

Regulatory Text

Section 190, Title 14, CCR, is amended to read:

§190. Fishing Activity Records.

(a) Pursuant to ~~§~~sections 7923 and 8026, Fish and Game Code, the owner and operator of a commercial fishing vessel or the holder of a commercial fishing license or permit participating in specified fisheries, and the owner and license holder of a commercial passenger fishing vessel shall keep and submit a complete and accurate record of fishing activities.

~~(a)-(b)~~ Fishing activity records shall be kept on paper forms provided by the department or on the electronic version on the department web site at <https://apps.wildlife.ca.gov/marinelogs>, hereafter referred to as logbook(s) for purposes of this section.

~~(b)~~ Fishing activity records ~~(c)~~ Logbooks shall be kept on the vessel while it is engaged in, or returning from, fishing operations and shall be made available to authorized representatives of the department for inspection immediately surrendered upon demand to a peace officer of the department. Unless otherwise specified in Title 14, CCR, fishing activity records ~~logbooks~~ shall be completed immediately with all available information when any of the following first occurs:

- (1) prior to passengers or crew disembarking from the vessel, or
- (2) at the time of receipt, purchase, or transfer of fish, or
- (3) at the end of the calendar day (24 hour clock) during fishing activity through the night.

~~(c)~~ Fishing activity records (d) If the logbook is kept on paper it shall be delivered to the department at 4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720, or such other department office as may be specified in regulation on or before the 10th day of each month following the month to which the records pertain. ~~Fishing activity records~~ Logbooks that are mailed shall be postmarked on or before the 10th day of each month following the month to which the records pertain.

~~(d)~~ (e) Failure to keep and submit required records of fishing activity ~~logbooks~~ may result in revocation or suspension (including non-renewal) of the license or permit for the taking of all fish or for the particular species for which the records are required, by the ~~D~~department, for a period not to exceed one year. Any revocation, suspension or nonrenewal may be appealed to the ~~C~~commission.

~~(e)~~ All fishing activity records (f) Logbooks shall be deemed confidential upon receipt by the Ddepartment.

Note: Authority cited: Sections 7071, 7920, 7923, 7924, 8022, 8026 and 8587.1, Fish and Game Code. Reference: Sections 7055, 7056, 7058, 7060, 7923, 7924, 8022, 8026 and 8587.1, Fish and Game Code.

Regulatory Text

Section 195, Title 14, CCR, is amended to read:

§195. Report of Fish Taken To Be Made by Owner of Barge or Vessel for Hire, and Boat Limits.

~~(a) Records required by Sections 7923 and 8026 of the Fish and Game Code shall be made on forms provided by the department entitled COMMERCIAL PASSENGER FISHING VESSEL LOG, CENTRAL AND NORTHERN CALIFORNIA, DFW 195A (02/13), or COMMERCIAL PASSENGER FISHING VESSEL LOG, SOUTHERN CALIFORNIA, DFW 195B (02/13), see Appendix A, and hereafter referred to as logbook for purposes of this section. The logbook shall include the following information and be completed and available for inspection as specified in this section:~~

~~(1) A full and correct record of fish taken, including species or specified species groups, filled out before the trip is completed as provided in subsection 190(b). The names used for designating the species of fish shall be those in common usage unless otherwise designated by the department.~~

(a) Pursuant to Section 190 the owner/operator of a commercial passenger fishing vessel shall keep a logbook of fishing activities.

(A) Form DFW 195A(1) The form entitled Commercial Passenger Fishing Vessel Log, Central and Northern California, DFW 195A (Rev 01/16), incorporated by reference herein, shall be used when the vessel is engaged in fishing north of Point Conception.

(B) Form DFW195B(2) The form entitled Commercial Passenger Fishing Vessel Log, Southern California, DFW 195B (Rev 01/16), incorporated by reference herein, shall be used when the vessel is engaged in fishing south of Point Conception.

~~(2) The owner/operator copy of the logbook shall be maintained and kept on the vessel for a period of one year, and upon request, shall be made available for inspection by any authorized representative of the Department.~~

~~(3) The numbered logbook shall be completed sequentially. A voided log shall have the word "Void" plainly and noticeably written on the face of the log.~~

~~(4) For months when no fishing activity occurred, a log shall be completed on the last day of the month with an entry made clearly indicating that no fishing activity occurred for the month specified by the owner/operator. All logs shall be kept and delivered to the department as specified in Section 190.~~

~~(5) A commercial passenger fishing vessel shall keep and submit logbooks whether or not the fishing trip involves paying or non-paying anglers.~~

...[No changes to subsections (b) through (g)]

Note: Authority cited: Sections 7071, 7920, 7923, 7924, 8026 and 8587.1, Fish and Game Code. Reference: Sections 7055, 7056, 7058, 7060, 7120, 7850, 7923, 7924, 8026 and 8587.1, Fish and Game Code.