsection 120.7(m)
REPEAL Appendix A Form DFG - 120.7 (10/87)
TITLE(S) 14

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____

7. CONTACT PERSON Anthony Shiao	TELEPHONE NUMBER (805) 560-6056	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Anthony.Shiao@wildlife.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 9/11/2018
TYPED NAME AND TITLE OF SIGNATORY Valerie Termini, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED
NOV 15 2018
Office of Administrative Law

Regulatory Text

Amend subsection 120.7(m) to read as follows:

§ 120.7. Taking of Sea Urchins for Commercial Purposes.

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

(m) Logbooks. Pursuant to Section 190 of these regulations, each permittee shall complete and submit an accurate record of all sea urchin fishing activities on a form ~~(DFG-120.7-(2/08))~~ Commercial Dive Fishing Log (DFW 120.7 (REV. 12/08/17)), incorporated herein by reference, provided by the department. The completed daily records shall be sent to the department address specified on the logbook on or before the tenth day of each month following the month to which the records pertain.

... [No changes to subsections (n) through (q)]

Note: Authority cited: Sections 713, 1050, 9054 and 9055, Fish and Game Code.
Reference: Sections 713, 1050, 7850, 7852.2, 7857, 9054, and 9055, Fish and Game Code.

REPEAL

CALIFORNIA DEPARTMENT OF FISH AND GAME SEA URCHIN FISHING LOG

28976

Vessel Name _____ F&G Boat Number _____

Date mm/dd/yr	Block Num.	Landmark	Depth		Divers		Lbs. Harvested	Sold Ton	Remarks
			Range	Ave.	Num.	Hrs.*			

Signed: _____
Vessel Operator

*Diver hours = sum of each diver's total.

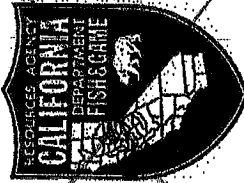
DFG - 120.7 (10/87)

88 94261

REPEAL

Log Book No. DL 99999

**COMMERCIAL DIVE
FISHING LOG**



**STATE OF CALIFORNIA
THE RESOURCES AGENCY**

CALIFORNIA DEPARTMENT OF FISH AND GAME



REPEAL

**CALIFORNIA DEPARTMENT OF FISH AND GAME
COMMERCIAL DIVE FISHING LOG**

DL 99999

* SPECIES _____
(see codes below)

Month of _____ Year _____

Each sea cucumber or sea urchin diver is required to fill out their own log
Please use a separate page for each species (see instruction sheet)

PERMIT HOLDER (name) _____

Permittee's I.D. # L _____

VESSEL NAME _____

F&G NUMBER _____

Incidental Species Codes

Wavy turban snail = WTS
Keyhole limpet = KHL
Keller's whelk = KW
Nearshore fishes = NF

Day	Block Number	Latitude	Longitude	Landmark	Depth Range (feet)	Hours **	Pounds Harvested	Portland Dealer	Remarks (include incidental species taken)

* Species Codes: red sea urchin = RSU, purple sea urchin = PSU
warty sea cucumber = WSC, giant red sea cucumber = GRS

