

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

STD. 399 (REV. 12/2008)

See SAM Section 6601 - 6616 for Instructions and Code Citations

DEPARTMENT NAME Fish and Game Commission	CONTACT PERSON Craig Shuman	TELEPHONE NUMBER (916) 215-9694
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Amendments to Sections 1.74 & 701, Title 14, CCR, Sport fishing report cards requirements and fees		NOTICE FILE NUMBER Z

ECONOMIC IMPACT STATEMENT**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 businesses 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 checked="" type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input type="checkbox"/> h. None of the above (Explain below. Complete the Fiscal Impact Statement as appropriate.) |

h. (cont.) _____

(If any box in Items 1 a through g is checked, complete this Economic Impact Statement.)

2. Enter the total number of businesses impacted: 0 Describe the types of businesses (Include nonprofits.): _____

Enter the number or percentage of total businesses impacted that are small businesses: _____

3. Enter the number of businesses that will be created: 0 eliminated: 0Explain: See ISOR and Economic Impact Analysis4. Indicate the geographic extent of impacts: Statewide Local or regional (List areas.): _____5. Enter the number of jobs created: 0 or eliminated: 0 Describe the types of jobs or occupations impacted: _____

6. 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: _____**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? \$ See ISORa. Initial costs for a small business: \$ 0 Annual ongoing costs: \$ 0 Years: _____

b. Initial costs for a typical business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

c. Initial costs for an individual: \$ 0 Annual ongoing costs: \$ 0 Years: _____d. Describe other economic costs that may occur: Individuals can avoid the non-return fee by submitting their lobster report card on time.

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2. If multiple industries are impacted, enter the share of total costs for each industry: n/a

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: _____ and the 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: Sport fishing regulations are enacted under the authority of the Fish and Game Commission, Section 1050 FGC.

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 that may result from this regulation and who will benefit: The state regulations are intended to ensure future lobster fishing opportunities for ocean sport fishermen and divers. The proposed regulations will improve sustainable management practices for lobster.

2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority? Explain: The Fish and Game Commission is charged with implementing regulations to ensure sustainable fisheries.

3. What are the total statewide benefits from this regulation over its lifetime? \$ unknown

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: See ISOR

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

Regulation:	Benefit: \$ <u>see ISOR</u>	Cost: \$ <u>see ISOR</u>
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: Biological and environmental factors beyond the Agency's control make it difficult to accurately quantify costs and benefits.

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.) Cal/EPA boards, offices, and departments are subject to the following additional requirements per Health and Safety Code section 57005.

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1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million ? Yes No (If No, skip the rest of this section.)

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

Alternative 1: _____

Alternative 2: _____

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

Regulation:	\$ _____	Cost-effectiveness ratio: \$ _____
Alternative 1:	\$ _____	Cost-effectiveness ratio: \$ _____
Alternative 2:	\$ _____	Cost-effectiveness ratio: \$ _____

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 of approximately \$ _____ in the current State Fiscal Year which are reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code. Funding for this reimbursement:

a. is provided in _____, Budget Act of _____ or Chapter _____, Statutes of _____

b. will be requested in the _____ Governor's Budget for appropriation in Budget Act of _____
(FISCAL YEAR)

2. Additional expenditures of approximately \$ _____ in the current State Fiscal Year which are not reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code because this regulation:

a. implements the Federal mandate contained in _____

b. implements the court mandate set forth by the _____
court in the case of _____ vs. _____

c. implements a mandate of the people of this State expressed in their approval of Proposition No. _____ at the _____
election; (DATE)

d. is issued only in response to a specific request from the _____
_____, which is/are the only local entity(s) affected;

e. will be fully financed from the _____ authorized by Section _____
(FEES, REVENUE, ETC.)
_____ 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 such unit;

g. creates, eliminates, or changes the penalty for a new crime or infraction contained in _____

3. Savings of approximately \$ _____ annually.

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

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5. No fiscal impact exists because this regulation does not affect any local entity or program.

6. Other.

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 of approximately \$ _____ in the current State Fiscal Year. It is anticipated that State agencies will:

a. be able to absorb these additional costs within their existing budgets and resources.

b. request an increase in the currently authorized budget level for the _____ fiscal year.

2. Savings of approximately \$ _____ in the current State Fiscal Year.

3. No fiscal impact exists because this regulation does not affect any State agency or program.

4. Other. See attached calculations worksheet.

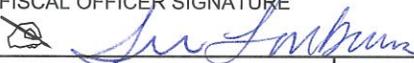
C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

1. Additional expenditures of approximately \$ _____ in the current State Fiscal Year.

2. Savings of approximately \$ _____ in the current State Fiscal Year.

3. No fiscal impact exists because this regulation does not affect any federally funded State agency or program.

4. Other.

FISCAL OFFICER SIGNATURE		DATE
		1/8/13
AGENCY SECRETARY ¹ APPROVAL/CONCURRENCE		DATE
		1/8/13
DEPARTMENT OF FINANCE ² APPROVAL/CONCURRENCE	PROGRAM BUDGET MANAGER	DATE
		

1. 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 department not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

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

CALCULATIONS WORKSHEET
STD399 Fiscal Impact Statement

B. Fiscal Effect on State Government

Calculations for Fiscal Impact Statement, Section B, Item 4.

The current fiscal impact to State Government due to non-reporting of lobster report card data is estimated to be equal to the anticipated revenue generated by the non-return fee (Table 1). The estimated costs and revenue are based on an anticipated return rate of 50% in the initial year of the program. This return rate was based on the current return rate for steelhead which has the highest return rate of any of the report cards. It is expected that the proposed regulations will result in increased return rates over time and that the costs associated with management without report card data would decrease proportionally to the decreased revenue from the non-return fee.

Table 1. Estimated costs due to non-return of lobster report card and associated non-return fee.

Estimated Costs	Hrs	Rate	Total
Law Enforcement Costs for Report Card Returns	1,055	\$ 43.70	\$ 46,104
Data collection - creel survey - hours	5,300	\$ 18.18	\$ 96,354
Data collection - creel survey – sampling vehicle mileage, (110,000 mi)		\$ 0.565	\$ 62,150
Data poor analyses ¹	160	\$ 44.23	\$ 7,077
Post card reminders (30,000)		\$ 0.42 ²	\$ 12,600
LRB costs to implement and manage non-return fee	200	\$ 41.42	\$ 8,284
Sub Total for Ongoing Costs			\$ 232,569
Admin Overhead (FY 12/13 non-Fed rate 29%)			\$ 67,445
Total Ongoing Costs			\$ 300,014
Estimated Card Sales			30,000
Estimated non-returned (50%) ³			15,000
Cost per non-returned card			\$ 20.00

¹ Additional statistical analyses and modeling are required when sufficient data are not available

² Rate includes data processing, printing and postage

³ Estimated return rate of 50% in initial years of implementation is based on current steelhead report card return rate of 50%