

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
**ADDENDUM** TO THE FINAL STATEMENT OF REASONS  
FOR REGULATORY ACTION

Amend Subsections 551(g), (j) and (q) and Sections 700.4, 701 and 705;  
and Repeal Section 704

Title 14, California Code of Regulations

Re: ALDS Acceptable Forms of Identifications; Wildlife Area Passes and Annual Fee  
Adjustments for Sport Fishing and Commercial Fishing

I. Update:

The following changes were made to the originally proposed regulatory language:

- Subsections 551(g), 551(j), 551(q)(26)(C), 551(q)(42)(C), and 551(q)(62)(C) have been withdrawn to correct error, lack of consistency and lack of clarity issues. The Fish and Game Commission is now proposing to amend Section 551 under OAL File Number 2-2011-1004-04 with a scheduled adoption date in early February 2012.
- Section 700.4 – Minor nonsubstantive editorial corrections (punctuation) have been made for clarity, consistency, or to accurately reflect existing regulatory text. Additional edits included:

Subsection 700.4(a):

- Change “Title 14, Division 1, California Code of Regulations” to read “this Division”
- Change “may allow” to read “also allows”
- Removes “telephone and/or” from method of applying for licensing due to the fact that telephone procedures have not yet been established.

Subsection 700.4(c)(5):

- “as defined by each sovereign tribal nation” was added to “Tribal Identification Card” to further define the acceptable identification.
- Section 701 – Minor nonsubstantive editorial corrections have been made for clarity, consistency, or to accurately reflect existing regulatory text. These included removal of “\$” symbol, removal of “(a)” from header, insertion of “)”

that were left out from the CCR text and removal of underlined text that was deleted.

- Section 705 - Minor nonsubstantive editorial corrections have been made for clarity, consistency, or to accurately reflect existing regulatory text. These include inserting “s” missing from CCR text in subsection (a) and removal of strikeout/underline text from subsection (a)(2). Additionally, subsections (a)(4), (a)(7)(I), (a)(7)(J), (a)(8)(P), (a)(8)(S) and (b)(11) were corrected to precisely match the titles of the associated forms. Subsection (a)(F) “Market Squid Brail Permit (Nontransferable)” was deleted from the list of available applications because it does not appear on the associated subsection (a)(7) Commercial Boat Registration Worksheet (FG 1309 (New 6/11)) and is not currently in use. The following subsections in (a)(7)(G)-(N) were then renumbered.

## II. UPDATED INITIAL STATEMENT OF REASONS Section III(a)(4):

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

1. Add Acceptable Forms of Identification Required to Obtain Licenses, Permits, Tags, or Entitlements in ALDS

Currently, Section 700.4 lists the acceptable forms of identification a customer must provide before a license can be issued in ALDS. This requirement ensures that customers are uniquely identified in the ALDS database.

This proposal would amend 700.4 to add two new and clarify one previous acceptable form of identification and move the language from Section 704 to Section 700.4.

a. “Get Outdoors” Identification number or GO ID is issued by ALDS and is permanent and unique to each licensee. The GO ID is intended as an alternative form of identification and is used to retrieve customer information any time a licensee makes a purchase in ALDS.

b. Foreign Government Issued Photo Identification - adding this form of identification removes an unintended barrier for customers who do not possess any of the prior lists of acceptable identifications.

c. Replace INS American Indian Card with an identification issued by a tribal registry or Bureau of Indian Affairs. As used in this section, “California Native American tribe” means a federally recognized Native American tribe in California or a non-federally recognized California Native American tribe listed on the California Tribal Consultation List maintained by the Native American Heritage Commission. ***[The text now further***

***defines “Tribal Identification Card” by including “as defined by each sovereign tribal nation”. Since tribal governance varies, standards of membership may vary by tribal nation. Using this definition recognizes the independent sovereignty of each tribe and each tribes own laws in determining membership.]***

This section is also amended to transfer the provisions of Section 704 ***[to Section 700.4]*** and for consistency to Fish and Game Code, identify the surcharge as an “application fee.”

