

## Staff Summary for August 14-15, 2024

**3. Fisheries Logbook Forms and Fishing Block Charts (consent)****Today's Item**Information ☐Action ☒

Consider adopting proposed amendments to regulations for fisheries logbook forms and fishing block charts.

**Summary of Previous/Future Actions**

- |                                   |                           |
|-----------------------------------|---------------------------|
| • Notice hearing                  | April 17-18, 2024         |
| • Discussion hearing              | June 19-20, 2024          |
| • <b>Today's adoption hearing</b> | <b>August 14-15, 2024</b> |

**Background**

To ensure fishing records provide the most precise data possible, the Department has proposed updates to charts defining areas of commercial fishing activity. These charts are referred to as "fishing blocks" and are used to document fishing locations for reported catch. The current charts, introduced in 1934, have accumulated inaccuracies over time. Updates to the fishing blocks aim to provide more accurate information to support effective fishery management decisions.

At the April 2024 meeting, the Commission authorized staff to publish a notice of intent to amend regulations regarding marine logbooks and fishing block charts. The notice was published in the California Notice Register on May 31, 2024. The June meeting provided an opportunity for public discussion of the proposed changes to the regulations. The Department has not received any public comments during the public notice period (Exhibit 6).

Details on the proposed changes are available in the initial statement of reasons and proposed regulatory language and forms (exhibits 2 through 4). Today, the Commission will consider adopting proposed amendments to regulations for fisheries logbook forms and fishing block charts.

**Update**

The proposed regulation states that the fishing block series is available online at the Department's website (<https://wildlife.ca.gov/Fishing/Commercial/MFSU>). However, in accordance with the Administrative Procedures Act, the fishing block chart series also needs to be a formal part of the regulation itself (referred to as "incorporating by reference" into the regulation). To comply with the Administrative Procedures Act, Commission staff recommends amending the regulatory text to incorporate the fishing block chart series by reference (Exhibit 5). This update will require a 15-day public notice to allow for comments on the proposed addition to the regulation.

If the Commission does not receive significant comments during the 15-day public notice period, staff will submit the rulemaking to the Office of Administrative Law for approval.

## Staff Summary for August 14-15, 2024

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

**Commission staff:** Under a motion to adopt the consent calendar, adopt the proposed amendments to regulations for fisheries logbook forms and fishing block charts as recommended by the Department and revised to incorporate the fishing block charts by reference in subsection 190(f). Direct staff to publish a 15-day notice to allow for comments on the proposed addition to the regulation.

**Department:** Adopt the amendments to regulations for fisheries logbook forms and fishing block charts as presented in the initial statement of reasons.

**Exhibits**

1. [Staff summary from April 17-18, 2024 Commission meeting \(for background purposes only\)](#)
2. [Amended Initial statement of reasons](#)
3. [Proposed regulatory language](#)
4. [Proposed amended forms DFW 120.7 \(Commercial Dive Fishing Log\) and DFW 122 \(Daily Lobster Log\) in track changes](#)
5. [Proposed fishing block charts, dated 8/2024](#)
6. [Department email in lieu of pre-adoption statement of reasons, received July 23, 2024](#)
7. [Economic and fiscal impact statement \(STD. 399\)](#)

**Motion**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission adopts the staff recommendation for Item 3 on the consent calendar.

Staff Summary for April 17-18, 2024  
(*For background purposes only*)

#### 4. Fisheries Logbook Forms and Fishing Block Charts

##### Today's Item

Information ☐

Action ☒

Consider authorizing publication of notice of intent to amend regulations regarding fisheries logbook forms and fishing block charts.

##### Summary of Previous/Future Actions

- |                          |                          |
|--------------------------|--------------------------|
| • Today's notice hearing | <b>April 17-18, 2024</b> |
| • Discussion hearing     | June 19-20, 2024         |
| • Adoption hearing       | August 14-15, 2024       |

##### Background

The Department produces charts defining areas of commercial fishing activity, commonly referred to as "fishing blocks" and has relied on these fishing blocks since at least 1934 to document fishing locations for reported catch. While the charts have been consistently used, inaccuracies have accumulated over time. To ensure fishing records provide the most precise data possible, the Department is proposing updates to the fishing block system, that will allow the Department to better distinguish where fish are caught. The improvements aim to provide more accurate information to support effective fishery management decisions.

Proposed revisions to the charts aim to address two issues with the current version of the charts:

- Blocks that overlap with other blocks of a different scale, leading to inconsistent reporting and ultimately poor resolution of location, and
- blocks with poor alignment with the U.S./Mexico border where, in some cases, U.S. catch cannot be distinguished from Mexico catch.

In addition, various logbook and fishing activity forms reference the fishing block chart version to be used when block codes must be reported, but are inconsistent regarding the particular chart version to be used. The proposed revisions would ensure that all forms, where a fishing block is reported, use the same and most current chart maintained by the Department.

Proposed changes will support collecting fishing location information at the spatial resolution (level of detail) initially intended and will be more effective at informing fishery management decisions. Additionally, the proposed changes will improve spatial resolution to a level that will allow for correct distinction between catch originating in United States waters versus foreign waters and between inshore and offshore waters of California.

##### ***Proposed Regulations***

**Note:** Section 197 is *not proposed for amendment in this rulemaking* and was erroneously listed on the agenda for today's meeting.

## Staff Summary for April 17-18, 2024

*(For background purposes only)*

The proposed regulation changes include:

- In subsection 705.1(d), remove references to three charts: Northern California Fisheries, Central California Fisheries, and Southern California Fisheries. The charts will, instead, be referenced in Section 190 with a universal provision applicable to all forms requiring fishing origin block number data.
- In Section 190, add a new subsection (f) to specify the California Fisheries Chart Series to be referenced when a Department form requires that the origin block number be specified.
- Amend Section 165 to refer to Subsection 190(f) instead of Section 705.1.
- Make minor updates to Form DFW 120.7, Commercial Dive Fishing Log, and Form DFW 122, Daily Lobster Log.
- Amend sections 120.7 and 122 to reference the updated DFW Form 120.7 and Form 122, respectively.

Further details on the proposed changes are available in the initial statement of reasons (ISOR), proposed regulatory language, and proposed DFW forms 120.7 and 122 (exhibits 2 through 4).

Today, the Department will present an overview of the proposed changes (Exhibit 6).

### Significant Public Comments (N/A)

### Recommendation

**Commission staff:** Authorize publication of notice of intent to amend sections 120.7, 122, 165, 190 and 705.1 related to marine logbooks and coastal charts, as recommended by the Department.

**Department:** Authorize publication of notice of intent to amend sections 120.7, 122, 165, 190 and 705.1.

### Exhibits

1. Department memo transmitting the draft ISOR, received March 26, 2024
2. Draft ISOR
3. Proposed regulatory language
4. Proposed DFW forms 120.7 and 122
5. Economic and fiscal impact statement (STD. 399) and addendum
6. Department presentation

### Motion

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission authorizes publication of a notice of its intent to amend sections 120.7, 122, 165, 190 and 705.1, as discussed today.

State of California  
Fish and Game Commission  
Initial Statement of Reasons for Regulatory Action

Amend Sections 120.7, 122, 165, 190, 705.1  
Title 14, California Code of Regulations  
Re: Marine Logbooks and Block Charts

I. Initial Statement of Reasons: February 5, 2024

II. Amended Initial Statement of Reasons: August 7, 2024

III. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: April 17, 2024

Location: San Jose, CA

(b) Discussion Hearing

Date: June 19, 2024

Location: Mammoth Lakes, CA

(c) Adoption Hearing

Date: August 14, 2024

Location: Fortuna, CA

IV. Description of Regulatory Action

(a) Statement of Specific Purpose of Regulatory Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary

All section references are within the California Code of Regulations, Title 14, unless otherwise noted. Changes from the Initial Statement of Reasons are designated by double underline and double strikeout.

The Department of Fish and Wildlife (Department) produces charts defining areas of fishing activity, commonly referred to as “fishing blocks.” The earliest record of these charts is published in the Division of Fish and Game of California Bureau of Commercial Fisheries, Fish Bulletin No. 44, which describes use in logbooks distributed to the trawler fleet in 1934. These charts, with some modifications made over time, have been in consistent use for reporting fishing activity locations for all marine commercial fisheries.

Some ambiguity has existed for decades, and correction is needed to collect accurate information as initially intended. The proposed changes are necessary for the betterment of fishery management decisions based on this information. Improved data collection will better distinguish between catch originating in U.S. versus foreign waters (i.e., U.S. – Mexico border), and between inshore and offshore waters of California.

Recent evaluation of these charts revealed areas where improvements can be made to reduce ambiguity. The proposed revision of the charts aims to improve on the following issues that are present in the current version of the charts:

- Blocks that overlap with other blocks of a different scale, leading to inconsistent reporting and ultimately poor resolution of location.
- Blocks with poor alignment with the U.S. Mexico border where in some cases U.S. catch cannot be distinguished from Mexican catch.

Within Title 14, the regulatory reference to these charts is made only in Section 705.1 relating to kelp. While the “fishing block” information is required on many fishery reporting forms, the charts are included only two times among those many forms. In order to reduce ambiguity in location reporting and to improve the resolution of the information collected, the proposed action would update the block chart references in each of these logbook forms listed below with a revision in the master set of block code charts. The result is reduction in total number of block codes that can be selected from, accurate alignment with U.S. – Mexico border, and removal of overlapping block areas which have been misinterpreted and incorrectly referenced during reporting. These revisions also condense the charts into a single series for both commercial logbooks and commercial landings. The Department believes that a more universal reference to the charts will add clarity and benefit all fisheries.