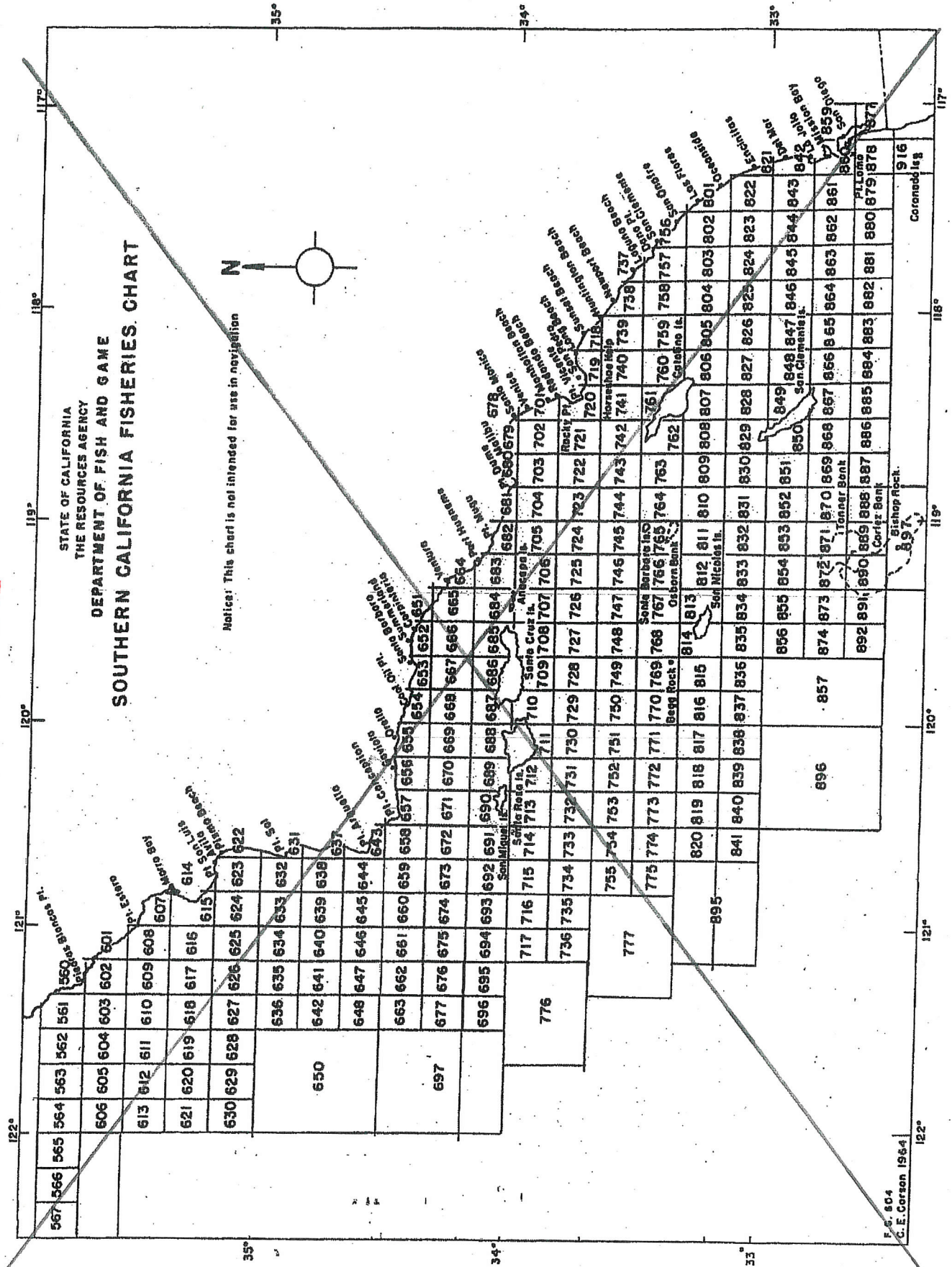
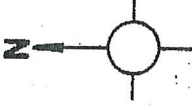
** Diver hours = Total hours spent harvesting underwater at this location, to the nearest 1/2 hour
Signed: _____ PERMIT HOLDER

MAIL THIS PAGE NO LATER THAN THE 10th OF THE MONTH FOLLOWING THE MONTH OF FISHING ACTIVITY. DO NOT FILL OUT OR SUBMIT A LOG FOR A MONTH WITHOUT FISHING ACTIVITY. DO NOT PUT MORE THAN ONE MONTH ON A PAGE.