2. Amend regulations to allow issuance of One-Day Entry Passes for Type-A Wildlife Areas through ALDS

***[Amendments to subsection 551 are being withdrawn at the request of the Fish and Game Commission and will be more fully noticed and discussed in OAL File # Number 2-2011-1004-04 with a scheduled adoption date in early February 2012.]***

3. Update State and Federal Area regulations to perform reservation drawings through ALDS

***[Amendments to subsection 551 are being withdrawn at the request of the Fish and Game Commission and will be more fully noticed and discussed in OAL File # Number 2-2011-1004-04 with a scheduled adoption date in early February 2012.]***

4. Fees for Sport Fishing and Commercial Fishing Permits and Applications

The fees for sport fishing items authorized in regulation are found in Section 701. The fees for commercial fishing permits authorized in regulation and references to applications are found in Section 705. Section 713 of the Fish and Game Code requires the Department to adjust license fees for changes in the cost of goods and services using the Implicit Price Deflator for State and Local Government Purchases of Goods and Services. This amendment will comply with Section 713, of the Fish and Game Code. Additionally, subsection 701(b) for the 2011 North Coast Salmon Report Card will remain at \$5.50 in order to properly reflect the permit fee without adding agent handling fee.

***[New Forms were added (Commercial Boat Registration Worksheet FG 1309 (New 6/11) and Commercial Fishing License Worksheet FG 1309a (New 6/11)). These forms are two separate worksheets. One worksheet is for a commercial fishing license and other permits that may be issued to a commercial fisherman.***

***Under ALDS, NCR paper forms are replaced by a worksheet for most commercial fishing licenses and permits. NCR paper is a carbon less, multi-part form paper system uniquely coated to transmit images from one ply to subsequent plies, with manual or mechanical pressure, without using carbon paper. Worksheet changes will allow worksheets to be printed on generic paper stock. Additionally, customers can complete one or two worksheets rather than multiple forms or applications and will have fewer records they will need to keep.***

***Use of the new worksheet also saves the Department time and money. Worksheets will be posted on the Department's web site where the customer can download what they need in and save the State money in specialty printing of NCR forms and the postage required to mail applications or forms to customers.***

***For the following forms associated with FG 1309 fees are established within the Fish and Game Codes (FGC) sections indicated.***

**COMMERCIAL BOAT REGISTRATION**

***Commercial Boat Registration-FGC 7881(b)***

***Nonresident Commercial Boat Registration-FGC 7881(c)***

**LIMITED ENTRY PERMITS**

***Salmon Vessel Permit-FGC 8235(b)***

***John Doe (Commercial Fishing Salmon Stamp)-FGC 7860(e), 7861(b)***

***California Halibut Bottom Trawl Vessel Permit-FGC 1050(e), 8494(e) and Title 14 699(b)***

***Dungeness Crab Vessel Permit (Resident)- FGC 8280.6(a)***

***Dungeness Crab Vessel Permit (Nonresident)-FGC 8280.6(a)***

**NONRESTRICTIVE VESSEL PERMITS AND STAMPS**

***Commercial Fishing Salmon Stamp-FGC 7860(e), 7861(b) (same as John Doe & on 1309a)***

***Commercial Passenger Fishing Vessel License-FGC 7881(b) (on 1309a)***

***Commercial Ocean Enhancement Stamp-FGC 6596(d) (on 1309a)***

***For the following forms associated with FG 1309a fees are established within the Fish and Game Codes (FGC) sections indicated.***

***Drift Gill Net- FGC 8567***

***General Gill Net-FGC 8683***

***Lobster Operator-FGC 8254(c)***

**Sea Cucumber Diving-FGC 8405.1(e)**  
**Sea Cucumber Trawl-FGC 8405.1(e)**  
**Sea Urchin Diving Permit-FGC 9055**  
**Commercial Fishing Salmon Stamp-FGC 7860(c), 7861(b)**  
**Commercial Ocean Enhancement Stamp-FGC 6596(d)**  
**Lobster Crewmember-FGC 8254(d)**  
**Marine Aquaria Collector-FGC 8598.3(a)**  
**Swordfish-FGC 8394.5**  
**Trap-FGC 9001(c)]**

The fee for Steelhead Fishing Report and Restoration Cards is established in Fish and Game Code Section 7380 so it is not necessary to restate the fee in Section 701.