#### Proposed Amendments to Regulations

##### Section 705.1. Commercial Kelp Harvester’s Monthly Report

Delete subsection “(d) Maps of department origin blocks also known as fishing blocks” which incorporates by reference the three charts: Northern California Fisheries (September 2015); Central California Fisheries (September 2015); and Southern California Fisheries (April 2016).

The charts will instead be referenced in Section 190 with a universal provision applicable to all forms requiring fishing origin block number data.

##### Section 190. Fishing Activity Records.

Add a new subsection “(f) Fishing Block Charts” which will specify that when a Department form requires that the origin block number be specified, this location number shall be referenced on the California Fisheries Chart Series (REV 08/2024), incorporated by reference, provided by the Department and available online as prescribed by the Department at <https://wildlife.ca.gov/Fishing/Commercial/MFSU>.

Providing this provision within Section 190 adds clarity and consistency to record reporting requirements for all commercial fisheries. The addition of the chart series revision date is necessary to specify what chart series version is referred to in the regulations and to incorporate by reference, consistent with other required logbooks and forms in these regulations.

Section 165. Commercial Harvesting of Kelp and Other Aquatic Plants.

Amend subsection (a)(1)(C) by deleting the phrase “(incorporated by reference in Section 705.1)” and replacing it with “(specified in Section 190(f))”

The charts will be referenced in Section 190 with a universal provision applicable to all forms requiring fishing origin block number data.

Section 122. Spiny Lobster Permits and Restricted Areas.

Amend subsection (e), Records. States that pursuant to Section 190, any person who owns and/or operates any vessel used to take lobsters for commercial purposes shall complete and submit an accurate record of his/her lobster fishing activities on a form Daily Lobster Log (DFW 122 (REV. 03/04/16)). The form is incorporated by reference in Section 122. In this version of form 122, the Southern California Fisheries Chart (June 2001) are attached as a part of the instructions and are therefore a permanent part of the form. The amendment will strike out this outdated version of the block chart, amend text for clarity, and specify a revised form, not including the charts, which will then be subject to the universal provisions of Section 190, Fishing Activity Records.

Section 120.7. Taking of Sea Urchins for Commercial Purposes.

Amend subsection (m) Logbooks. States that pursuant to Section 190, each permittee shall complete and submit an accurate record of all sea urchin fishing activities on a form “Commercial Dive Fishing Log (DFW 120.7 (REV. 12/08/17))”. The form is incorporated by reference in Section 120.7. In this version of form 120.7, the Northern and Southern California Fisheries Charts (September 2015) are attached as a part of the instructions and are therefore a permanent part of the form. The amendment will amend text for clarity, delete a sentence which is redundant relative to provisions covered in Section 190, and specify a revised form, not including the charts, which will then be subject to the universal provisions of Section 190, Fishing Activity Records.

Proposed Revisions to Forms Incorporated by Reference.

Multiple Department forms used in mandated reporting of fishing activity include a field for reporting where fishing took place, referred to as “origin block,” “fishing block,” “F & W block number,” “F & G block number,” or “block number.” This is required on forms: 113A, 120, 120.7, 149b, 174, 176, 180A, 180B, 195A, 195B, 625m, 626 and 2025. In addition, required commercial fishing landing reporting requirements for electronic fish tickets and paper receipts outlined in Section 197 include a required field for “Department origin block number where the fish were caught.” Most of these forms do not specify a version of the fishing chart to be used. The fisheries charts are provided within only two forms (DFW 120.7 and DFW 122), and these forms will need revision so that one universal version of block chart as proposed in Section 190 is used in all forms.

Commercial Dive Fishing Log (DFW 120.7 (REV. 12/08/17)).

In the current version of form 120.7, the California Fisheries Charts (September 2015) are attached as a part of the instructions for finding and entering the origin block. Since



the form is incorporated by reference in Section 120.7, the charts are therefore a permanent part of the form. The revision will remove the charts from the instructions on the form, clarifying that the log will then be subject to the universal provisions of Section 190, Fishing Activity Records with the newly proposed subsection 190(f). The revised form will also update office addresses, nomenclature for field names, and include fields for “Species” and “Fish Ticket Number.” A new revision date Rev. 03/2024 on the form indicates the change. These changes are necessary to update the dive log for users to access the most recent procedures and block charts proposed for standardization.

#### Daily Lobster Log (DFW 122 (REV. 03/04/16)).

In the current version of form 122 the California Fisheries Charts (June 2001) are attached as a part of the instructions for finding and entering the origin block. The form is incorporated by reference in Section 122, and the charts are therefore a permanent part of the form. The revision will remove the charts from these instructions on the form, clarifying that the log will then be subject to the universal provisions of Section 190, Fishing Activity Records (third page, under “Definitions”).

The revised form will also update an office address and nomenclature for some field names. “Landing receipt” is changed to “Fish Ticket” to reflect potential submissions via the electronic fish ticket (E-tix) or landing receipts associated with the catch. The “F & W Vessel Number” is proposed for update to “CDFW Boat Registration Number” to more accurately reflect terminology used in lobster fishing. A new revision date Rev. 03/2024 on the form indicates the change. These changes are necessary to update the lobster log for users to access the most recent procedures and block charts proposed for standardization.

#### (b) Goals and Benefits of the Regulation

Improvement in fisheries charts will improve the quality of the data used by the Department in its ocean fisheries management recommendations resulting in net benefits to stakeholders.

The current reference for block codes creates ambiguity in the information collected. Corrections are needed in order to collect the information at the resolution initially intended. The proposed changes are necessary for the betterment of fishery management decisions based on this information. Additionally, the proposed changes will improve spatial resolution to a level that will allow for correct distinction between catch originating in U.S. versus foreign waters and between inshore and offshore waters of California.

#### (c) Authority and Reference Sections from Fish and Game Code for Regulation

§ 120.7 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.

§ 122 Authority cited: Sections 1050, 7075, 7078, 8254 and 8259, Fish and Game Code.

Reference: Sections 1050, 2365, 7050, 7055, 7056, 7071, 7852.2, 8026, 8043, 8046,



8250, 8250.5, 8254, 9002, 9005, 9006 and 9010, Fish and Game Code.

§ 165 Authority cited: Sections 6653 and 6653.5, Fish and Game Code. Reference: Sections 51, 6650, 6651, 6652, 6653, 6653.5, 6654, 6656 and 6680, Fish and Game Code.

§ 190 Authority cited: Sections 7920, 7923, 7924, 8022, 8026 and 8587.1, Fish and Game Code. Reference: Sections 7055, 7056, 7058, 7060, 7923, 7924, 8022, 8026 and 8587.1, Fish and Game Code.

§ 197 Authority cited: Sections 1050(b), 8046, 8046.1 and 8047, Fish and Game Code. Reference: Sections 8031, 8032, 8033, 8033.1, 8034, 8035, 8040, 8043, 8045 and 8047, Fish and Game Code; and Title 50, Sections 660.113, 660.213 and 660.313, Code of Federal Regulations.

§ 705.1 Authority cited: Sections 1050, 6651, 6653 and 6653.5, Fish and Game Code. Reference: Sections 713, 1050, 6650, 6651, 6652, 6653 and 6653.5, Fish and Game Code.

(d) Specific Technology or Equipment Required by Regulatory Change. None

(e) Identification of Reports or Documents Supporting Regulation Change

Landings and logbook database records going back to the origin for each of these datasets show that some block codes have never been used. This is because they do not accurately represent correct areas of effort. In addition, the current chart shows where block areas do not align with the U.S./ Mexico border.

Due to data confidentiality specified in FGC § 8022, access to raw database records in the Department's Marine Landings Data System and Marine Logs System is available internally only and is not a publicly accessible record. Public summary of the landings data is available in the Marine Fisheries Data Explorer: <https://wildlife.ca.gov/MFDE>.

(f) Public Discussions of Proposed Regulations Prior to Notice Publication

March 19, 2024, Marine Resources Committee meeting, San Clemente, CA

## V. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives to this regulatory change were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect. Changes to the Fisheries Charts and the necessary fishing block information cannot be accomplished by different means.

(b) No Change Alternative

Without a change, the collection of location data will continue with ambiguity and lower resolution.

(c) Description of Reasonable Alternatives that Would Lessen Adverse Impact on Small Business

There is no alternative that would lessen the burden on Small Business. The proposed regulations have no impact on small businesses such as charter boats, fishing vessel owners, commercial fishing license holders, and fish receivers. The requirement for reporting fishing block information has pre-existed for decades and is already being provided to the Department by these businesses. The proposal entails a requirement only that they use a new lookup reference with marginal change in the updated version as compared to the existing version. Use of the new look up reference will not require any additional effort, time, or equipment.

VI. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VII. 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 initial 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 Commission does not anticipate that the proposed action will have significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes provide clarification of existing regulations that aid in the continued preservation of marine resources, while continuing to maintain commercial and sport fishing opportunities and thus, the prevention of adverse economic impacts.

(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 Commission does not anticipate adverse impacts on the creation or elimination of jobs within the state. The Commission does not anticipate adverse impacts on the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed changes are to provide clarification of existing regulations that are not anticipated to change the level of fishing activity and thus the demand for goods and services related to marine resource harvest that could impact the demand for labor, nor induce the creation of new businesses, the elimination, nor the expansion of businesses in California. The Commission does not anticipate any benefits to the health and welfare of California residents or to worker safety.

