

# REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW  
**NOTICE PUBLICATION/REGULATIONS SUBMISSION** (See instructions on reverse)

For use by Secretary of State only  
**ENDORSED FILED**  
**IN THE OFFICE OF**

STD. 400 (REV. 01-2013)

<b>OAL FILE NUMBERS</b>	<b>NOTICE FILE NUMBER</b> Z-2013-0716-01	<b>REGULATORY ACTION NUMBER</b> 2013-1108-03 S	<b>EMERGENCY NUMBER</b>
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2013 DEC 23 PM 12:03

For use by Office of Administrative Law (OAL) Only	
NOTICE	REGULATIONS

OFFICE OF ADMINISTRATIVE LAW

*Debra Bowen*  
DEBRA BOWEN  
SECRETARY OF STATE

**AGENCY WITH RULEMAKING AUTHORITY**  
Fish and Game Commission

AGENCY FILE NUMBER (if any)

### A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

<b>1. SUBJECT OF NOTICE</b> White Sturgeon Report Card Requirement		<b>TITLE(S)</b> 14	<b>FIRST SECTION AFFECTED</b> 5.79	<b>2. REQUESTED PUBLICATION DATE</b> July 26, 2013
<b>3. NOTICE TYPE</b> <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		<b>4. AGENCY CONTACT PERSON</b> Jon Snellstrom	<b>TELEPHONE NUMBER</b> (916) 653-4899	<b>FAX NUMBER (Optional)</b> (916) 653-5040
<b>OAL USE ONLY</b>	<b>ACTION ON PROPOSED NOTICE</b> <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		<b>NOTICE REGISTER NUMBER</b> 2013, 302	<b>PUBLICATION DATE</b> 7/26/2013

### B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

<b>1a. SUBJECT OF REGULATION(S)</b> White Sturgeon Report Card Requirement	<b>1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)</b>
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<b>2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)</b>	<b>ADOPT</b>
<b>SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</b>	<b>AMEND</b> 5.79 and 27.92
<b>TITLE(S)</b> 14	<b>REPEAL</b>

**3. TYPE OF FILING**

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code § 11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§ 11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, § 11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code § 11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, § 11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, § 11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

**4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, § 44 and Gov. Code § 11347.1)**

**5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, § 100)**

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code § 11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> § 100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) <b>Effective 01/01/2014 per 11343.4(b)(4)(A)</b>
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**6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY**

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM § 6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

<b>7. CONTACT PERSON</b> Jon Snellstrom	<b>TELEPHONE NUMBER</b> (916) 654-9868	<b>FAX NUMBER (Optional)</b> (916) 653-5040	<b>E-MAIL ADDRESS (Optional)</b> jon.snellstrom@fgc.ca.gov
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**8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

<b>SIGNATURE OF AGENCY HEAD OR DESIGNEE</b> <i>Sonke Mastrup</i>	<b>DATE</b> November 7, 2013
<b>TYPED NAME AND TITLE OF SIGNATORY</b> Sonke Mastrup, Executive Director	

For use by Office of Administrative Law (OAL) only  
**ENDORSED APPROVED**

DEC 23 2013

Office of Administrative Law

**§ 5.79. White Sturgeon Report Card and Tagging Requirements for Inland Waters (FG 683, See Section 701).**

(a) Sturgeon Fishing Report Card Required. All anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for or taking white sturgeon. Anglers Cardholders must complete and return the card pursuant to regulations in this Section and in Section 1.74.

(b) Tagging and Recording Requirements for Retained Fish. A Sturgeon Fishing Report Card includes detachable tags that shall be used to tag any white sturgeon that is taken and retained in the sport fishery. Any white sturgeon possessed by any person shall be tagged.

(1) Upon taking and retaining a white sturgeon, the cardholder shall immediately record the following information:

(A) The month, day, fishing location, time of catch and length of the fish shall be recorded legibly and permanently in the appropriate spaces on the tag. The cardholder shall immediately and completely punch out the date of catch (month and day) on the sturgeon tag. Tags shall be used in sequential order.

