

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Amend sections 2.25, 2.30, 5.75, 5.86, 5.93 5.95, 6.37, and
Amend subsections 3, 8, 10, 12, 13, 14, 15, 22, 23, 26, 35, 37, 39, 45, 47, 48,
50.8, 54.5, 62, 63, 64, 70, 72, 73, 76, 87, 96, 101, 104, 107, 113, 118.2, 120,
125.5, 133, 134, 135, 135.8, 136, 138, 139, 141, 150, 154, 155, 156, 158, 159,
161, 169, 172.5, 174, 176, 176.5, 177, 178, 178.5, 182, 183, 184, 185, 189, 193,
194.5, 196, 197, 198, 200, 201, 202, 204, 210, and 212 of subsection 7.50(b), and
Add subsections 109 and 208.5 of subsection 7.50(b), and
Repeal subsections 68.5 and 165.5 of subsection 7.50(b), and
Amend Section 8.00, and subsection (a)(2)(E) of Section of 670.5,
Title 14, California Code of Regulations
Re: Sport Fishing Regulations Cleanup

I. Date of Initial Statement of Reasons: July 16, 2007

II. Dates and Locations of Scheduled Hearings:

- | | | |
|-----|---------------------|--|
| (a) | Notice Hearing: | Date: August 10, 2007
Location: Santa Barbara, CA |
| (b) | Discussion Hearing: | Date: October 12, 2007
Location: Concord, CA |
| (c) | Adoption Hearing: | Date: November 2, 2007
Location: Sacramento, CA |

III. Description of Regulatory Action:

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

The Department has determined that the existing Title 14, California Code of Regulations (CCR), contains typographic errors, errors due to incorrect or missing Title 14 updates, incorrect cross-section references, and other problems that increase public confusion of the regulation's intent and regulation complexity. While these problems are minor when viewed individually, they must be corrected before further Department efforts can be undertaken to reduce the complexity and increase the public understanding and enforceability of Title 14, CCR, regulations.

The Department is proposing the following clean-up revisions to the sport fishing general and district regulations, Title 14, CCR:

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2. Sections 2.25 and 2.30 - change common name of *Ptychocheilus grandis* to reflect American Fisheries Society's change from Sacramento squawfish to Sacramento pikeminnow.
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4. Section 5.86 – correct typographic error of the Yurok Tribe's name in the title.

5. Sections 5.93 and 670.5 - change common name of *Ptychocheilus lucius* to reflect American Fisheries Society's change from Colorado squawfish to Colorado pikeminnow.
6. Section 5.95 – remove first sentence: “See Chapter 5 for reptiles and amphibians” as the regulations for reptiles and amphibians now are in sections 5.05 and 5.60, respectively, and revision of the FGC references.
7. Section 6.37 – correct typographic error of Lake Cahuilla's name in the last sentence.
8. Section 8.00 – remove subsection (c) which was repealed and moved to subsection (d) with different criteria by the Commission in 2003, but not updated in Title 14, CCR.

The Department is proposing the following clean-up revisions to the sport fishing subsection 7.50(b) special regulations, Title 14, CCR:

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6. Amend (14) (*Battle Creek*) - remove obsolete Section 8.00(a) reference in subsection (A).
7. Amend (15) (*Bear Creek*) – revise Ponderosa Way to read Pondosa Way. Typographic error to Title 14, CCR, from initial adoption in 1989.
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48. Amend (156) (*Sacramento River*) - standardize subsection (B) reference to read "See Soda Creek 7.50(b)(180.5).", standardize subsection (D) to clarify that Castle Creek is exempt from these regulations and revise reference to read "See Castle Creek 7.50(b)(39.3).".
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- 76. Amend (210) (*Yuba River, Middle Fork*) - standardize reference to read "See Milton Lake 7.50(b)(120)." .
- 77. Amend (212) (*Yuba River...*) - remove obsolete dates that references 2002 and text stating in subsequent years in subsection (A).

Additional minor changes were made to the regulations for clarity.

(b) Authority and Reference:

Authority: Sections 200, 202, 205, 210, 215, 219, 220, 2070, and 7155 Fish and Game Code.

Reference: Sections 200, 202, 205, 210, 215, 219, 200, 2070, 7155, and 12300 Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change:

None.

(d) Identification of Reports or Documents Supporting Regulation Change:

None.

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

No public meetings are being held prior to the notice publication.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

No alternatives were identified.

(b) No Change Alternative:

The no change alternative would leave existing regulations in place with inconsistent report card regulations, limited fishery monitoring for critical species, and ongoing enforcement issues.

(c) Consideration of Alternatives:

In view of the information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment. Therefore, no mitigation is necessary.

VI. 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 proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are necessary for the continued preservation of the resource and therefore 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:

None.

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

None.

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

None.

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

None.

- (h) Effect on Housing Costs:

None.

Informative Digest (Policy Statement Overview)

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