Proposed Regulatory Language

Section 28.06, Title 14 CCR, is amended to read:

§ 28.06. White Shark.

(a) White shark may not be taken, except under permit issued by the Department pursuant to Section 1002 of the Fish and Game Code for scientific or educational purposes.

(b) If taken, white shark shall be released immediately and shall not be removed from the water, except when taken under permit issued by the Department pursuant to Section 1002 of the Fish and Game Code for scientific or educational purposes.

Authority cited: Sections 200, 205, 255, 265, and 399, Fish and Game Code.
Reference: Sections 110, 200, 205, 255, 265, 1002 and 5517, Fish and Game Code.

Section 28.65, Title 14 CCR, is amended to read:

§ 28.65. General.

Except as provided in this article, fin fish may be taken only on hook and line or by hand. Any number of hooks and lines may be used in all ocean waters and bays except:

(a) San Francisco Bay, as described in Section 27.00, where only one line with not more than three hooks may be used.

(b) On public piers, no person shall use more than two rods and lines, two hand lines, or two nets, traps or other appliances used to take crabs.

(c) South of Pigeon Point (San Mateo County, 37° 11' N. lat.), when angling from shore (including beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore) or within 1,000 yards of the mean high tide line, the following are prohibited:

(1) The use of wire or metallic lines or leaders.

(2) The use of hooks greater than one and one-half inches at the widest inside measurement.

(d) When rockfish (genus Sebastes), California scorpionfish (*Scorpaena guttata*), lingcod (*Ophiodon elongatus*), cabezon (*Scorpaenichthys marmoratus*), greenlings of the genus *Hexagrammos*, or species listed in Section 28.49 are aboard or in possession, only one line with not more than two hooks may be used pursuant to sections 28.55, 28.54, 28.27, 28.28 28.29, or 28.49, respectively.

(e) No gaff hook shall be used to take or assist in landing any fin fish shorter than the minimum size limit. For the purpose of this section a gaff hook is any hook with or without a handle used to assist in landing fish or to take fish in such a manner that the fish does not take the hook voluntarily in its mouth. No person shall take fin fish from any boat or other floating device in ocean waters without having a landing net in possession or available for immediate use to assist in landing undersize fish of species having minimum size limits; the opening of any such landing net shall be not less than eighteen inches in diameter.

(f) North of Point Conception (34°27'00” N. lat.), where only one rod and line may be used by each angler fishing for salmon, or fishing from any boat or floating device with salmon on board.

(g) Mousetrap gear prohibited: It is unlawful to use, assist in using, or to possess aboard any vessel, hook-and-line gear commonly termed “mouse traps” constructed of a hook(s) or lure(s), attached to one end of a line that is attached to a float, or floats at the other end, and that when fished, is not attached directly to a person or vessel. Possession of such gear aboard a vessel shall be prima facie evidence that the gear is being used in violation of this regulation.

(h) North of Point Conception to 40°10'00” N. lat. (near Cape Mendocino), subsection 27.80(a)(3) applies to each angler fishing for salmon or fishing from any boat or floating device with salmon on board.

Authority cited: Sections 200, 205, 265, 270, 275, 7071, 7110, and 399, Fish and Game Code.
Reference: Sections 200, 205, 265, 270, 275, 7110 and 8585.5, Fish and Game Code.