The Commission anticipates benefits to the State's environment indirectly through

improved accuracy in information collected for the betterment of fisheries management, which improves fish stocks and the marine coastal ecosystem.

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

The Commission 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.

No changes to costs or savings to state agencies or in federal funding are anticipated by the proposed clarification of existing regulations. The Department program implementation and enforcement are projected to remain the same with a stable volume of marine resource harvest activity.

(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

VIII. Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

The Commission does not anticipate that the proposed regulation will prompt the creation or the elimination of jobs within the state. Modifications to fishing block charts for clarity and consistency will not affect current reporting procedures for affected parties and would not precipitate the creation of jobs or the elimination of jobs.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

The Commission anticipates that the proposed regulation will not prompt the creation of new businesses or the elimination of existing businesses within the state. Modifications to fishing block charts for clarity and consistency will not affect current reporting procedures for affected parties and would not precipitate the need for new businesses or cause the elimination of existing businesses.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

The Commission does not anticipate that the proposed clarification of fishing block charts would induce impacts on the expansion of businesses currently doing business within the state. The proposed regulations are not anticipated to increase demand for services or products from the existing businesses that serve individuals who engage in marine resource harvest.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

The Commission does not anticipate benefits to the health and welfare of California residents because the proposed regulatory change has no relation to health or welfare.

(e) Benefits of the Regulation to Worker Safety

The Commission does not anticipate any benefits to worker safety from the proposed regulations because there is no nexus with working conditions.

(f) Benefits of the Regulation to the State's Environment

The Commission anticipates benefits to the environment because the data collected will improve the quality of the information used by the Department in its ocean fisheries management decisions resulting in net benefits to management of these resources and their related ecosystem. It is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of waters under the authority and influence of the state for the benefit of all the citizens of the state.

(g) Other Benefits of the Regulation

Provides the Department consistency and a more clear and efficient common reference for information collected across all states required commercial fishery reporting.

## Informative Digest/Policy Statement Overview

The Department of Fish and Wildlife (Department) produces charts defining areas of fishing activity in California waters, commonly referred to as “fishing blocks.” The earliest record of these charts is published in the Division of Fish and Game of California Bureau of Commercial Fisheries, Fish Bulletin No. 44 which describes use in logbooks distributed to the trawler fleet in 1934. These charts, with some modifications made over time, have been in consistent use for reporting fishing activity locations for all marine commercial fisheries.

Some ambiguity has existed for decades regarding accuracy of the block charts, and correction is needed to collect accurate information as initially intended. The proposed changes are necessary for the betterment of fishery management decisions based on this information. Improved data collection will better distinguish between catch originating in U.S. versus foreign waters and between inshore and offshore waters of California.

### Proposed Amendments

In order to implement the proposed improvement in the block charts and to reconcile and clarify which version of block charts should be referenced universally across all forms when reporting block origin in California commercial marine fisheries, the Department proposes amendment to the following sections:

- Delete subsection (d) of Section 705.1 removing references to the California Fisheries Charts
- Add subsection (f) to Section 190 providing for universal use of the California Fisheries Chart Series that all commercial fishing activity records requiring fishing origin block data will use. Charts can be accessed here:  
<https://wildlife.ca.gov/Fishing/Commercial/MFSU>
- Amend subsection 165(a)(1)(C) by deleting the phrase “(incorporated by reference in Section 705.1)” and replacing it with “(specified in Section 190(f))”.
- Amend sections 120.7 and § 122 to reflect revised versions of forms DFW 120.7 and DFW 122 where the existing block chart is removed as a figure in the instruction.
- Amend forms DFW 120.7 and DFW 122, Rev. March 2024, in accordance with the changes to the regulatory sections.

### Benefits of the regulations

The benefits of the proposed regulations are clarity and consistency for the commercial fishery when required to use the charts in reporting their fishing activity. Universal use of the charts is beneficial for the improvement of fishery management decisions based on this information.

### Evaluation of incompatibility with existing regulations

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated

to the Commission the power to adopt regulations governing aspects of the commercial marine fishing logs (California Fish and Game Code sections 8026, 8254, and 9054). No other state agency has the authority to adopt regulations governing marine logs. The Commission has reviewed its own regulations and finds that the proposed regulations are consistent with other marine fishing regulations and marine protected area regulations in Title 14, CCR, and therefore finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.





## Proposed Regulatory Language

Section 120.7, Title 14, California Code of Regulations, is amended 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~~ keep and submit a complete and accurate record of all sea urchin fishing activities on a form Commercial Dive Fishing Log (DFW 120.7 ~~(REV. 12/08/17)~~ (REV. 03/2024)), 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.

## Proposed Regulatory Language

Section 122, Title 14, California Code of Regulations, is amended as follows:

### **§ 122. Spiny Lobster Permits and Restricted Areas.**

. . . *[No changes to subsections (a) through (d)]*

(e) Records. Pursuant to Section 190 ~~of these regulations~~, any person who owns and/or operates any vessel used to take lobsters for commercial purposes shall ~~complete and submit an~~ keep and submit a complete and accurate record of his/her all lobster fishing activities on a form (Daily Lobster Log, DFW 122 (REV. 03/04/16) (REV. 03/2024), incorporated herein by reference) provided by the department.

. . . *[No changes to subsections (f) through (h)]*

NOTE: Authority cited: Sections 1050, 7075, 7078, 8254 and 8259, Fish and Game Code.

Reference: Sections 1050, 2365, 7050, 7055, 7056, 7071, 7852.2, 8026, 8043, 8046, 8250, 8250.5, 8254, 9002, 9005, 9006 and 9010, Fish and Game Code.

## Proposed Regulatory Language

Section 165, Title 14, California Code of Regulations is amended as follows:

### **§ 165. Commercial Harvesting of Kelp and Other Aquatic Plants.**

. . . *[No changes to subsections (a) through (a)(1)(B)]*

(C) License applications, informational maps depicting administrative kelp beds (defined in Section 165.5) and maps of fishing blocks ~~(incorporated by reference in Section 705.1)~~ (specified in subsection 190(f)) for edible seaweed and agar-bearing marine algae, and Monthly Harvest Reports are available on request by contacting the department's Seal Beach office by phone at (562) 342-7100.

. . . *[No changes to subsections (a)(2) through (g)]*

NOTE: Authority cited: Sections 6653 and 6653.5, Fish and Game Code.

Reference: Sections 51, 6650, 6651, 6652, 6653, 6653.5, 6654, 6656 and 6680, Fish and Game Code.

## Proposed Regulatory Language

Section 190, Title 14, California Code of Regulations, is amended as follows:

### **§ 190. Fishing Activity Records.**

. . . *[No changes to subsections (a) through (e)]*

(f) Fishing Block Chart. When a department form requires the origin block number, this block number shall be referenced using the California Fisheries Chart Series (REV 08/2024) incorporated by reference herein, and provided ~~prescribed~~ by the department and available online at <https://wildlife.ca.gov/Fishing/Commercial/MFSU>.

NOTE: Authority cited: Sections 7920, 7923, 7924, 8022, 8026 and 8587.1, Fish and Game Code. Reference: Sections 7055, 7056, 7058, 7060, 7923, 7924, 8022, 8026 and 8587.1, Fish and Game Code.

## Proposed Regulatory Language

Section 705.1, Title 14, California Code of Regulations, is amended as follows:

### **§ 705.1. Commercial Kelp Harvesting and Drying Application, Monthly Harvest Reports.**

#### (a) Application

- (1) 2023 Kelp Harvesting License and Drying Application DFW 658 (REV. 01/01/23), incorporated by reference herein.
- (2) Permit Fees. \$174.75 (does not include the fees specified in subsection 700.4(e)).

#### (b) Monthly Harvest Reports

- (1) Commercial Kelp Harvester's Monthly Report DFW 113 (REV. 01/01/23), incorporated by reference herein.
- (2) Commercial Edible Seaweed/Agarweed Aquatic Plant Harvester's Monthly Report DFW 113A (REV. 01/01/23), incorporated by reference herein.

#### (c) Release of Property

- (1) Release of Property DFW 1108 (NEW 07/01/22), incorporated by reference herein.

#### ~~(d) Maps of department origin blocks also known as fishing blocks~~

- ~~(1) Northern California Fisheries Chart (September 2015), incorporated by reference herein.~~
- ~~(2) Central California Fisheries Chart (September 2015), incorporated by reference herein.~~
- ~~(3) Southern California Fisheries Chart (April 2016), incorporated by reference herein.~~

NOTE: Authority cited: Sections 1050, 6651, 6653 and 6653.5, Fish and Game Code.  
Reference: Sections 713, 1050, 6650, 6651, 6652, 6653 and 6653.5, Fish and Game Code.

