

# REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

## NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-2014-0606-01</b>	REGULATORY ACTION NUMBER <b>2014-0829-045</b>	EMERGENCY NUMBER
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ENDORSED FILED  
IN THE OFFICE OF

2014 OCT 13 PM 3:17

*Debra Bowen*  
DEBRA BOWEN  
SECRETARY OF STATE

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

2014 AUG 29 AM 10:20  
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY Fish and Game Commission	AGENCY FILE NUMBER (if any)
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### A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Tiger Salamander	TITLE(S) 14	FIRST SECTION AFFECTED 200.12	2. REQUESTED PUBLICATION DATE June 20, 2014
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Jon Snellstrom	TELEPHONE NUMBER (916) 643-4899	FAX NUMBER (Optional) (916) 653-5040
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER <b>2014, 252</b>	PUBLICATION DATE <b>6/20/2014</b>

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

1a. SUBJECT OF REGULATION(S) Use of Tiger Salamander as Live Bait	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT
AMEND 200.12, 200.29 and 200.31
REPEAL
TITLE(S) 14

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<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"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

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 checked="" 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 type="checkbox"/> Effective other (Specify) _____

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) _____

7. CONTACT PERSON Jon Snellstrom	TELEPHONE NUMBER (916) 654-9868	FAX NUMBER (Optional) (916) 653-5040	E-MAIL ADDRESS (Optional) 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.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Sonke Mastrup</i>	DATE August 29, 2014
TYPED NAME AND TITLE OF SIGNATORY Sonke Mastrup, Executive Director	

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ENDORSED APPROVED

OCT 13 2014

Office of Administrative Law

## REGULATORY TEXT

Section 200.12, Title 14, CCR, is amended to read:

### **§ 200.12. Live Freshwater Bait Fish License for Retail Live Bait Outlets.**

A live freshwater bait fish license is required for each live bait outlet and the specific location must be shown on the license. Such license is required in order to possess or sell live freshwater fin fish, ~~live waterdogs (as defined in subsection 200.31(e))~~ and live freshwater crayfish for use as bait in inland waters.

Note: Authority cited: Sections 8460, 8462 and 8491, Fish and Game Code. Reference: Sections ~~8460-8463~~8460, 8461, 8462, 8463, 8490 and 8491, Fish and Game Code.

## REGULATORY TEXT

Section 200.29, Title 14, CCR, is amended to read:

### **§ 200.29. Sources of Live Freshwater Bait Fish for Commercial Purposes.**

(a) Sources of live fin fish for bait are limited to the following:

- (1) Fish reared by a registered aquaculturist.
- (2) The following species taken under the authority of a commercial fishing license:
  - (A) Longjaw mudsucker (*Gillichthys mirabilis*)
  - (B) Staghorn sculpin (*Leptocottus armatus*)
  - (C) Yellowfin gobies
- (3) Bait fish licensees located within a one-mile wide landzone around Lake Tahoe may take from Lake Tahoe only those species of fin fish which sport fishermen may take directly from Lake Tahoe and use for bait in Lake Tahoe.

(b) Freshwater clams and freshwater crayfish for live bait purposes may be taken only under the authority of a live freshwater bait fish license. Crayfish taken for live bait purposes shall be taken pursuant to Section 116, Title 14, CAC CCR.

~~(c) Sources of live waterdogs for bait are limited to the following:~~

- ~~(1) Waterdogs reared by registered aquaculturists.~~
- ~~(2) Waterdogs imported from any other state.~~
- ~~(3) Waterdogs may not be taken from the wild for commercial or bait purposes in California except with written authorization from the Department.~~

Note: Authority cited: Sections 2120, 2122, 8437, 8460, 8462, 8491 and ~~15005-15006, 15005 and 15006~~, Fish and Game Code. Reference: Sections ~~2000-2002~~2000, 2000.5, 2001, 2002, 2013, 2120-2122-2120, 2121, 2122, 2270-2272-2270, 2270.5, 2271, 2272, 6300, 6301, 6303, 6306, 6401, 8437, 8460-8463-8460, 8461, 8462, 8463, 8490, 8491, 15005, 15006 and 15101, Fish and Game Code.

## REGULATORY TEXT

Section 200.31, Title 14, CCR, is amended to read:

### **§ 200.31. Species Prohibited for the Purpose of Commercial Bait Sales.**

The following species are prohibited for the purpose of commercial bait sales:

(a) Yellowfin gobies, except that yellowfin gobies may be sold as bait only in those areas within the Valley District described in ~~Section 4.20(a)(4)(A), (B) and (C)~~ subsection 4.20(d)(1), (2), and (3) of these regulations.

(b) Tilapia, except that tilapia may be sold as bait only in that area of the Colorado River District bounded by Highway 111 on the north and east and Highway 86 on the west and south.

(c) Salamanders, ~~except for waterdogs (exotic subspecies of the tiger salamander, *Ambystoma tigrinum* ssp.). No waterdogs 3 inches or less in length may be sold as bait.~~

Note: Authority cited: Sections 8437, 8460 and 8462, Fish and Game Code.

Reference: Sections 8437, ~~8460-8463~~ 8460, 8461, 8462, 8463 and 8490, Fish and Game Code.