In addition, fees for some herring permits and references to applications would be moved **[from Section 163 in OAL File Number 2011-1007-03]** to Section 705. In ALDS, sport fishing report cards are issued at the point of sale; therefore, any references to form numbers would be amended as needed.

***[Additional edits have been made to forms and permits incorporated by reference which include a place to put the GO ID # issued, to support the new ALDS tracking system 700.4, listing the phone number as voluntary as a means to notify the public of specific closures and urgency fishing notifications, DMV and/or Passport information to support identifications listed in 700.4, included “non-refundable 3% fee, not to exceed \$7.50 is added where appropriate, credit card forms where appropriate, and permit late fees that are not subject to the non-refundable 3% fee, on instruction pages identification requirements were added to support section 700.4.]***

### III. UPDATED INFORMATIVE DIGEST/Policy Statement Overview

Other administrative changes made to fishing applications, permits, tags and fees forms are identified as follows:

#### **New Forms were added and corrected for the following reasons**

There are two separate worksheets. One worksheet is for a commercial fishing license and other permits that may be issued to a commercial fisherman.

Under ALDS, NCR paper forms are replaced by a worksheet for most commercial fishing licenses and permits. NCR paper is a carbon less, multi-part form paper system uniquely coated to transmit images from one ply to subsequent plies, with manual or mechanical pressure, without using carbon paper. Worksheets changes will allow

worksheets to be printed on generic paper stock. Additionally, customers can complete one or two worksheets rather than multiple forms or applications and will have fewer records they will need to keep.

Use of the new worksheet also saves the Department time and money. Worksheets will be posted on the Department's web site where the customer can download what they need in and save the State money in specialty printing of NCR forms and the postage required to mail applications or forms to customers.

### **Commercial Boat Registration Worksheet FG 1309 (New 6/11)**

Spaces added for the DMV ID/State ID/Passport and e-mail.

Note "Copies of articles of incorporation amendments mergers disillusions and statement of officers must be submitted to the Department of Fish and Game, License and Revenue Branch in Sacramento for all vessels that are owned under a business name" was added to the front.

A box was added to include notice that fees include nonrefundable application fee not to exceed \$7.50 per item, pursuant to Section 700.4 was added to the front. Box text identifying permit late fees that are not subject to the nonrefundable three percent application fee was added to the front.

A credit card form was added to the front.

Valid identification requirements, business documentation, change of address or change of vessel status, and notice to commercial boat owners and associated Fish and Game Code references were added to the back.

### **Commercial Fishing License Worksheet FG 1309a (New 6/11)**

Spaces added for the DMV ID/State ID/Passport and e-mail.

A box was added to include notice that fees include nonrefundable application fee not to exceed \$7.50 per item, pursuant to Section 700.4 was added to the front. Box text identifying permit late fees that are not subject to the nonrefundable three percent application fee was added to the front.

Deadline for limited entry fishing permits, pursuant to FGC 7852(c) was added to the front.

A credit card form was added to the front.

Valid identification requirements, business documentation, change of address or change of vessel status pursuant to FGC 7857(m), and notice to commercial boat owners pursuant to FGC 8022.

### **UPDATED Forms Incorporated by Reference**

Editorial corrections to punctuation and spelling were made to the forms incorporated by reference. Additionally the following revisions to the existing forms were made:

#### **Crayfish Permit Application FG 964 (Rev. 1/11)**

A box text for valid identification requirements is inserted on the front.

Identification requirements pursuant to 700.4(c) are added to the back.

#### **Permit to Take Fish in California Waters and Deliver to a Port Outside of California Application WPD 917 (Rev. 1/11)**

A box text for valid identification requirements is inserted on the front.