# 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~~ is the origin block number from the California Fisheries Chart Series available at <https://wildlife.ca.gov/Fishing/Commercial/MFSU>
- “Lat/Lon”** is the latitude and longitude, to the 0.01 minute, of the catch location
- “Species”** is the species of the catch
- “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 ½ 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
- “Fish Ticket Number”** ~~is the serial number of the electronic fish ticket (E-tix) or landing receipt associated with the harvested catch.~~
- “Remarks”** ~~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.~~ Title 14, California Code of Regulations
- By the 10<sup>th</sup> 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

~~3030 Old Ranch Parkway, Suite 400  
Seal Beach, CA 90740~~

(Northern California sea urchin logs)

Calif. Dept. of Fish and Wildlife  
32330 N Harbor Drive  
Fort Bragg, CA 95437

~~3637 Westwind Blvd.  
Santa Rosa, CA 95403~~

**NOTICE**

- Information requested by:  
**California Natural Resources Agency  
Department of Fish and Wildlife  
Marine Resources Region**
- Responsible Agency Official:  
**Regional Manager, Marine Region  
California Dept. of Fish and Wildlife  
~~3030 Old Ranch Parkway, Suite 400 Seal Beach, CA 90740~~ 4665 Lampson Avenue, Suite C  
Los Alamitos, CA 90720**
- Authority:  
**California Code of Regulation  
Title 14, Sections 190 and 120.7(m)  
California Fish and Game Code  
Sections 8026 and 8405.1**
- Each sea urchin or sea cucumber permittee is required to prepare a daily log. Failure to keep and submit complete and accurate logs may result in revocation or suspension of your diving permit by the Department.
- Fishing activity records shall be kept on forms provided by the Department.
- 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.
- 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.
- Every individual has the right of access to his or her own information: California Civil Code



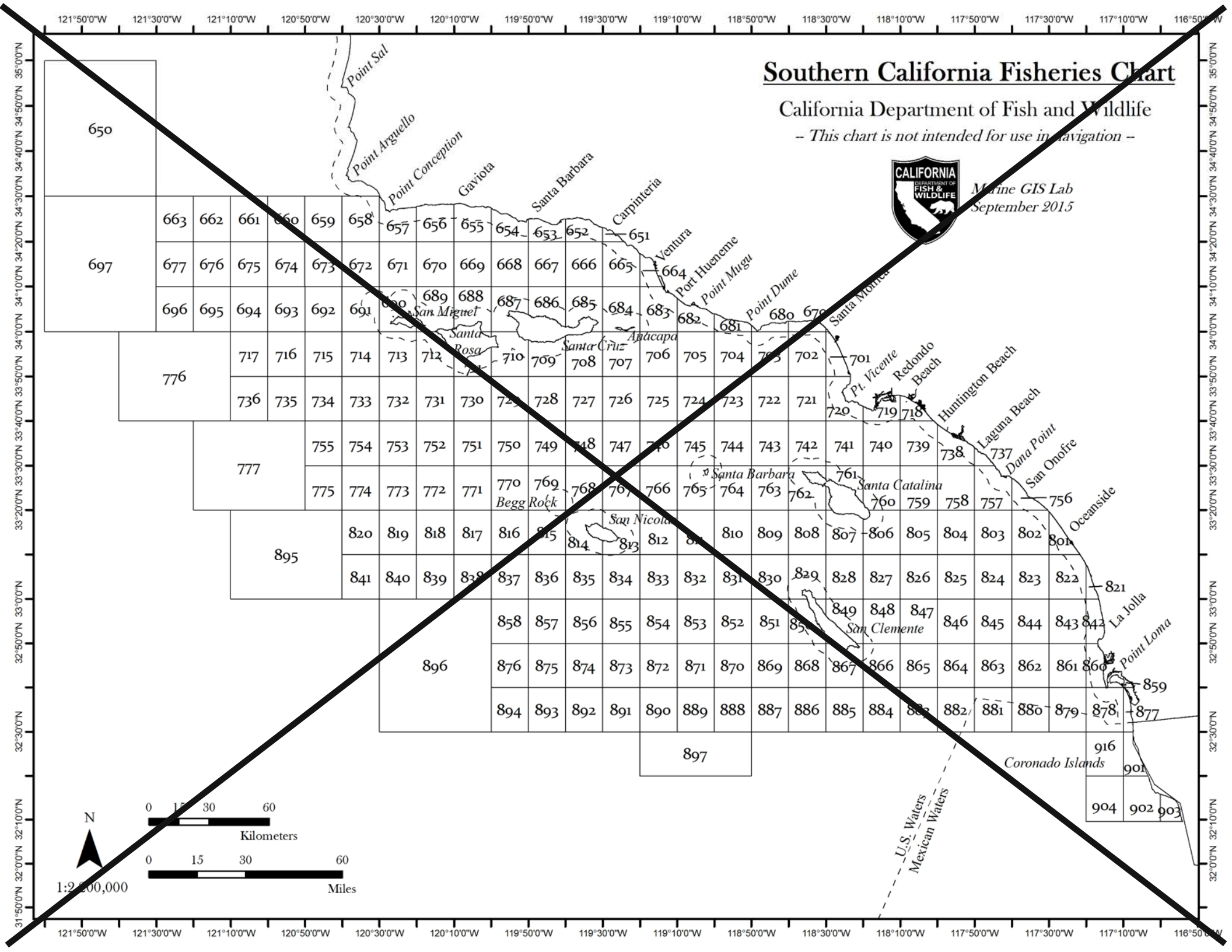
# Southern California Fisheries Chart

California Department of Fish and Wildlife

- This chart is not intended for use in navigation -



Marine GIS Lab  
September 2015



0 15 30 60  
Kilometers

0 15 30 60  
Miles

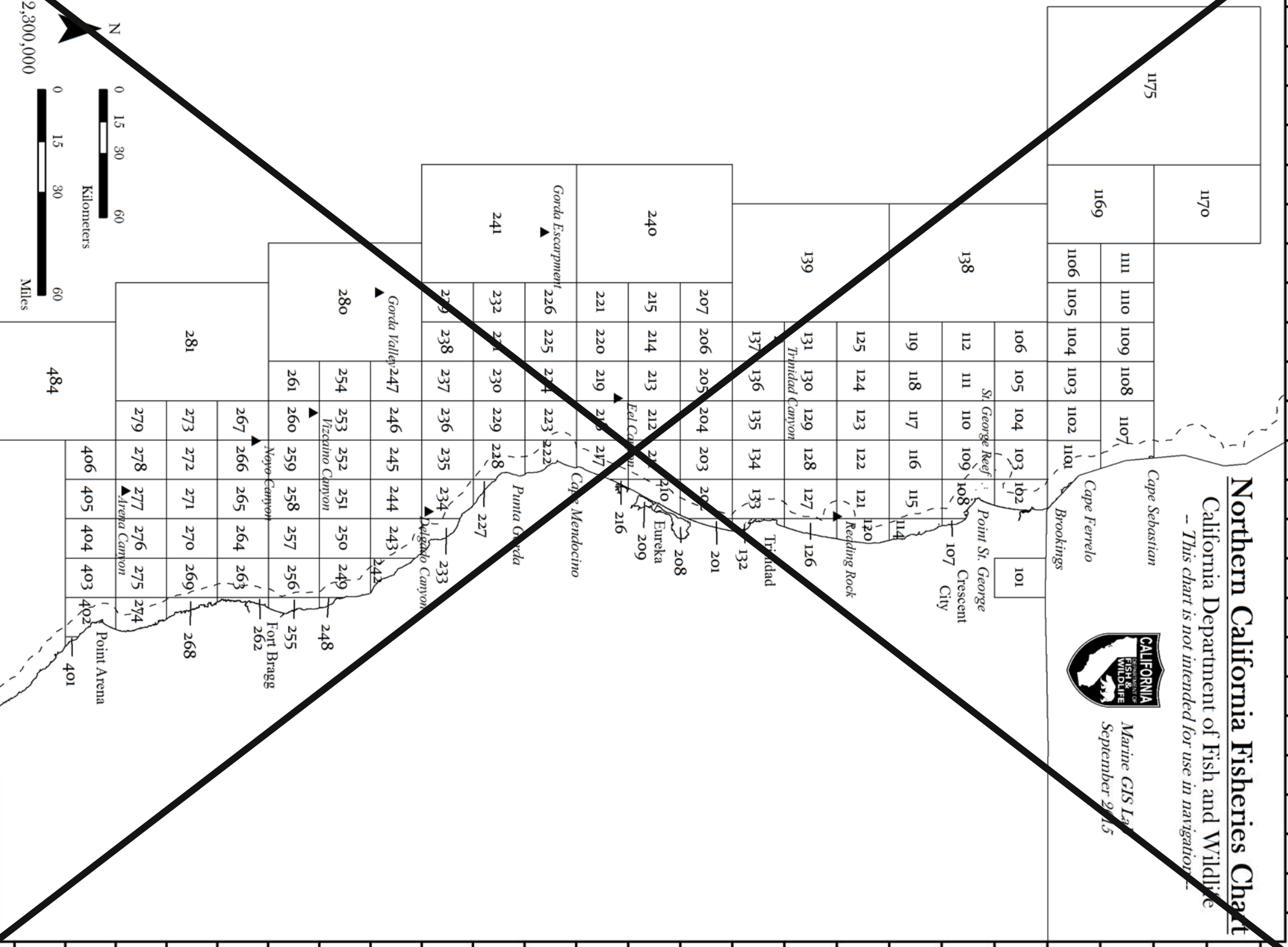
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# Northern California Fisheries Chart

California Department of Fish and Wildlife  
- This chart is not intended for use in navigation -



*Marine GIS Layer*  
September 9, 2015



\*SPECIES \_\_\_\_\_

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

(see codes below)

Month of \_\_\_\_\_ Year \_\_\_\_\_

Permit Holder (name) \_\_\_\_\_

Permittee's I.D. # L \_\_\_\_\_

Incidental Species Codes

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

Vessel Name \_\_\_\_\_ F&W Number \_\_\_\_\_ CDFW Commercial Boat Registration Number \_\_\_\_\_

Day	Block Number	Lat/Lon. (to 0.01 minutes)		*Species (see codes below)	Landmark	Depth Range (feet)	Hours **	Pounds Harvested	Port and Dealer	Fish Ticket	Remarks
		Latitude	Longitude							Number (include incidental species taken)	
				RSU		-				316658E	
				RSU		-				316723E	
				WSC		-				313547E	
						-					
						-					
						-					
						-					
						-					
						-					
						-					
						-					
						-					
						-					
						-					
						-					
						-					
						-					

\*Species Codes: red sea urchin = RSU, purple sea urchin = PSU, warty sea cucumber = WSC, giant red sea cucumber = GRS  
Wavy turban snail = WTS, Kellet's whelk = KW, Keyhole limpet = KHL

\*\*Diver hours = Total hours spent harvesting underwater at this location, to the nearest ½ hour

Signature: \_\_\_\_\_  
Permit Holder

MAIL THIS PAGE NO LATER THAN THE 10<sup>TH</sup> 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.