REPEAL

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
SOUTHERN CALIFORNIA FISHERIES CHART

Notice: This chart is not intended for use in navigation

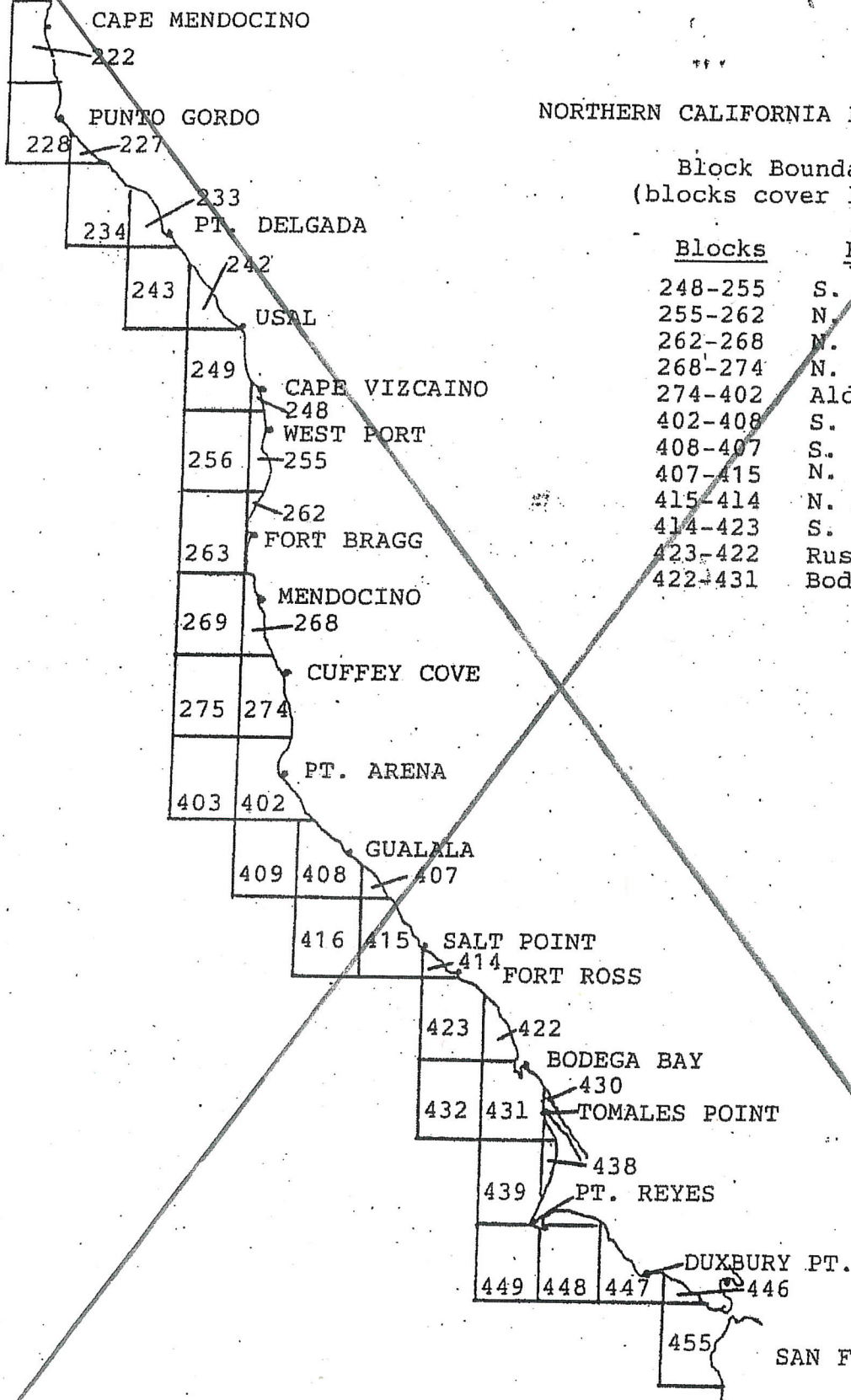


REPEAL

NORTHERN CALIFORNIA FISHERIES CHART

Block Boundary Points
(blocks cover 10' latitude)

Blocks	Boundary
248-255	S. Abalone Point
255-262	N. side Laguna Point
262-268	N. of Russian Gulch
268-274	N. of Cuffey Cove
274-402	Alder Creek
402-408	S. of Sauder's Reef
408-407	S. of Gualala Point
407-415	N. of Stewart's Point
415-414	N. of Salt Point
414-423	S. of Ft. Ross Reef
423-422	Russian Gulch (Sonoma)
422-431	Bodega Dunes



REPEAL

INSTRUCTIONS

▶ Each sea urchin or sea cucumber permittee is required to prepare a daily log. Use one log for each month of fishing activity (use additional pages if necessary). Do not submit a log for the months not fished.