Identification requirements pursuant to 700.4(c) are added to the back.

#### **Herring Buyer's Permit Application FG 327**

"Application" is added to the permit name.

A box text for valid identification requirements is inserted on the front.

Identification requirements pursuant to 700.4(c) are added to the back.

#### **Herring-Eggs-on-Kelp Permit Application FG 1406 (Rev 5/11)**

"GO ID#" space is added to the front.

A box text for valid identification requirements is inserted on the front.

Identification requirements pursuant to 700.4(c) are added to the back

#### **Herring Fresh Fish Market Permit Application FG 329 (Rev 5/11)**

"Application" is added to the permit name.

A box text for valid identification requirements is inserted on the front.

Identification requirements pursuant to 700.4(c) are added to the back.

#### Commercial Herring Permit Worksheet FG1377 (Rev 5/11)

Space for Driver's License or DMV I.D. Number and State as well as a space for GO ID# was added to the front.

A box was added to include notice that fees include nonrefundable application fee not to exceed \$7.50 per item, pursuant to Section 700.4 was added to the front.

Box text identifying permit late fees that are not subject to the nonrefundable three percent application fee was added to the front.

Space for a credit card authorization is added to the front of the form.

Identification requirements pursuant to 700.4(c) are added to the back.

#### Northern Pink Shrimp Trawl Vessel Permit Transfer Application FG 1419 (Rev. 3/11)

Removes from front of form the following referenced sections, 122(e)(2)(A) t14, 122(e)(B), 120.2(e)(2)(A) Title 14, CCR due to inaccuracies and the fact that they are not needed on the form. Fees were adjusted without the 3% ALDS application fee and the boxed language about the application fee was removed.

#### Season Request for Changes to Herring Permits: Temporary Substitute, Boat Transfer & Simultaneous Fishing FG 1322-2 (Rev. 5/11)

Inserts space for GO ID#.

"OR EMAILED" text added to the date faxed box under Department use.

#### Declaration for Multi-day Fishing Trip FG 935 (Rev. 06/11)

Makes minor edits changing "and" to "or" under subsection (a)(2), and changes paragraph marking (F) to (E).

#### California Halibut Bottom Trawl Vessel Permit FG 1309 (Rev. 6/11)

Corrects price indexing error which resulted in an incorrect price on the front of the form.

On the instruction page, under Business Documentation, “Limited Liability Partnership” and “Sole Proprietorship” were removed from acceptable forms.

Herring Buyer’s Permit Application FG 327 (Rev. 5/11)

Adds “Application” to form title, and on top of the instruction page.

Herring Fresh Fish Market Permit Application FG 329 (Rev. 5/11)

Adds “Application” to form title, and on top of the instruction page.

### **List of all forms by Title and Revision Date**

Section 701, Title 14, CCR – Sport Fishing Forms and Fees

- Declaration for Multi-Day Fishing Trip (FG 935 (rev. 06/11))

Section 705, Title 14, CCR – Commercial Fishing Applications, Permits, Tags and Fees

- Crayfish Permit Application FG 964 (Rev. 1/11)
- Permit to Take Fish in California Waters and Deliver to a Port Outside of California Application WPD 917 (Rev. 1/11)
- Herring Buyer’s Permit Application FG 327
- Herring-Eggs-on-Kelp Permit Application FG 1406 (Rev. 5/11)
- Herring Fresh Fish Market Permit Application FG 329 (Rev. 5/11)
- Commercial Herring Permit Worksheet FG1377 (Rev. 5/11)
- Commercial Boat Registration Worksheet FG 1309 (New 6/11)
- Commercial Fishing License Worksheet FG 1309a (New 6/11)
- Northern Pink Shrimp Trawl Vessel Permit Transfer Application FG 1419 (Rev. 3/11)
- Season Request for Changes to Herring Permits: Temporary Substitute, Boat Transfer & Simultaneous Fishing FG 1322-2 (Rev. 5/11)