\*SPECIES \_\_\_\_\_

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

(see codes below)

Month of \_\_\_\_\_ Year \_\_\_\_\_

Permit Holder (name) \_\_\_\_\_

Permittee's I.D. # L \_\_\_\_\_

Incidental Species Codes

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

Vessel Name \_\_\_\_\_ F&W Number \_\_\_\_\_ CDFW Commercial Boat Registration Number \_\_\_\_\_

Fish Ticket  
Number

Day	Block Number	Lat/Lon. (to 0.01 minutes)		Species (see codes below)	Landmark	Depth Range (feet)	Hours **	Pounds Harvested	Port and Dealer	Fish Ticket Number (include incidental species taken)	Remarks
		Latitude	Longitude								
						-					
						-					
						-					
						-					
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\*Species Codes: red sea urchin = RSU, purple sea urchin = PSU, warty sea cucumber = WSC, giant red sea cucumber = GRS  
Wavy turban snail = WTS, Kellet's whelk = KW, Keyhole limpet = KHL

\*\*Diver hours = Total hours spent harvesting underwater at this location, to the nearest ½ hour

Signature: \_\_\_\_\_  
Permit Holder

MAIL THIS PAGE NO LATER THAN THE 10<sup>TH</sup> 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.



## STATE OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

# DAILY LOBSTER LOG

### NOTICE TO PERMITTEES

- This information is being requested by THE STATE OF CALIFORNIA, Department of Fish and Wildlife, Marine Region, for the principal purposes of fisheries research and management. The official responsible for maintaining this information is:

Regional Manager, Marine Region

~~4665 Lampson Avenue, Suite G~~ 3030 Old Ranch Parkway, Suite 400

~~Los Alamitos, CA 90720~~ Seal Beach, CA 90740

- Any person who owns and/or operates any vessel used to take lobsters must keep and submit a complete and accurate record of all lobster fishing activities on forms provided by the Department. This information is required pursuant to Fish and Game Code Sections 7923 and 8026, and California Code of Regulations, Title 14, Sections 122 and 190.
- Fish and Game Code Sections 8026 and 12002 impose permit/license suspension or revocation, and other penalties, for failing to provide this information.
- Pursuant to Fish and Game Code Section 8022, this Form and the information contained therein is confidential and shall not be public records. The information shall be compiled or published as summaries, so as not to disclose the individual records or business of any person. The Department may release this information to any federal fishery management agency for the purposes of enforcing fishery management provisions, provided the information otherwise remains confidential. The Department may also release this information for law enforcement purposes, or pursuant to a court order.
- An individual may access records maintained by the Department that contain their personal information by contacting the official at the above address.



NAME: .....

ADDRESS: .....

FISHERMEN ID: .....

IS THIS A CHANGE OF ADDRESS?      YES ☐      NO ☐

MORE ENVELOPES NEEDED?      YES ☐      NO ☐

Send this form in with monthly logs or call (562) 342-7130

**FOR DEPARTMENT USE ONLY**

LOGBOOK NUMBER: .....

ISSUE DATE: .....

ISSUED BY: .....

OFFICE LOCATION: .....



## IMPORTANT INSTRUCTIONS

### General

1. Complete a separate fishing activity section for each day traps are pulled, this includes multi-day trips. If more than 5 locations were fished in one day, continue recording fishing information in the next section and enter the **same date** in the data box. For multi-day trips or received catch, record the landing receipt fish ticket number(s) for the entire load on the last day traps were pulled.
2. If multiple permittees are aboard the vessel, only one logbook entry should be submitted for that day's fishing. If the fisherman or vessel ID number changes before the 2 fishing activity sections are completed, proceed to the following page and record new information.
3. Return the completed top copies to the Department on or before the 10th day of the following month (MFSU, ~~4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720~~ 3030 Old Ranch Parkway, Suite 400, Seal Beach, CA 90740). Voided logs must also be submitted. Notification is not needed for months not fished. Do not fold or staple these forms.
4. The duplicate copy is the property of the permittee and it remains in the book as your permanent fishing record.
5. All logbook and/or envelope requests will be processed through the ~~Los Alamitos Seal Beach~~ office. Please use thereorder form printed on the front flap of this logbook and submit with monthly logs.

### Specific

1. Please print all characters in ink (no pencil) using CAPITAL letters only. Print each character entirely within the boxes that are provided.
2. The current log format **cannot** accommodate ranges in depth, block numbers, nights in water, etc. Please record information as described in the DEFINITIONS section below.
3. For those cases where mechanical failure, major storm events, etc. precludes trap tending in compliance with Fish and Wildlife regulations, record exact nights soaked with explanation in the note pad area.

## DEFINITIONS

**Fishing Activity Section:** The area of the log where specific trapping information (Trap Location, Depth, etc.) is recorded for EACH day of trapping. One log page can accommodate two (2) separate days of fishing.

**Trap Locations:** Report the **Latitude and Longitude** for a specific set of traps. Use decimal minutes to the hundredths place. Example 34° 05.15N, 120° 04.85W.

**F&W Block Number:** ~~The block number where most of the fishing occurred.~~ The origin block number from the California Fisheries Chart Series available at <https://wildlife.ca.gov/Fishing/Commercial/MFSU>

**Depth (in feet):** Depth at which **most** of the traps within the set are placed.

**No. Traps Pulled:** Number of traps tended within the set.

**No. Shorts Released:** Number of sub-legal lobsters immediately returned to the water.

**No. Legals Retained:** Number of legal lobsters kept for commercial/personal use.

**Date Traps Pulled:** Date the specified traps were tended.

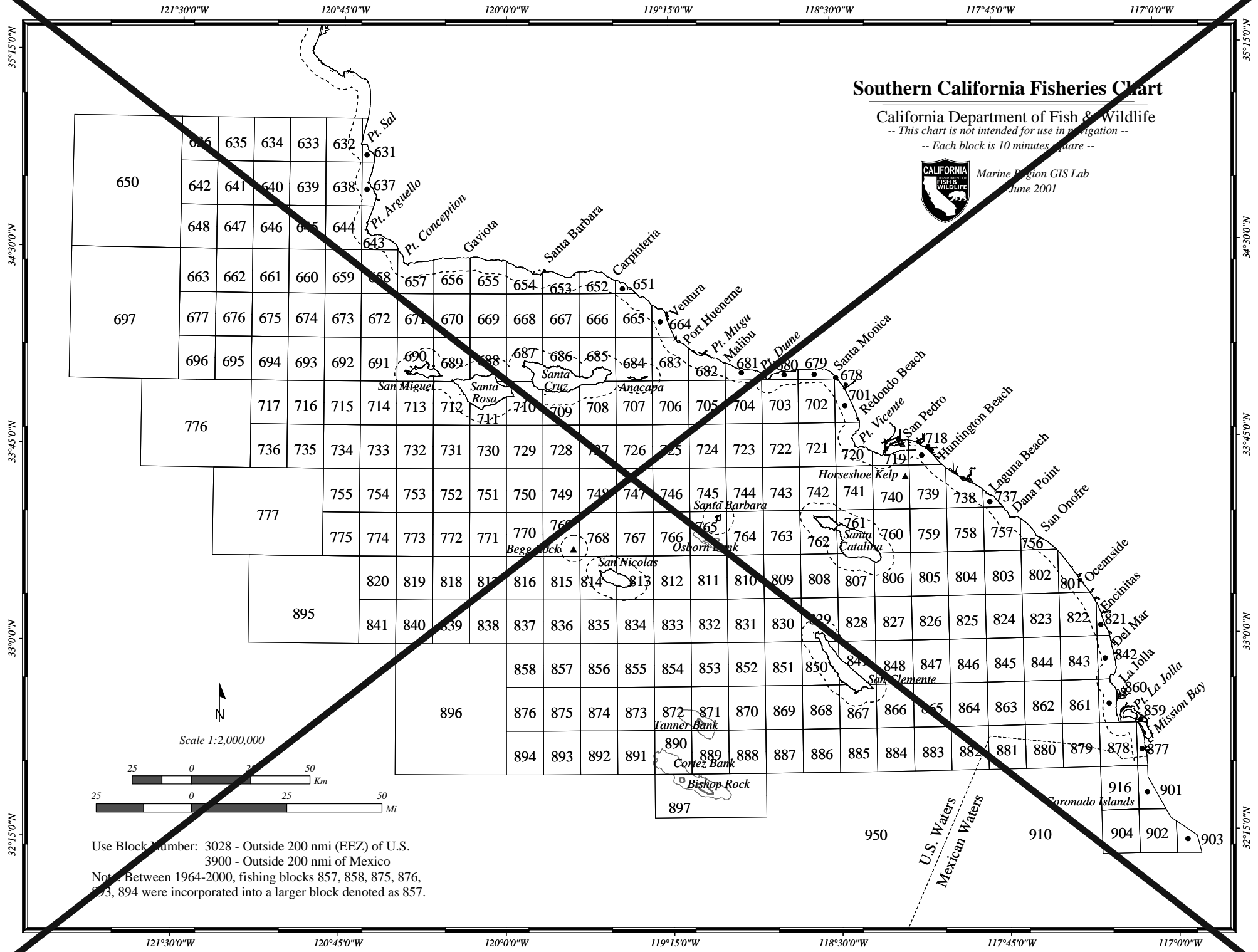
**Note Pad:** For permittee's use. Shall be used for additional landing receipts and Crew ID numbers as well as vessel failure/storm notification..