▶ Place flyleaf under duplicate copy. No carbon paper is required. Do not allow book to get wet.

▶ Use a ball-point pen. Enter all information at top of the log.

Field descriptions for each location fished:

- "Day" is the calendar day fished
- "Block number" is the Fish and Game block number from the charts provided on the inside front cover and on page 3
- "Lat/Long" is the latitude and longitude, to the 0.01 minute, of the catch location
- "Landmark" is the most generally recognizable feature near the area fished
- "Depth range" is the minimum and maximum depths fished (in feet)
- "Diver hours" is the total time underwater, to the nearest 1/2 hour, at each dive site
- "Pounds harvested" is the combined weight of all harvested catch species
- "Port and Dealer" is the port of landing and the name of the dealer buying the catch
- "Remarks" are incidental species taken or comments on the catch or other noteworthy conditions

- ▶ One line should be completed for each location fished, if more than one location is fished on a single day.
- ▶ Please mail to the Department of Fish and Game the top Department's copy of the logs on a monthly basis in compliance with Section 190 of the Fish and Game Commission regulations.
- ▶ By the 10th day of the following month, completed logs should be returned to:

(All sea cucumber logs)

Calif. Dept. of Fish and Game
1933 Cliff Drive, Suite #9
Santa Barbara, CA. 93109

and

(Southern California sea urchin logs)

Calif. Dept. of Fish and Game
4665 Lampson Drive, Suite C
Los Alamitos, CA. 90720

(Northern California sea urchin logs)

Calif. Dept. of Fish and Game
19160 South Harbor Dr
Fort Bragg, CA. 95437

NOTICE

1. Information requested by: State of California
The Resources Agency
Department of Fish and Game
Marine Resources Region

2. Responsible Agency Official: Regional Manager, Marine Region
California Dept. of Fish and Game
4665 Lampson Avenue, Suite C
Los Alamitos, CA. 90720
(562) 342-7107

3. Authority California Code of Regulations
Title 14, Sections 190 and 120.7(m)
California Fish and Game Code
Sections 8026 and 8405.1

4. Each sea urchin or sea cucumber permittee is required to prepare a daily log. Failure to keep and submit logs may result in revocation or suspension of your diving permit by the Department.

5. Fishing activity records shall be kept on forms provided by the Department

6. All fishing activity records shall be deemed confidential upon receipt by the Department. Information provided on the logs is summarized and used to develop a profile of the fishery, including catch area and depth, relative changes in population, catch-per-unit-of-effort, etc. This data will aid in developing management measures to insure a long-term viable fishery. Summaries, without reference to individuals, will be available to the public.

7. Information provided on logs may be made available to the National Marine Fisheries Service, Pacific Fisheries Management Council, and the and the Pacific States Marine Fisheries Commission.

8. Every individual has the right of access to his or her own information: California Civil Code

ADOPT

Log Book No. DL 031001 to 031025

**COMMERCIAL DIVE
FISHING LOG**



**CALIFORNIA NATURAL
RESOURCES AGENCY**

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

INSTRUCTIONS

- > Each sea urchin or sea cucumber permittee is required to prepare a daily log. Use one log for each month of fishing activity (use additional pages if necessary). Do not submit a log for the months not fished.
 - > Place flyleaf under duplicate copy. No carbon paper is required. Do not allow book to get wet.
 - > Use a ball-point pen. Enter all information at top of the log.
- Field descriptions for each location fished:
- "Day" is the calendar day fished
 - "Block Number" is the Fish and Wildlife block number from the charts provided in this logbook
 - "Lat/Lon" is the latitude and longitude, to the 0.01 minute, of the catch location
 - "Landmark" is the most generally recognizable feature near the area fished
 - "Depth Range" is the minimum and maximum depths fished (in feet)
 - "Diver Hours" is the total time underwater, to the nearest 1/2 hour, at each dive site
 - "Pounds Harvested" is the combined weight of all harvested catch species
 - "Port and Dealer" is the port of landing and the name of the dealer buying the catch
 - "Remarks" are incidental species taken or comments on the catch or other noteworthy conditions
- > One line should be completed for each location fished, if more than one location is fished on a single day.
 - > Please mail to the Department of Fish and Wildlife the top Department's copy of the logs on a monthly basis in compliance with Section 190 of the Fish and Game Commission regulations.
 - > By the 10th day of the following month, completed logs should be returned to:

(All sea cucumber logs)

Calif. Dept. of Fish and Wildlife
 1933 Cliff Drive, Suite #9
 Santa Barbara, CA 93109

(Southern California sea urchin logs)

Calif. Dept. of Fish and Wildlife
 4665 Lampson Ave, Suite C
 Los Alamitos, CA 90720

(Northern California sea urchin logs)

Calif. Dept. of Fish and Wildlife
 32350 N Harbor Drive
 Fort Bragg, CA 95437

NOTICE

1. Information requested by:
 California Natural Resources Agency
 Department of Fish and Wildlife
 Marine Resources Region
2. Responsible Agency Official:
 Regional Manager, Marine Region
 California Dept. of Fish and Wildlife
 4665 Lampson Avenue, Suite C
 Los Alamitos, CA 90720
3. Authority:
 California Code of Regulation
 Title 14, Sections 190 and 120.7(m)
 California Fish and Game Code
 Sections 8026 and 8405.1
4. Each sea urchin or sea cucumber permittee is required to prepare a daily log. Failure to keep and submit logs may result in revocation or suspension of your diving permit by the Department.
5. Fishing activity records shall be kept on forms provided by the Department.
6. All fishing activity records shall be deemed confidential upon receipt by the Department. Information provided on the logs is summarized and used to develop a profile of the fishery, including catch area and depth, relative changes in population, catch-per-unit-of effort, etc. This data will aid in developing management measures to insure a long-term viable fishery. Summaries, without reference to individuals, will be available to the public.
7. Information provided on logs may be made available to the National Marine Fisheries Service, Pacific Fisheries Management Council, and the Pacific States Marine Fisheries Commission.
8. Every individual has the right of access to his or her own information: California Civil Code

