

California Department of Fish and Wildlife Report on Amendment 17: Live Bait Fishery Allowance

At the September 2018 Council meeting, Council members emphasized the need for mandatory catch accounting in the live bait fishery. The California Department of Fish and Wildlife (CDFW) indicated that we were working closely with the live bait industry to determine a method of catch reporting, using existing State systems and under existing statute and regulations. CDFW staff and legal counsel reviewed California Fish and Game Code (CFGC) and Title 14, California Code of Regulations (CCR) in relation to reporting requirements for live bait. CDFW has determined that existing statute requires live bait barges to possess a Commercial Fish Receivers License and to report landings using California reporting systems. CDFW has discussed this requirement with representatives of the live bait industry to ensure live bait operations comply with the regulations.

CDFW will enforce the following existing statutes that require live bait barges to:

- 1) Possess a fish receiver's license under CFGC §8033, which states such a license is required for "any person who purchases or **receives** fish for commercial purposes from a fisherman" (emphasis added); and, as such
- 2) Fill out a landing receipt documenting the catch per CFGC §8043. Landing receipts include the following required information: fisherman and recipient information, location, date, value, gear used, weight, and species.

The definition of "landing" includes the transfer of fish, offloading fish, or to offload fish from any vessel and thus applies to live bait being transferred into a bait receiver anchored offshore (Title 14, CCR §197(a)(8)). The recent implementation of electronic catch reporting in California (Title 14, CCR §197), will enhance the ability to track catch in a timely manner. As of July 1, 2019, commercial catch, including live bait, will be reported electronically within three business days (CFGC §8046(a)). CDFW will ensure compliance with these requirements and will report back to the Council in April 2019 with an update on the status of compliance within the live bait fishery.