**Multi-day trip/Received:** To be marked if the day's fishing activity is associated with a multi-day trip or if lobsters are received for future sale.

**No. Traps Currently Deployed:** Total number of traps currently deployed in the water.

**Landing Receipt -Fish Ticket Number(s):** ~~Landing receipt associated with the lobsters retained for that day's fishing. Please remember to enter the Alpha character for the receipt in first box (Ex: **Q** 215435 or **P** 532076).~~ Serial number of the electronic fish ticket (E-tix) or landing receipt associated with the harvested catch.





# Southern California Fisheries Chart

California Department of Fish & Wildlife

-- This chart is not intended for use in navigation --

-- Each block is 10 minutes square --



Marine Region GIS Lab  
June 2001

Use Block Number: 3028 - Outside 200 nmi (EEZ) of U.S.  
3900 - Outside 200 nmi of Mexico  
Note: Between 1964-2000, fishing blocks 857, 858, 875, 876, 893, 894 were incorporated into a larger block denoted as 857.



State of California – Department of Fish and Wildlife

# DAILY LOBSTER LOG

DFW 122 (REV. 03/04/16 03/2024) Previously DFG 122

SL

CDFW Boat Registration Number

FISHERMAN LAST NAME	F. I.	FISHERMAN ID NUMBER	VESSEL NAME	F & W VESSEL NUMBER
		L		

TRAP LOCATIONS				F & W Block No.	DEPTH (IN FEET)	No. of TRAPS PULLED	No. NIGHTS IN WATER	No. of SHORTS RELEASED	No. of LEGALS RETAINED	DATE TRAPS PULLED			NOTE PAD:          MULTI-DAY TRIP <input type="checkbox"/>  # OF TRAPS CURRENTLY DEPLOYED <input type="text"/> <input type="text"/> <input type="text"/>
LATITUDE		LONGITUDE								MONTH	DAY	YEAR	
Degree Ex. 34°	Minutes Ex. 05.15'	Degree Ex. 120°	Minutes Ex. 04.85'										
FISH TICKET NUMBERS (S)													
LANDING RECEIPT NUMBER (S)				2)		3)		4)		CREW ID NUMBERS			
1)										L			
										L			

TRAP LOCATIONS				F & W Block No.	DEPTH (IN FEET)	No. of TRAPS PULLED	No. NIGHTS IN WATER	No. of SHORTS RELEASED	No. of LEGALS RETAINED	DATE TRAPS PULLED			NOTE PAD:          MULTI-DAY TRIP <input type="checkbox"/>  # OF TRAPS CURRENTLY DEPLOYED <input type="text"/> <input type="text"/> <input type="text"/>
LATITUDE		LONGITUDE								MONTH	DAY	YEAR	
Degree Ex. 34°	Minutes Ex. 05.15'	Degree Ex. 120°	Minutes Ex. 04.85'										
FISH TICKET NUMBERS (S)													
LANDING RECEIPT NUMBER (S)				2)		3)		4)		CREW ID NUMBERS			
1)										L			
										L			

GREEN = DEPT. OF FISH AND WILDLIFE COPY YELLOW= FISHERMAN COPY



State of California – Department of Fish and Wildlife

**DAILY LOBSTER LOG**

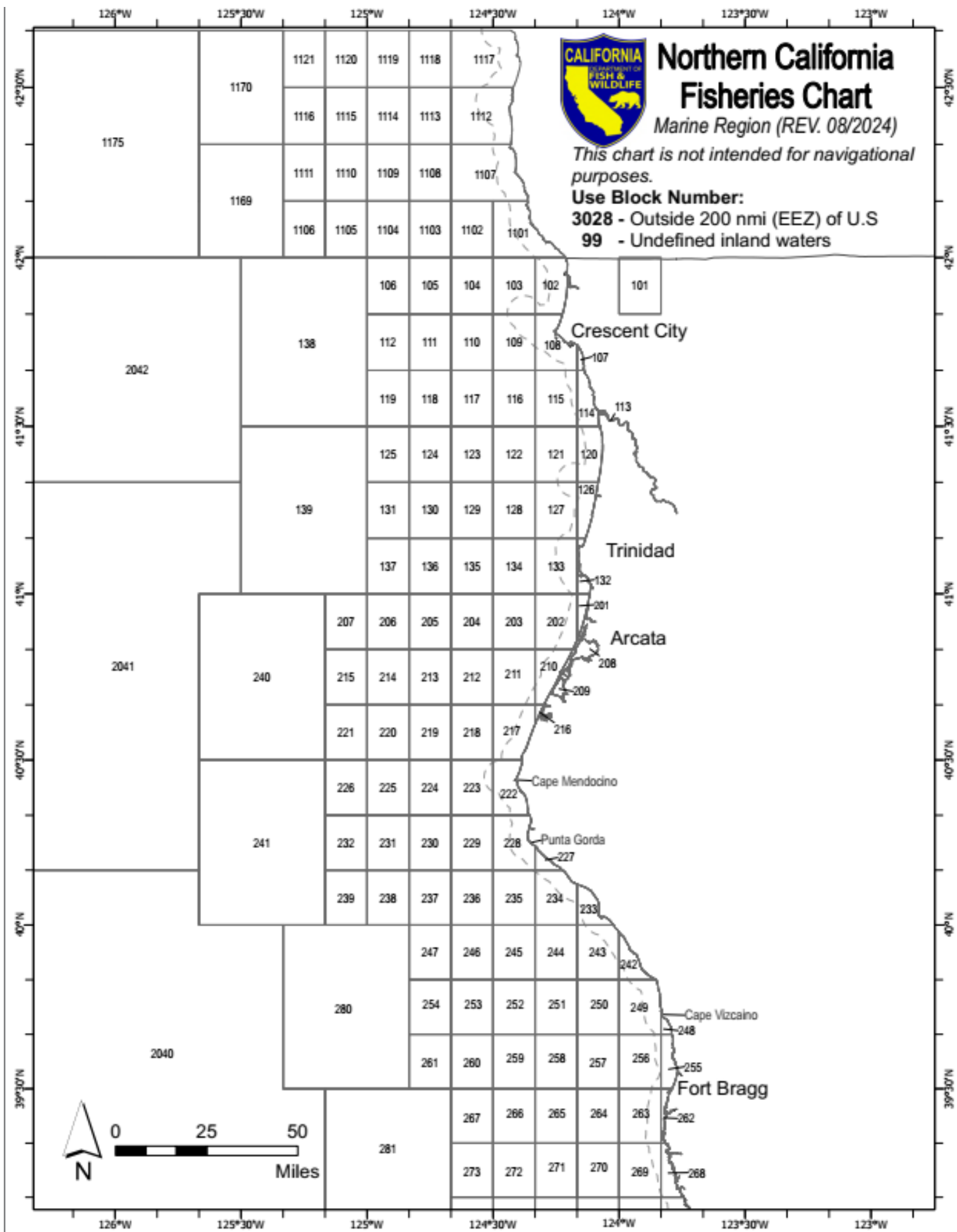
DFW 122 (REV. 03/04/16 03/2024) Previously DFG 122