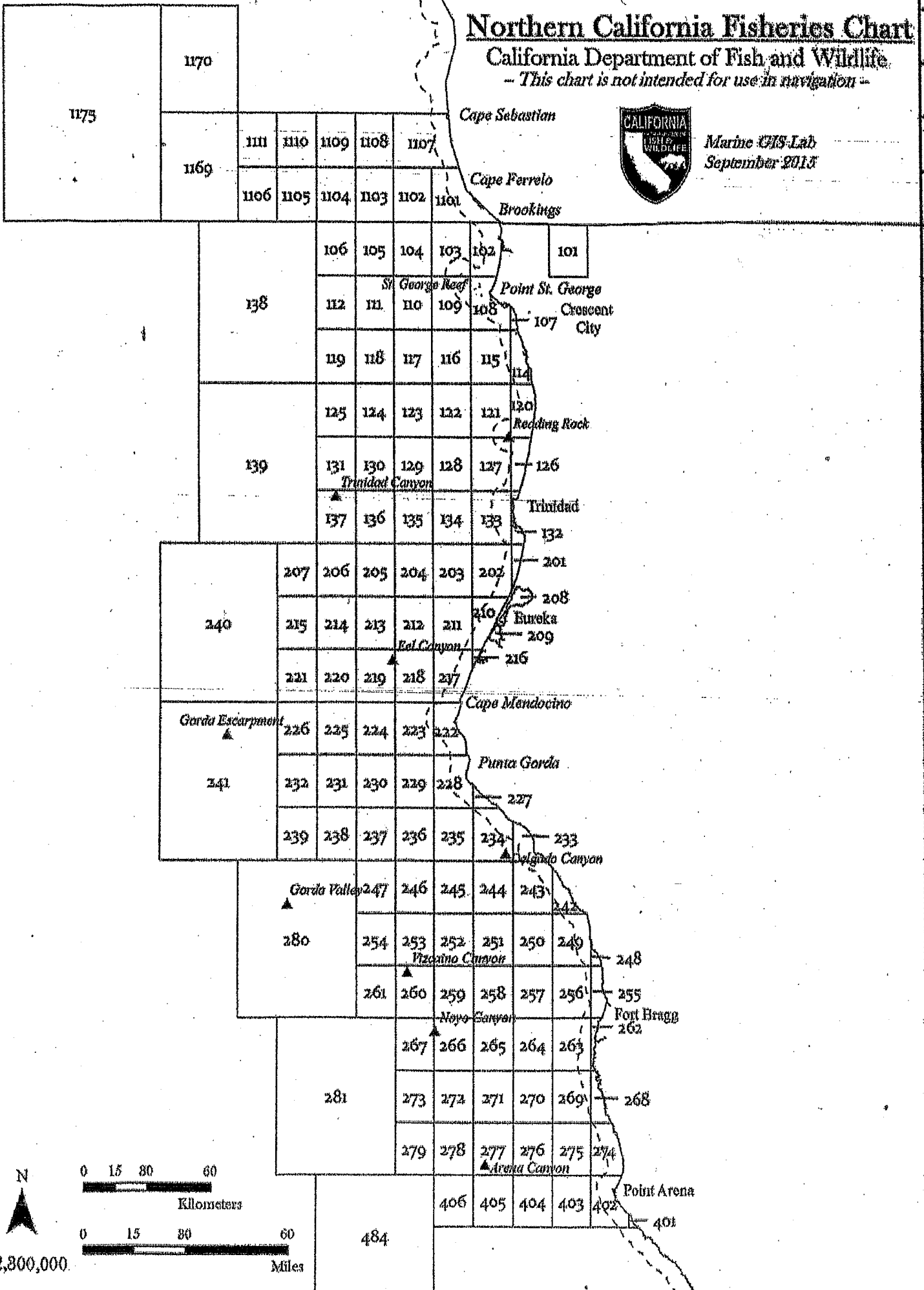
Northern California Fisheries Chart

California Department of Fish and Wildlife

- This chart is not intended for use in navigation -



Marine FIS Lab
September 2015



N

0 15 30 60

Kilometers

0 15 30 60

Miles

1:2,300,000

484

Point Arena

401

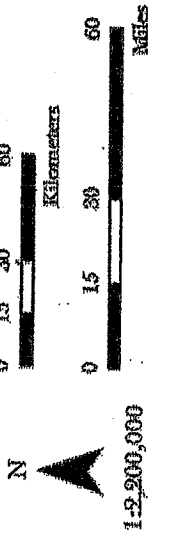
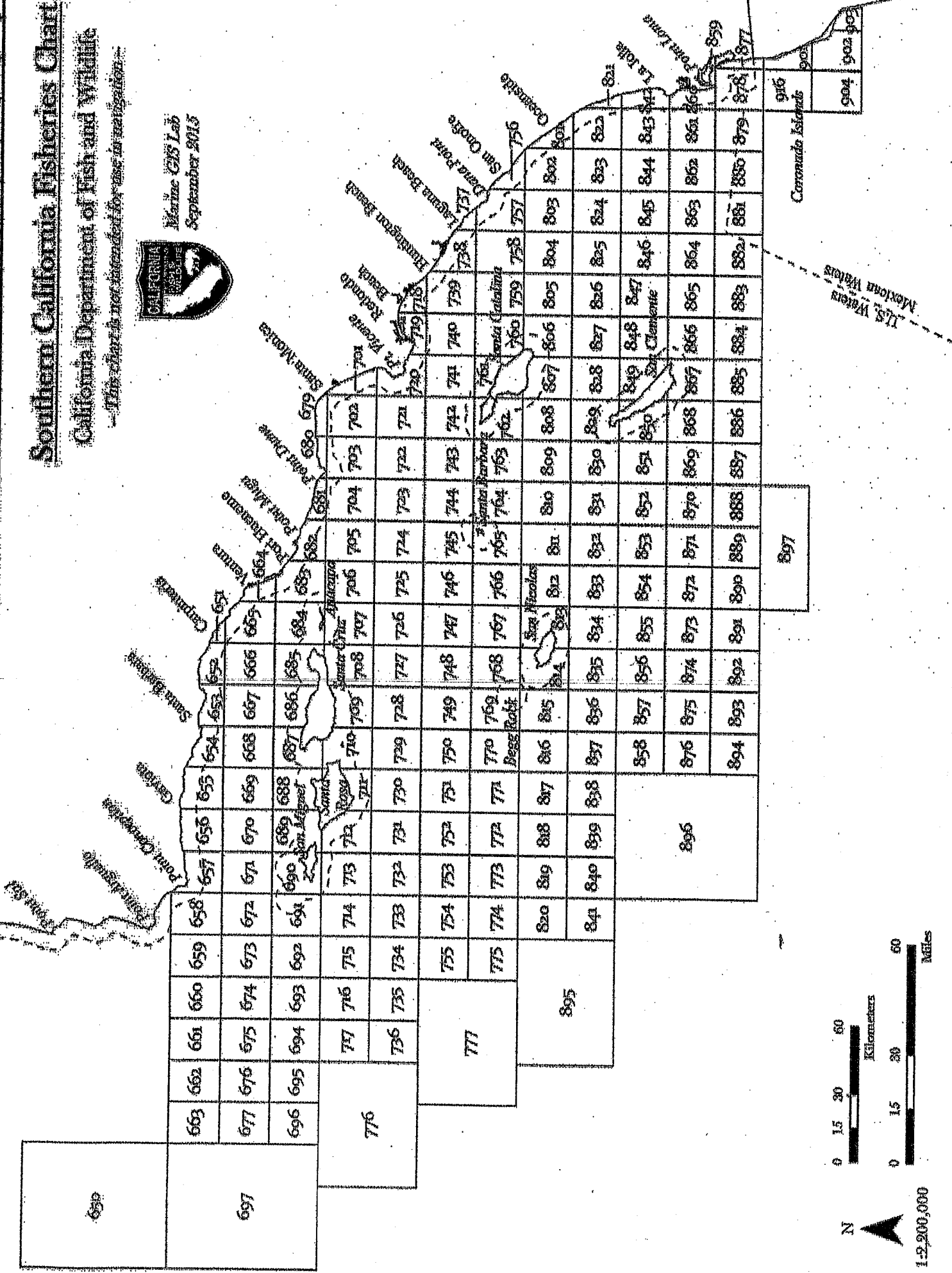
Southern California Fisheries Chart

California Department of Fish and Wildlife

This chart is not intended to be used as a navigational aid.



Marine GIS Lab
September 2015



1:2,000,000

22°09'N 32°10'W
22°09'N 32°10'W
22°09'N 32°10'W
22°09'N 32°10'W
22°09'N 32°10'W

*SPECIES _____
 (see codes below)
 Each sea cucumber or sea urchin diver is required to fill out their own log
 Please use a separate page for each species (see instruction sheet)

Month of _____ Year _____
 Permit Holder (name) _____
 Vessel Name _____
 F&W Number _____
 Permitee's I.D. # L _____

Incidental Species Codes
 Wavy turban snail = WTS Kellef's whelk = KW
 Keyhole limpet = KHL Nearshore fishes = NF

Day	Block Number	Lat/Lon. (to 0.01 minutes)		Landmark	Depth Range (feet)	Hours **	Pounds Harvested	Port and Dealer	Remarks (include incidental species taken)
		Latitude	Longitude						

Species Codes: red sea urchin = RSU, purple sea urchin = PSU, warty sea cucumber = WSC, giant red sea cucumber = GRS

Diver hours = Total hours spent harvesting underwater at this location, to the nearest 1/2 hour

Signature: _____
 Permit Holder _____

ALL THIS PAGE NO LATER THAN THE 10TH OF THE MONTH FOLLOWING THE MONTH OF FISHING ACTIVITY. DO NOT FILL OUT OR SUBMIT A LOG FOR A MONTH WITHOUT SHING ACTIVITY. DO NOT PUT MORE THAN ONE MONTH ON A PAGE.