(B) The month, day, fishing location and length of the fish shall be recorded in the appropriate spaces on the Sturgeon Fishing Report Card which corresponds to the number on the tag.

(2) Immediately after recording the information above, the cardholder shall remove and completely detach the tag from the card and affix it to the white sturgeon. Cardholders shall not wait until completion of fishing activity to tag any white sturgeon in possession.

(3) The tag shall be securely fastened to the fish. To affix the tag, a "zip tie", string, line or other suitable material shall be passed through the tag at the location specified on the sturgeon tag and attached to the fish.

(4) Tags shall not be removed from the report card until immediately prior to affixing to a white sturgeon. Any tags detached from the report card and not affixed to a white sturgeon shall be considered used and therefore invalid. No person shall possess any used or otherwise invalid sturgeon tags.

(5) Records of Prior Activity. All tags must be accounted for at all times by entry of a record on the Sturgeon Fishing Report Card corresponding to all tags that are not in the cardholder's possession. Any tag that was lost or destroyed shall be recorded as such on the corresponding line on the Sturgeon Fishing Report Card.

(6) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.

(c) Reporting Requirements for Released Fish.

(1) Whenever the cardholder catches and releases a sturgeon, the cardholder shall immediately record the month, day, location code, and species of sturgeon.

(2) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released need not be recorded on the card.

(3) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.

(d) Sturgeon tags must be left affixed to the fish in place, including while stored at a residence or non-transient location, until the fish is processed for immediate consumption.

(e) The annual fee for the Sturgeon Fishing Report Card is specified in Section 701, of these regulations.

Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code.

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

Section 27.92, Title 14, CCR is amended as follows:

**§ 27.92. White Sturgeon Report Card and Tagging Requirements for Ocean Waters (FG 683, See Section 701).**

(a) Sturgeon Fishing Report Card Required. All anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for or taking white sturgeon. ~~Anglers-Cardholders~~ must complete and return the card pursuant to regulations in this Section and in Section 1.74 of these regulations.

(b) Tagging and Recording Requirements for Retained Fish. A Sturgeon Fishing Report Card includes detachable tags that shall be used to tag any white sturgeon that is taken and retained in the sport fishery. Any white sturgeon possessed by any person shall be tagged.

(1) Upon taking and retaining a white sturgeon, the cardholder shall immediately record the following information:

(A) ~~The month, day,~~ fishing location, time of catch and length of the fish shall be recorded legibly and permanently in the appropriate spaces on the tag. The cardholder shall immediately and completely punch out the date of catch (month and day) on the sturgeon tag. Tags shall be used in sequential order.

(B) The month, day, fishing location and length of the fish shall be recorded in the appropriate spaces on the Sturgeon Fishing Report Card which corresponds to the number on the tag.

(2) Immediately after recording the information above, the cardholder shall remove and completely detach the tag from the card and affix it to the white sturgeon. Cardholders shall not wait until completion of fishing activity to tag any white sturgeon in possession.

(3) The tag shall be securely fastened to the fish. To affix the tag, a "zip tie", string, line or other suitable material shall be passed through the tag at the location specified on the sturgeon tag and attached to the fish.

(4) Tags shall not be removed from the report card until immediately prior to affixing to a white sturgeon. Any tags detached from the report card and not affixed to a white sturgeon shall be considered used and therefore invalid. No person shall possess any used or otherwise invalid sturgeon tags.

(5) Records of Prior Activity. All tags must be accounted for at all times by entry of a record on the Sturgeon Fishing Report Card corresponding to all tags that are not in the cardholder's possession. Any tag that was lost or destroyed shall be recorded as such on the corresponding line on the Sturgeon Fishing Report Card.

(6) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.

(c) Reporting Requirements for Released Fish.

(1) Whenever the cardholder catches and releases a sturgeon, the cardholder shall immediately record the month, day, location code, and species of sturgeon.

(2) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released need not be recorded on the card.

(3) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.

(d) Sturgeon tags must be left affixed to the fish in place, including while stored at a residence or non-transient location, until the fish is processed for immediate consumption.

(e) The annual fee for the Sturgeon Fishing Report Card is specified in Section 701 of these regulations.

Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code.

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