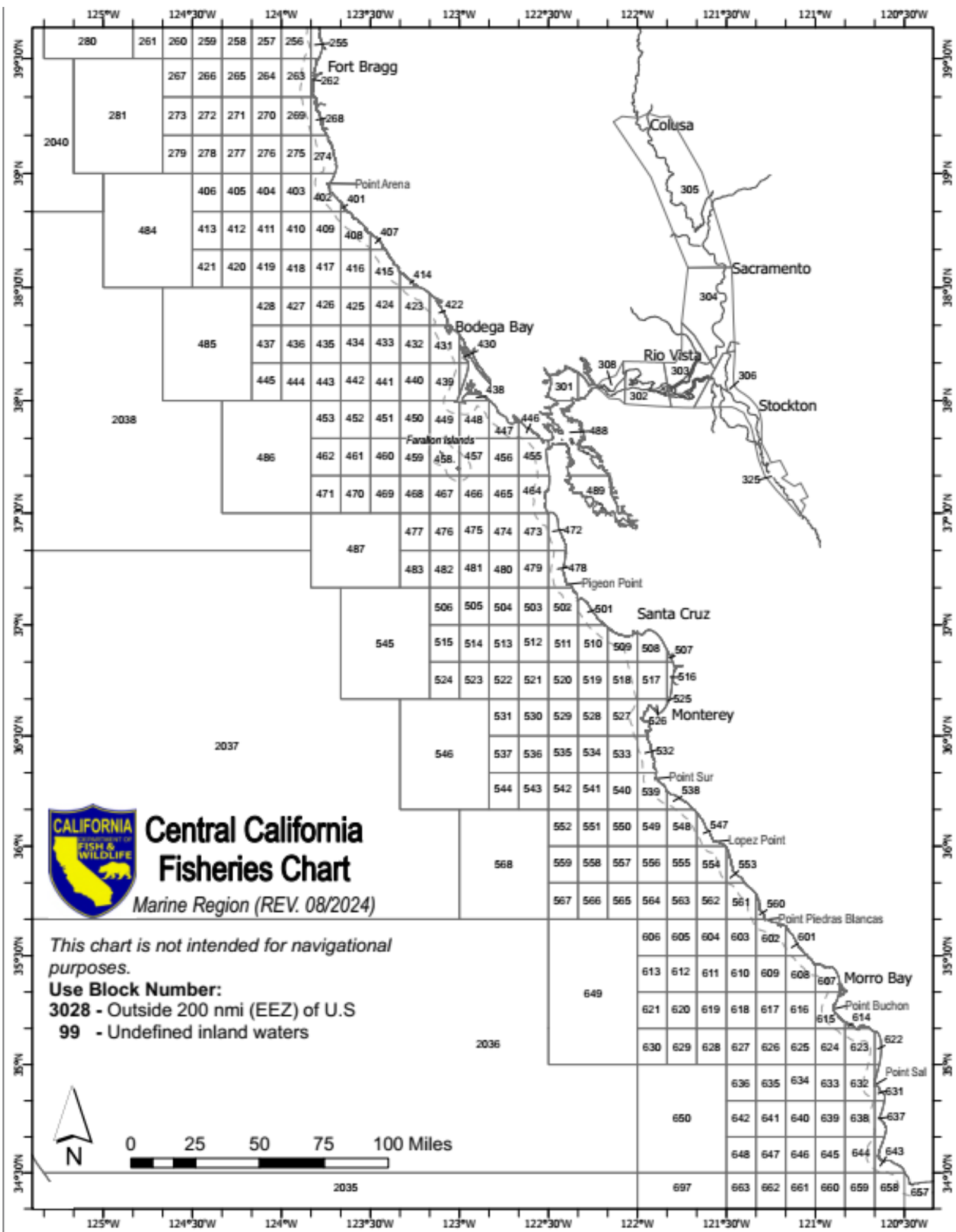
SL

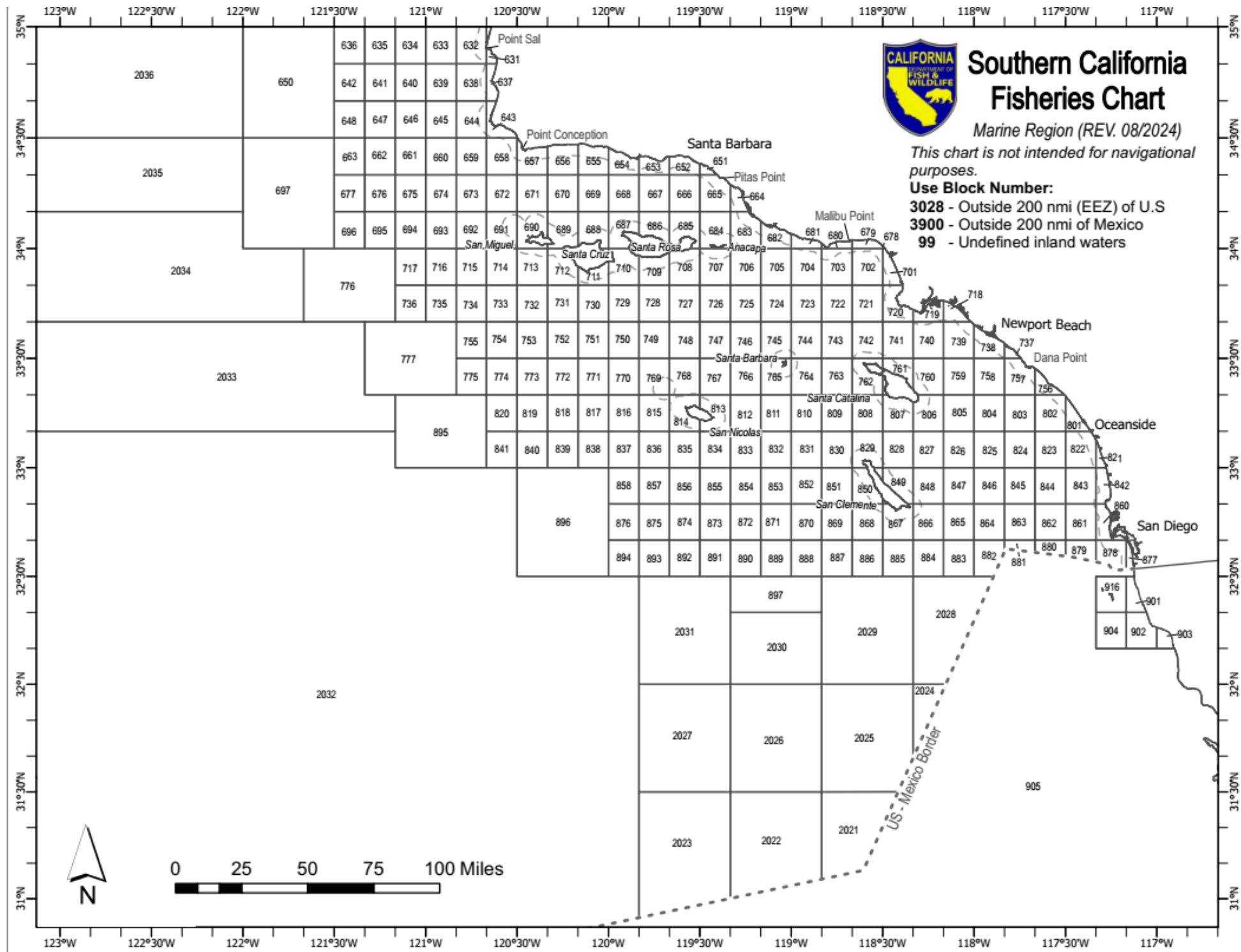
CDFW Boat Registration Number

FISHERMAN LAST NAME				F. I.	FISHERMAN ID NUMBER L				VESSEL NAME				F & W VESSEL NUMBER										
TRAP LOCATIONS								F & W Block No.	DEPTH (IN FEET)	No. of TRAPS PULLED	No. NIGHTS IN WATER	No. of SHORTS RELEASED	No. of LEGALS RETAINED	DATE TRAPS PULLED									
LATITUDE				LONGITUDE										MONTH	DAY		YEAR						
Degree Ex. 34°	Minutes Ex. 05.15'	Degree Ex. 120°	Minutes Ex. 04.85'																				
												# OF TRAPS CURRENTLY DEPLOYED											
LANDING RECEIPT NUMBER (S)								2)				3)				4)				CREW ID NUMBERS			
1)																				L			
																				L			

TRAP LOCATIONS								F & W Block No.	DEPTH (IN FEET)	No. of TRAPS PULLED	No. NIGHTS IN WATER	No. of SHORTS RELEASED	No. of LEGALS RETAINED	DATE TRAPS PULLED									
LATITUDE				LONGITUDE										MONTH	DAY		YEAR						
Degree Ex. 34°	Minutes Ex. 05.15'	Degree Ex. 120°	Minutes Ex. 04.85'																				
												# OF TRAPS CURRENTLY DEPLOYED											
LANDING RECEIPT NUMBER (S)								2)				3)				4)				CREW ID NUMBERS			
1)																				L			
																				L			







**From:** [REDACTED]  
**Sent:** Tuesday, July 23, 2024 8:29 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Agenda Item 2 (Consent) 120.7 Fisheries logbook forms and fishing block charts

Good Morning!

There have been no public comments received during the Notice period, and there are no proposed changes to the ISOR or Regulatory Text. This email is being submitted in lieu of a PSOR.

Thank you!

