

## Section 230, Title 14, CCR

### §230. Issuance of Permits for Contests Offering Prizes for the Taking of Game Fish.

#### (a) Definition of Contests.

(1) Type A Contest. Type A contests are those events offering prizes totaling more than \$1,000 in value or with more than 50 participants. Type A contests may not exceed three days in duration and no more than one Type A event may be held at any water on the same day for the same game fish category listed in subsection 230(b)(1). If two or more applicants have requested a permit for the same date for a water, the application received first shall be given priority except for black bass contests, see subsection (b)(1)(A) through (D), below.

(See subsection 230(e) re: additional restrictions for black bass events.)

(2) Type B Contest. Type B contests are those events offering prizes of \$1,000 or less and with 50 or fewer participants.

#### (b) Issuance of Permits.

(1) Revocable permits to conduct fishing contests (including tournaments, derbies or tagged fish contests) may be issued by the department to any person (as defined by section 67, Fish and Game Code) authorizing the permittee to offer prizes or other inducements for the taking of game fish. The department shall issue such permits if it determines the proposed contest(s) would not be detrimental to the resource. For the purposes of this section, game fish are defined as the following: white sturgeon and green sturgeon; American shad; salmon and trout -all species; goldfish; common carp; hardhead; Sacramento squawfish; western sucker; catfish and bullheads -all species; striped bass; white bass; black bass and sunfish -all species; tilapia -all species; sargo; bairdiella; and orangemouth corvina. Procedures for issuing event permits for black bass fishing contests are specified in subsections (A) through (D), below:

(A) A random drawing will be conducted by department personnel to issue Type A permits for black bass fishing contests during July of the year preceding the contest date. Drawings will be conducted the second Friday of July for bodies of water north of the Tehachapi Mountains and the third Friday of July for waters south of the Tehachapi Mountains. Applications will not be accepted prior to July 1 of the year preceding the calendar year in which a contest is proposed.

(B) Applicants may submit a completed application(s) (including appropriate fees) to the appropriate department office (see Section 230(b)(2)) or attend the random drawings in person. Applications received prior to the random drawings must be prioritized by the applicant and if not, will be drawn in chronological order based on the contest date. Prior to the drawing, a random number will be assigned to each applicant in attendance and to each group of applications submitted by an individual not in attendance. A series of random drawings of the assigned numbers will be conducted by department personnel and one application accepted for each number drawn. Only one application shall be accepted from each applicant during each consecutive round of the drawing process. Rounds of drawings will be conducted until all applications have been accepted, or there are no more available dates for a given body of water, whichever occurs first.

(C) Immediately following the drawing(s), the fees for all successful applications not already submitted must be paid to the department.

(D) Permits for applications received after the drawings will be issued in chronological order of receipt, subject to availability.

(2) Application shall be made on a standard form provided by the department (APPLICATION FOR PERMIT TO OFFER PRIZES FOR TAKING GAME FISH, FG 775 (Rev. 11/98)), which is incorporated by reference herein), and shall include the name of the sponsor, if any, and the name and address of the

applicant, the telephone number where the applicant can be reached, and for each contest: the location and date of the event, total value of the prizes, and expected number of participants. The application must be signed by the applicant. Applications for Type B contests should be submitted to the regional office (see map and addresses of Regional offices attached to application form FG 775 (Rev. 11/98)) nearest to the applicant. Applications for Type A permits must be submitted to the department regional office for the region where the contest(s) is proposed.

(3) The application shall be submitted to the department at least 30 days prior to the proposed contest(s).

(4) Applications will not be accepted prior to July 1 of the year preceding the calendar year in which any contest is proposed.

(5) The department will consider requests for adjustments to approved Type A contest dates, if such requests are received by the issuing regional office not later than 30 days prior to the contest date to be changed.

(6) Permits are not transferable.

(7) Event and Annual Permits.

(A) An Event Permit will be issued for each Type A contest (see subsection 230(a)(1)).

(B) An Annual Permit will be issued on a calendar year basis to cover all Type B Contests (see subsection 230(a)(2)) proposed for that year.

(8) Cost of permit: See subsection 699(b) of these regulations for the fee for this permit.

(c) Observer Requirement. An employee of the department may be assigned as an observer and be present at any contest. The applicant shall reimburse the department \$100 per day for the cost of the observer's services and all associated administrative and incidental costs.

(d) Compliance with Sport Fishing Regulations.

(1) No provisions of these regulations exempt any participant in a contest from the sport fishing regulations, except that the department may, for permitted contests, authorize an exemption to:

(A) Regulations which impose an increased minimum size limit larger than 12 inches, a slot size limit, or a reduced bag limit less than five fish for Type A contests, and;

(B) Daily bag and possession limits for all permitted black bass contests, insofar that once the daily bag and possession limit has been reached by an individual angler, that same angler may continue to fish under the condition that each additional fish caught must immediately be returned to the water alive and in good condition, or be used to replace a fish being maintained alive and in good condition from the participant's livewell or other suitable holding facility.

(2) To prevent the movement of live fish from one body of water to another, the department also may establish permit conditions governing the movement of live fish associated with tournament activities.

(e) Additional Restrictions for Black Bass Contests.

(1) Insofar as possible, all fish shall be returned to the water alive and in good condition, except the department may for scientific or management purposes, take possession of any fish caught during the contest and provide for retention of unusually large fish by participants. The department shall notify the permittee or his designated representative of such exceptions prior to the start of the contest.

(2) All contestants shall have facilities for keeping bass alive and in good condition. The contest or department officials shall have the authority to disqualify any individual from competing if suitable facilities are not available.

(3) Only artificial lures may be used.

(f) Special Conditions. To provide for the welfare of fish populations or individual fish, the department may impose special conditions not specifically covered herein for any contest. The Department shall provide such conditions in writing to the applicant when issuing the permit. The applicant shall provide copies or otherwise inform every participant of the special conditions. It is unlawful for any person participating in a contest permitted under the authority of this Section to violate any condition of the permit.

(g) Submission of Reports. Permittees shall complete and return a report on a standard form (attached to application form FG 775(6/90)) provided by the department, or an equivalent form, within 30 days after the completion of each contest. The permittee shall answer all the questions thereon relating to the contest, so that department personnel may monitor the impact of such events on fisheries resources.

(h) Revocation or Denial of Permits. Failure of a permittee to comply with the provisions of this section, and any special conditions applied under this section, can result in the revocation of current permits or denial of applications for future permits, as determined by the department.

Note: Authority: Sections 1050 and 2003, Fish and Game Code. Reference: Sections 711, 713, 1050 and 2003, Fish and Game Code.