

Committee Staff Summary for July 17-18, 2024 MRC

9. Electronic Recreational Fishing Report Cards Rulemaking**Today's Item**Information Action

Receive and discuss Department-recommended regulations to establish electronic recreational fishing report cards, and potential committee recommendation.

Summary of Previous/Future Actions

- Commission adopted regulations allowing Department to implement electronic display for fishing licenses and validations February 8-9, 2023
- Department verbal updates on developing electronic recreational fishing report cards rulemaking at Marine Resources Committee (MRC) and Wildlife Resources Committee (WRC) meetings March 19 and May 16, 2024; MRC and WRC
- **MRC discussion and potential recommendation on Department-proposed electronic report cards rulemaking** July 17-18, 2024; MRC
- WRC discussion and potential recommendation on Department-proposed electronic report cards rulemaking September 12, 2024; WRC
- Notice hearing October 9-10, 2024

Background

Section 1050 of California Fish and Game Code authorizes the Commission to determine the form of all licenses, permits, tags, reservations, and other entitlements and the method of carrying and displaying all licenses. Section 1050.4 of Fish and Game Code, created by [Assembly Bill \(AB\) 817](#) (Chapter 607, Statutes of 2021), authorizes the Department to provide an option to display a sport fishing license, validation, report card, and other fishing entitlements electronically on a mobile device.

In 2023, the Commission adopted regulations authorizing the electronic display of sport fishing licenses and validations, the first step in implementing a paperless option consistent with the provisions of AB 817. The next step – regulation changes to provide an option for electronic displaying and completing a recreational fishing report card – is the subject of the today's discussion.

Under current fresh water and ocean fishing regulations, report cards are mandatory for white sturgeon, steelhead, north coast salmon, spiny lobster, and red abalone (the latter is currently closed). All sport fishing report cards are currently issued by the Department in paper format.

The Department proposes regulation changes to: (1) Amend language in Section 1.74 to allow for mobile display and reporting using the Department's Automated License Data System (ALDS) application; (2) remove report card form numbers from section headings; and (3) include minor and non-substantive updates to the instructions for filling out report cards. The proposed regulation changes will allow the Department to move forward with the design and development of a mobile application for all required fishing report cards. The use of the new

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mobile application will be optional – report card users would be required to choose to use either paper forms *or* the electronic format, but not both concurrently.

In June 2024, the Commission approved adding the electronic report cards rulemaking to the regulatory timetable for public notice in October 2024, discussion in December 2024, and adoption in February 2025. The target effect date for the regulations is July 1, 2025, with the mobile application anticipated to be available to use as early as 9 to 12 months after the regulations are in place.

Today, Department staff will provide a verbal overview of the background and details of the proposed regulation changes, providing an opportunity for MRC to ask questions and potentially develop a recommendation to the Commission. As this rulemaking impacts both ocean fishing and fresh water fishing regulations, proposed changes also will be vetted at the WRC meeting in September 2024 for possible recommendation.

Significant Public Comments (N/A)**Recommendation**

Commission staff: That MRC recommend the Commission advance the proposed regulations to establish an option for electronic display and completion of recreational fishing report cards, as recommended by the Department and discussed today.

Department: Advance to rulemaking the proposed regulations to establish an option for electronic display and completion of recreational fishing report cards, as described today.

Exhibits (N/A)**Motion**

The Marine Resources Committee recommends that the Commission advance to rulemaking the proposed regulation changes to establish electronic recreational fishing report cards to allow for mobile display and reporting using the Department's ALDS license application, remove report card form numbers from section headings, and make minor and non-substantive updates to the instructions for filling out report cards, as recommended by the Department and scheduled to commence with notice in October 2024.