*Samara Maxey*

Staff Services Manager I, Marine Region  
Department of Fish and Wildlife  
1010 Riverside Parkway  
West Sacramento, CA 95605

[REDACTED]





**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**ECONOMIC IMPACT STATEMENT**

DEPARTMENT NAME <b>California Fish and Game Commission</b>	CONTACT PERSON <b>David Thesell</b>	EMAIL ADDRESS <b>fgc@fgc.ca.gov</b>	TELEPHONE NUMBER <b>916 902-9012</b>
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 <b>Amend Sections 120.7, 122, 190, 705.1, Title 14, CCR, Re: Marine Logbooks and Fishing Block Charts</b>			NOTICE FILE NUMBER <b>Z</b>

**A. ESTIMATED PRIVATE SECTOR COST IMPACTS** *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- |  |   |
|--|---|
| <input type="checkbox"/> a. Impacts business and/or employees  | <input type="checkbox"/> e. Imposes reporting requirements                |
| <input type="checkbox"/> b. Impacts small businesses           | <input type="checkbox"/> f. Imposes prescriptive instead of performance   |
| <input type="checkbox"/> c. Impacts jobs or occupations        | <input type="checkbox"/> g. Impacts individuals                           |
| <input type="checkbox"/> d. Impacts California competitiveness | <input checked="" type="checkbox"/> h. None of the above (Explain below): |

**No new costs necessarily incurred in reasonable compliance with proposal*****If any box in Items 1 a through g is checked, complete this Economic Impact Statement.******If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.***

2. The **California Fish and Game Commission** estimates that the economic impact of this regulation (which includes the fiscal impact) is:

(Agency/Department)

- ☒ Below \$10 million
- ☐ Between \$10 and \$25 million
- ☐ Between \$25 and \$50 million
- ☐ Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a [Standardized Regulatory Impact Assessment](#) as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: **~7,166**Describe the types of businesses (Include nonprofits): **Commercial fishers, fish buyers, comm. passenger fishing vessels, kelp harvest**Enter the number or percentage of total businesses impacted that are small businesses: **~ 70 %**4. Enter the number of businesses that will be created: **0** eliminated: **0**Explain: **No impact on business creation or elimination is anticipated from updating fishing blocks.**

5. Indicate the geographic extent of impacts: ☒ Statewide

☐ Local or regional (List areas): **California marine waters**

6. Enter the number of jobs created: **0** and eliminated: **0**Describe the types of jobs or occupations impacted: **N/A**

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? ☐ YES ☒ NO

If YES, explain briefly:

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**ECONOMIC IMPACT STATEMENT (CONTINUED)****B. ESTIMATED COSTS** *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ 0
- a. Initial costs for a small business: \$ 0 Annual ongoing costs: \$ 0 Years: 1
- b. Initial costs for a typical business: \$ 0 Annual ongoing costs: \$ 0 Years: 1
- c. Initial costs for an individual: \$ N/A Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_
- d. Describe other economic costs that may occur: No new costs are anticipated from updating fishing blocks
2. If multiple industries are impacted, enter the share of total costs for each industry: No new costs in terms of necessary expenditures, or time expended on already existing tasks.
3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted. \$ N/A
4. Will this regulation directly impact housing costs? ☐ YES ☒ NO  
If YES, enter the annual dollar cost per housing unit: \$ \_\_\_\_\_  
Number of units: \_\_\_\_\_
5. Are there comparable Federal regulations? ☐ YES ☒ NO  
Explain the need for State regulation given the existence or absence of Federal regulations: Fishing zones are designated by the State.
- Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ N/A

**C. ESTIMATED BENEFITS** *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: Improved marine harvest data to support resource management, which benefits the environment and marine resource harvest economies. No impact to the health and welfare of California residents or to worker safety.
2. Are the benefits the result of: ☐ specific statutory requirements, or ☒ goals developed by the agency based on broad statutory authority?  
Explain: The Commission manages marine resources in State waters for the benefit of the state's environment.
3. What are the total statewide benefits from this regulation over its lifetime? \$ no monetary change
4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: No expansion of businesses anticipated.

**D. ALTERNATIVES TO THE REGULATION** *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: No other alternatives considered as this action is for clarity and consistency.

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ non-monetary Cost: \$ 0

Alternative 1: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Alternative 2: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives:

N/A

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs?

☐ YES☒ NO

Explain: \_\_\_\_\_

**E. MAJOR REGULATIONS** *Include calculations and assumptions in the rulemaking record.****California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.***1. Will the estimated costs of this regulation to California business enterprises **exceed \$10 million**? ☐ YES ☐ NO***If YES, complete E2. and E3******If NO, skip to E4***

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: \_\_\_\_\_

Alternative 2: \_\_\_\_\_

*(Attach additional pages for other alternatives)*

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 1: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 2: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

☐ YES☒ NO*If YES, agencies are required to submit a **Standardized Regulatory Impact Assessment (SRIA)** as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.*

5. Briefly describe the following:

The increase or decrease of investment in the State: \_\_\_\_\_

The incentive for innovation in products, materials or processes: \_\_\_\_\_

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**FISCAL IMPACT STATEMENT**

**A. FISCAL EFFECT ON LOCAL GOVERNMENT** *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

- ☐ 1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

- ☐ a. Funding provided in \_\_\_\_\_

Budget Act of \_\_\_\_\_ or Chapter \_\_\_\_\_, Statutes of \_\_\_\_\_

- ☐ b. Funding will be requested in the Governor's Budget Act of \_\_\_\_\_

Fiscal Year: \_\_\_\_\_

- ☐ 2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

*Check reason(s) this regulation is not reimbursable and provide the appropriate information:*

- ☐ a. Implements the Federal mandate contained in \_\_\_\_\_

- ☐ b. Implements the court mandate set forth by the \_\_\_\_\_ Court.

Case of: \_\_\_\_\_ vs. \_\_\_\_\_

- ☐ c. Implements a mandate of the people of this State expressed in their approval of Proposition No. \_\_\_\_\_

Date of Election: \_\_\_\_\_

- ☐ d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: \_\_\_\_\_  
\_\_\_\_\_

- ☐ e. Will be fully financed from the fees, revenue, etc. from: \_\_\_\_\_

Authorized by Section: \_\_\_\_\_ of the \_\_\_\_\_ Code;

- ☐ f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

- ☐ g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in \_\_\_\_\_

- ☐ 3. Annual Savings. (approximate)

\$ \_\_\_\_\_

- ☐ 4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

- ☒ 5. No fiscal impact exists. This regulation does not affect any local entity or program.

- ☐ 6. Other. Explain \_\_\_\_\_  
\_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**FISCAL IMPACT STATEMENT (CONTINUED)****B. FISCAL EFFECT ON STATE GOVERNMENT** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

*It is anticipated that State agencies will:*☐ a. Absorb these additional costs within their existing budgets and resources.☐ b. Increase the currently authorized budget level for the \_\_\_\_\_ Fiscal Year☐ 2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

☒ 3. No fiscal impact exists. This regulation does not affect any State agency or program.☐ 4. Other. Explain \_\_\_\_\_  
\_\_\_\_\_**C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

☐ 2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

☒ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.☐ 4. Other. Explain \_\_\_\_\_  
\_\_\_\_\_

FISCAL OFFICER SIGNATURE

  
DocuSigned by:  
Dan Reagan  
6358B761E2D547D

DATE

5/10/2024

*The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*

AGENCY SECRETARY

  
Bryan Cash

5/14/2024

DATE

5/7/2024

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER



DATE

## **Addendum to Form STD 399 Economic and Fiscal Impact Statement**

### **Amend Sections 120.7, 122, 165, 190, 705.1 Title 14, California Code of Regulations Regarding Marine Logbooks and Block Charts**

#### **Overview**

Commercial marine resource harvesters and fish businesses have been reporting the location of fishing activity by referencing block numbers that have been defined in established fishing block charts. Originating in 1934, the fishing block charts have been in consistent use for reporting fishing activity locations for all marine commercial fisheries, with some modifications over time. Recent evaluation of these charts found areas where additional improvements could be made to reduce ambiguity. The proposed revision of the charts aims to improve on two issues that are present in the current version of the charts:

- Blocks that overlap with other blocks of a different scale, leading to inconsistent reporting and ultimately poor resolution of location.
- Blocks with poor alignment with the U.S./Mexico border where, in some cases, U.S. catch cannot be distinguished from Mexico catch.

#### **Economic Impact Statement**

##### **A. Estimated Private Sector Costs Impacts**

**Answer 1:** h.<sup>1</sup> None of the above:

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

While marine logbooks and fish tickets (that reference fishing block charts) are accessed by commercial fishing license holders, kelp harvesters, fish buyers/dealers, commercial fishing vessel owners and commercial passenger fishing vessel (CPFVs) operators, the proposed modifications to fishing blocks will not introduce changes to compliance costs; these business entities are currently required to report marine harvest by fishing block. The proposed action does not introduce any additional reporting requirements, new equipment, nor new tasks. For many businesses, the fishing blocks that they have typically referenced will remain the same; for a few, a new fishing block designation will substitute for the same location.

Additionally, fishing block charts are public information and available at no cost.

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<sup>1</sup> The STD 399 form states that, "If box in Item 1.h. is checked, (skip the Economic Impact Statement section and complete the Fiscal Impact Statement as appropriate." However, we provide some more information on the STD 399 than is required.

**Table 1: 2023 Fishing Block Chart Users**

Type of User	Number of Users
Commercial fishing license (CFL) holders	5,537 (especially lobster, sea urchin, and sea cucumber fisheries)
Commercial fish businesses (FBUS)*	1,000 (receiver, multifunction, and retailer license)
Commercial kelp harvesters	20 (edible seaweed and agar-bearing marine algae harvesters)
Commercial passenger fishing vessels (CPFV)	609 licensed vessels

Sources: Department License and Revenue Branch (LRB) and Automated License Data System (ALDS).

\*Possible overlap between CFL and FBUS.

## Fiscal Impact Statement

### A. Fiscal Effect on Local Government

**Answer 5.** No fiscal impact exists. This regulation does not affect any local entity or program. No reimbursement is required by this action pursuant to Section 6 of Article XIII B of the California Constitution.

### B. Fiscal Effect on State Government

**Answer 3.** No fiscal impact exists. This regulation does not affect any State agency or program. The Department program implementation and enforcement are projected to remain the same with a stable volume of commercial marine harvest activity.

### C. Fiscal Effect on Federal Funding of State Programs

**Answer 3.** No fiscal impact exists. This regulation does not affect any federally funded State agency or program.