

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
ADDENDUM TO FINAL STATEMENT OF REASONS

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

1. **Revised Table 1 Attachment A – Public Comments and Responses for the California Spiny Lobster Fishery Management Plan Implementing Regulations.**
2. **A 15-day notice was mailed to interested and affected parties on December 19, 2016. One comment was received from Joe Exline on January 1, 2017.**

Comment: 1) The modifications to reflect the change of regulatory language have some inconsistencies between the regulatory language and the descriptive language in the Amended Initial Statement of Reasons (AISOR).

Response: 1) Comment noted and the inconsistencies in the descriptive language in the AISOR were inadvertently missed. The Final AISOR now reflects the change.

Comment: 2) Buoy branding of commercial fishing license number onto floats will result in a color, which contrasts with that of the float; the internal color of the buoy is the same as the outer color of the buoy and is not contrasting, however; the identification is clearly readable. Under a strict interpretation of the regulatory language of “contrasting color” there is concern this “branding” may not comply with the regulation as currently written and is why a clarification was requested (see attached branding images).

Response: 2) Branding of commercial trap floats is not in the scope of the proposed regulations. The branding of commercial floats is allowed under current regulations (current subsection 122(k) moved to subsection 122.1(b) in this rulemaking). The regulation currently requires the commercial fishing license number to “be in color which contrasts with that of the buoy.” The traditional method of branding commercial fishing license numbers onto floats can result in a color, which contrasts with that of the float. Therefore, the proposed regulation is currently covered under existing regulation.