

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Sections 1.74  
Title 14, California Code of Regulations  
Re: Annual Sport Fishing Regulations - Sport Fishing Report Cards Requirements

- I. Date of Initial Statement of Reasons: March 16, 2018
- II. Date of Final Statement of Reasons: January 9, 2019
- III. Dates and Locations of Scheduled Hearings:
  - (a) Notice Hearing: Date: August 23, 2018  
Location: Fortuna
  - (b) Discussion Hearing: Date: October 17, 2018  
Location: Fresno
  - (c) Adoption Hearing: Date: December 13, 2018  
Location: Oceanside

IV. Update:

There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.

The Fish and Game Commission (Commission) adopted the proposed regulations as described in the Initial Statement of Reasons, without changes, at its December 13, 2018 meeting. Amendments to Section 1.74, Title 14, California Code of Regulations (CCR) update the sport fishing report card requirements and makes needed corrections to existing regulations.

V. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations:

Comment by Wayne Kyoto: Oral comment received at December 13, 2018 Commission meeting: Supports changes to the Sport Fishing Report Card Requirements. Recommends noticing both marine and inland interested parties when noticing regulations that affect both parties.

Response: The Commission did notice both marine and inland affected and interested parties.

No other public comments, written or oral, were received during the public comment period.

VI. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:  
California Fish and Game Commission  
1416 Ninth Street  
Sacramento, California 95814

VII. Location of Department Files:

Department of Fish and Wildlife  
1416 Ninth Street  
Sacramento, California 95814

VIII. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

No alternatives were identified.

(b) No Change Alternative:

The no change alternative would leave the existing regulations in place.

(c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

IX. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action is not anticipated to have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because the proposed action is a procedural update to an existing report card process. No changes in fishing effort and sport fishing expenditures to businesses are expected as a result of the proposed regulation changes.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The effects of the proposed action are anticipated to be neutral to the creation or elimination of jobs, the creation of new businesses, the elimination of existing businesses or the expansion of businesses in California. The proposed action is a procedural update to an existing report card process. No changes in fishing effort and sport fishing expenditures to businesses are expected as a result of the proposed regulation changes.

The Commission does not anticipate any impacts to the health and welfare of California residents from the proposed action.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission does not anticipate any benefits to the environment from the proposed action.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None.

(h) Effect on Housing Costs:

None.

## Updated Informative Digest /Policy Statement Overview

This California Department of Fish and Wildlife (Department) proposal requests changes to Title 14, California Code of Regulations (CCR), for the Annual Sport Fishing Regulations review cycle. This proposal will update the sport fishing report card requirements, and make needed corrections to existing regulations. The proposed regulatory changes are needed to reduce public confusion and improve regulatory enforcement.

The Department is proposing the following changes to current regulations:

### **SPORT FISHING REPORT CARD REQUIREMENTS**

Section 1.74 establishes guidelines for report card regulations, including reporting harvest authorized by a report card; however, this section does not include a mechanism for confirmation that data from a report card has been reported. This proposal requires report card holders who submit data online to write the provided confirmation number on their report card and retain the report card until 90 days after the reporting deadline.

When a report card is lost, a licensee may wish to obtain a replacement report card, or may simply need to fulfill the harvest reporting requirement before the reporting deadline. Section 1.74 does not currently provide guidelines for licensees who have lost their report card and need to report their harvest, but do not need to obtain a replacement report card. This proposal updates procedures regarding lost report cards to provide guidelines for obtaining a replacement report card, and also for reporting harvest from a lost report card without obtaining a replacement report card.

### Proposal: Amend Section 1.74, Sport Fishing Report Card Requirements

Amend Section 1.74 to update procedures for reporting online and for lost report cards.

### **Minor Editorial Corrections for Clarity**

In addition to the above proposals, minor editorial corrections are proposed to correct typographical errors and to improve regulation clarity.

### **Benefits of the Proposed Regulations**

It is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and inland waters under the jurisdiction and influence of the state for the benefit of all the citizens of the State. In addition, it is the policy of this state to promote the development of local California fisheries in harmony with federal law respecting fishing and the conservation of the living resources of the ocean and inland waters under the jurisdiction and influence of the State. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use. Adoption of scientifically-based trout and salmon seasons, size limits, and bag and possession limits

provides for the maintenance of sufficient populations of trout and salmon to ensure their continued existence.

The benefits of the proposed regulations are sustainable management of California's trout and salmon resources and promotion of businesses that rely on recreational sport fishing in California.

### **Update**

**There have been no changes in applicable laws, or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.**

**The Fish and Game Commission adopted the proposed regulations as described in the Initial Statement of Reasons, without changes, at its December 13, 2018 meeting.**