

FISH AND GAME
COMMISSION
2019 AUG 29 PM 1:30

**State of California
Office of Administrative Law**

In re:
Fish and Game Commission

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:

Amend sections: 180.6

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2019-0718-01

OAL Matter Type: Regular (S)

In this regulatory action, the Commission amends the regulation to specify that the twenty-five hagfish barrel trap limit is linked to the vessel, as opposed to the permittee. The amendment also establishes the requirement that the hagfish traps be marked with a buoy that identifies the operator's commercial fishing license identification number and the California commercial boat registration number.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 10/1/2019.

Date: August 27, 2019



Thanh Huynh
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Melissa Miller-Henson, Acting
Executive Director

Copy: Craig Castleton

REGULAR

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-2019-0416-01	REGULATORY ACTION NUMBER 2019-0718-015	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

NOTICE	REGULATIONS
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ENDORSED - FILED
in the office of the Secretary of State
of the State of California

AUG 27 2019

1:41 pm

2019 JUL 18 A 10:25
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY
California 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	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2019 17-2	PUBLICATION DATE 4/26/2019	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Hagfish Traps	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 180.6
	REPEAL
TITLE(S) 14	

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<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"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

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 checked="" 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 type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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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 Craig Castleton	TELEPHONE NUMBER (916) 651-1329	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) craig.castleton@fgc.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 7/17/19
TYPED NAME AND TITLE OF SIGNATORY David Thesell, Program Manager	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

AUG 27 2019

Office of Administrative Law

Approved Regulatory Language

Section 180.6, Title 14, CCR, is amended to read:

§ 180.6. Hagfish Traps.

(a) All openings in traps used to take hagfish, excluding the entrance funnel, shall have a minimum diameter of 9/16 inch in any dimension.

(b) Hagfish may be taken in barrel traps, if attached to a ground line. No ~~permittee may possess~~ more than a total of 25 barrel traps per vessel may be possessed aboard ~~a~~the vessel or in the water or combination thereof. Each barrel trap shall be no greater than 45 inches in total length and have an outside diameter no greater than 25 inches at its widest point. Barrels may be attached to a maximum of three ground lines. If using barrel traps, no other hagfish trap type may be used or possessed aboard the vessel. When barrel traps are used or possessed aboard a vessel, no species of finfish other than hagfish shall be taken, possessed, or sold. Popups shall not be used on buoy lines attached to barrel traps.

(c) Every hagfish trap, or string of traps, shall be marked with a buoy that identifies the operator's commercial fishing license identification number, as well as the vessel's California commercial boat registration number.

Authority cited: Sections 8403, and 9022, Fish and Game Code.

Reference: Sections 8403, 9001.6, 9001.7, 9006, and 9022, Fish and Game Code.