

Proposed Regulatory Language

Section 182, Title 14, CCR, is amended to read:

§ 182. Commercial Salmon Fishing.

(a) General Provisions. No person shall engage in commercial salmon fishing except as provided by the Fish and Game Code and regulations provided herein. Applicable regulations adopted by the U.S. Secretary of Commerce pursuant to the Magnuson Fishery Conservation and Management Act and published in Title 50, Code of Federal Regulations (CFR), Parts 600 and 660 are hereby incorporated and made a part of these regulations. Federal regulations shall be made available upon request from the Department of Fish and Game, Marine Region, 1416 Ninth Street, BOX 944209, Sacramento, CA 94244-2090, phone number 916-651-7670.

(b) Reporting Requirements

(1) Any person required to complete a landing receipt pursuant to FGC Section 8043 for the landing of salmon shall on the same landing receipt accurately record the total number of salmon landed in the "Note Pad" field of the landing receipt (F&G 625-D rev. 10/00), which may be found in Appendix A of these regulations.

(2) Any person who lands salmon shall keep a copy of all landing receipts documenting salmon landings on board the fishing vessel that caught the salmon until 15 days after the last salmon season closure for the calendar year.

(3) Salmon taken from waters off California (between 42 degrees N. lat and the U.S.-Mexico border) must be landed into California and may not be landed into any other jurisdiction.

(c) General Definitions. For purposes of these regulations, the following definitions shall apply:

(1) Closures. Taking or taking and retaining any species of salmon is prohibited. Legally caught salmon may be landed on closed areas if they meet the minimum size limit or other special requirements for the area in which they were caught and are not otherwise prohibited by these regulations.

(2) Transit Through Closed Areas. Vessels with an ocean salmon permit from any state with salmon on board shall not have fishing gear in the water while transiting any area closed to commercial salmon fishing.

(3) Size Limits and Length Measurement. All salmon on board must meet the minimum size or other special requirements for the area being fished and the area in which they are landed if that area is open. Total length is measured from the tip of the snout to the extreme tip of the tail without resorting to any force other than swinging or fanning the tail.

(4) Gear Definitions. Troll fishing gear is defined as no more than six lines that drag hooks with bait or lures behind a moving fishing vessel. Salmon may be taken only by hook and line using barbless hooks. Barbless circle hooks are required when fishing with bait by any means other than trolling.

(5) Barbless Hook Definition. A hook with a single shank and point, with no secondary point or barb curving or projecting in any other direction. Hooks manufactured with barbs can be made "barbless" by removing or completely closing the barb.

(6) Circle Hook Definition. A hook with a generally circular shape, and a point which turns inwards, pointing directly to the shank at a 90 degree angle.

(7) Trolling Definition. Angling from a boat or floating device that is making way by means of a source of power, other than drifting by means of the prevailing water current or weather conditions.

(8) Freezer Trolling Vessel. Frozen salmon may be possessed in a dressed, head-off condition, subject to the following minimum size limit: king salmon, 19-1/2" in dressed, head-off length when salmon no less than 26 inches total length may be possessed; king salmon, 20-1/4" in dressed, head-off length when salmon no less than 27 inches total length may be possessed. Dressed, head-off length is the distance measured along the lateral line between the mid-point of the clavicle and the fork of the tail.

(9) Federal Designated Routine Management Measures. Routine Management Measures, identified as catch restrictions intended to keep landings within the harvest levels announced by the Secretary of Commerce and noticed in the Federal Register by the National Marine Fisheries Service, are hereby incorporated and made a part of these regulations. Should any federal management measures conflict with existing statutes, including Fish and Game Code Sections 8210.2 and 8215, the provisions in the statutes which conflict with the federal management measures are made inoperative.

NOTE: Authority cited: Sections 7652 and 8043, Fish and Game Code.

Reference: Sections 1700, 7600, 7650, 7652, 7652.1, 7652.2, 7652.3, 8046, 8210.2 and 8215, Fish and Game Code; and Title 50, Code of Federal Regulations, Part 660.