

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Section 149 and  
Appendix A of Subdivision 1 of Division 1  
Title 14, California Code of Regulations  
Re: Commercial Fishing Logbooks  
for Market Squid

- I. Date of Initial Statement of Reasons: June 26, 2015
- II. Date of Final Statement of Reasons: October 9, 2015
- III. Dates and Locations of Scheduled Hearings:
  - (a) Notice Hearing: Date: June 10, 2015  
Location: Mammoth Lakes
  - (b) Discussion/Adoption Hearing: Date: October 7, 2015  
Location: Los Angeles
- IV. Update:

At its October 7, 2015 meeting, the Fish and Game Commission (Commission) adopted the regulations as recommended by the Department of Fish and Wildlife (Department). There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.

- V. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations:

(1) Paul Weakland, oral testimony at June 10, 2015 Commission meeting:  
Mr. Weakland asked whether logbooks are a benefit to resource management or a method to corporatize commercial fishing by collecting details of fishing activity.

Response:

The Initial Statement of Reasons includes a complete description of proposed changes and justifications for changes. The justifications include descriptions of how newly collected data will benefit resource management. In addition, the intent of this regulatory package is not to implement new logbooks but is to modify logbooks that already exist and are currently required under Section 149, Title 14, California Code of Regulations (CCR).

- VI. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:  
California Fish and Game Commission

1416 Ninth Street  
Sacramento, California 95814

VII. Location of Department Files:

Department of Fish and Wildlife  
1416 Ninth Street  
Sacramento, California

VIII. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative:

The no change alternative was considered and rejected because the current forms do not meet the Department's Forms Management standards and collect data that are less efficient in assisting the Department in management of the commercial market squid fishery.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purpose 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 affected private persons and equally effective in implementing the statutory policy or other provision of law.

IX. 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 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 regulations continue to allow all actively permitted market squid vessels (vessel, light, and brail) to participate in a directed fishery for market squid during the commercial market squid season until the season closes. The proposed regulations update the logbooks currently in use by

commercial squid fishermen. These changes are not expected to increase the time spent to complete the log.

- (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:

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses in California.

The Commission does not anticipate any benefits to the health and welfare of California residents or worker safety.

The Commission anticipates benefits to the environment in the sustainable management of a healthy squid resource.

- (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.

## Updated Informative Digest/Policy Statement Overview

The Market Squid Fishery Management Plan (MSFMP) was developed under the provisions set forth by the Marine Life Management Act (MLMA) and sets goals and objectives to govern the conservation, sustainable use, and restoration of the market squid resource. Section 149, Title 14, California Code of Regulations (CCR), governs commercial market squid fishing activities off California, pursuant to the MSFMP.

Current regulations prescribe the use of logbooks for the collection of fishing data. Market Squid Vessel Logbook (DFG 149a) and Market Squid Light/Brail Boat Logbook (DFG 149b) are proposed to be updated to bring these forms into compliance with the standards set by the Department of Fish and Wildlife's (Department) Forms Management Coordinator, improve instructions that explain how the logs are to be filled out, and improve the quality of data that are received by the Department. Updated instructions will accompany the forms. The forms and instructions will be inserted as part of CCR, Title 14, Appendix A, and the old forms (DFG 149a (9/01) and DFG 149b (10/05)) will be deleted.

The follow changes are proposed:

- Subsection 149(e) is proposed to be amended to refer to the revised forms entitled with an updated version number "Market Squid Vessel Logbook – DFW 149a (Rev. 05/01/15)", and "Market Squid Light/Brail Boat Logbook – DFW 149b (Rev. 05/01/15)."
- Additional changes are also proposed to improve the organization, clarity and consistency of the regulations.

### **Benefits of the Regulations**

The proposed regulatory action will benefit fishermen, processors, the State's economy, and the environment by maintaining a healthy and sustainable market squid fishery.

### **Consistency with State Regulations**

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. Commission staff has searched the California Code of Regulations and statutes and has found no other State regulations related to the take of market squid and no other State agency with authority to promulgate commercial squid fishing regulations.

**At its October 7, 2015, meeting in Los Angeles, CA, the Commission adopted the proposed regulatory amendments without changes. There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.**