

redeye bass and the high release rate practiced today by sport fish anglers, the current slot limit regulation is no longer warranted.

The slot limits for black bass in McClure and Millerton reservoirs, and Orr and Siskiyou lakes have also not yielded the desired results as originally anticipated. This action would streamline fishing regulations which have been publicly criticized for being too complicated and eliminate the need for tournament fishing exemptions which have, in the past, resulted in conflict with Title 14, Section 1.87.

Title 14, Section 230, allows the Department to issue exemptions to the slot limit regulation for Event type contests. While tournament anglers are allowed to possess fish within the slot limit for purposes of the tournament, in so far as possible all fish weighed-in must be returned to the lake alive and in good condition. If a bass is weighed that is within the slot but is dead, this creates a conflict with Title 14, Section 1.87 as an angler should not be in possession of a slot size bass after the fishing contest is concluded. Dead bass weighed-in during a tournament that are legal to possess by Section 7.50, are usually given to a receptive angler with a valid sport fishing license. The elimination of tournament exemptions would also reduce department processing time and costs.

It is recommended that all black bass angling regulation where slot limits exist be changed to the statewide standard - 5 bass, 12" minimum total length.

The benefits of the proposed regulations are sustainable management of sport fishing resources and promotion of businesses that rely on sport fishing.

The proposed regulations are neither inconsistent nor incompatible with existing state regulations.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 205, 215, and 220, Fish and Game.

Reference: Sections 200, 202, 205, and 206, Fish and Game Code.

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

None.

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

[Economic Impact Analysis.](#)

[Public Proposed Regulatory Changes and Department Recommendations For 2012 Inland Sport Fishing Regulations Review Cycle.](#)

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

No public meetings are being held prior to the notice publication. The 45-day comment period provides adequate time for review of the proposed amendments.

IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change:

See Table 1 in Public Proposed Regulatory Changes and Department Recommendations for 2012 Inland Sport Fishing Regulations Review Cycle.

- (b) No Change Alternative:

The no change alternative would leave existing regulations in place with inconsistent regulations 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 would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost-effective to the affected private persons and equally effective in implementing the statutory policy or other provision of law.

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; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The potential impacts from the proposed regulations in the Sport Fishing Review Cycle may range from 0 to 16,000 jobs depending on the Commission's final actions. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable stocks and, subsequently, the promotion and long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for the sport fisheries encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission anticipates benefits to the environment by the sustainable management of California's sport fishing resources.

- (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) 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.

Informative Digest (Policy Statement Overview)

The Lake Oroville black bass sport fishery has been managed with a slot limit regulation since 1983. The current slot limit prohibits the take of black bass between 12 – 15 inches total length - anglers are allowed to take black bass less than 12 inches and greater than 15 inches total length. Statewide, black bass sport fisheries are managed with a 12-inch total length minimum regulation.

Slot limit regulations are used to reduce fishing mortality of black bass in a particular size range, and allow harvest of black bass in a smaller or larger than protected sizes.

The slot limit regulation was enacted at Lake Oroville to promote the harvest of redeye bass, which were abundant in the reservoir but seldom reached the statewide minimum length of 12 inches total length. In addition, the slot limit allowed the harvest of the abundant black bass less than 12 inches in total length and provided for an increase in the catch rates of black bass greater than 15 inches total length.

Review of angler survey data from 2002 – 2010 shows that spotted bass is the dominate species in angler catches with no redeye bass reported. Anglers reported releasing 97% of all black bass caught even though 43% of the black bass caught were legal for take. With the extirpation of redeye bass and the high release rate practiced today by sport fish anglers, the current slot limit regulation is no longer warranted.

The slot limits for black bass in McClure and Millerton reservoirs, and Orr and Siskiyou lakes have also not yielded the desired results as originally anticipated. This action would streamline fishing regulations which have been publicly criticized for being too complicated and eliminate the need for tournament fishing exemptions which have, in the past, resulted in conflict with Title 14, Section 1.87.

Title 14, Section 230, allows the Department to issue exemptions to the slot limit regulation for Event type contests. While tournament anglers are allowed to possess fish within the slot limit for purposes of the tournament, in so far as possible all fish weighed-in must be returned to the lake alive and in good condition. If a bass is weighed that is within the slot but is dead, this creates a conflict with Title 14, Section 1.87 as an angler should not be in possession of a slot size bass after the fishing contest is concluded. Dead bass weighed-in during a tournament that are legal to possess by Section 7.50, are usually given to a receptive angler with a valid sport fishing license. The elimination of tournament exemptions would also reduce department processing time and costs.

It is recommended that all black bass angling regulations where slot limits exist be changed to the statewide standard - 5 bass daily bag limit, 12-inch minimum total length.

The benefits of the proposed regulations are sustainable management of sport fishing resources and promotion of businesses that rely on sport fishing.

The proposed regulations are neither inconsistent nor incompatible with existing state regulations.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.