

Regulatory Language

Subsections 165(a) and 165(d) through 165(f) remain unchanged. Subsections 165(b) and 165(c), Title 14, CCR are amended to read:

§165 Harvesting of Kelp and Other Aquatic Plants.

...

(b) General Harvesting Provisions.

(1) Weighing of Kelp. A kelp harvester shall determine the weight of harvested kelp or other aquatic plants upon landing or delivery to the harvester's place of business. The harvester may determine the weight of harvested kelp or other aquatic plants using either direct weighing or a volume conversion that has been approved by the department. If the weight is determined by a public certified or licensed weighmaster, the harvester shall obtain a receipt and maintain the receipt in the landing record required under subsection (b)(3) below.

(2) Harvesting Records. Every person harvesting kelp and other aquatic plants and licensed pursuant to section 6650 of the Fish and Game Code shall keep a book or books recording the following:

(A) Category of plants harvested as defined in Section 165(c), (d) and (e).

(B) The wet weight of harvested kelp or other aquatic plants recorded in pounds or tons (1 ton = 2000 pounds).

(C) Name and address of the person or firm to whom the plants are sold, unless utilized by the harvester. The book(s) shall be open at all times for inspection by the department.

(3) Landing Records. Records of landing shall be prepared by all harvesters licensed pursuant to Section 6650 of the Fish and Game Code. Records of landing shall be made in triplicate using forms FG 113 (Rev. 1/97, see Appendix A) and FG 114 (~~Rev. 1/97~~)(Rev. 1/07, see Appendix A). The landing records shall show:

(A) The wet weight of all aquatic plants harvested in units as defined in subsection (b)(2)(B) above.

(B) Name of harvester.

(C) Department of Fish and Game kelp harvester number.

(D) Dates of landing and report period.

(E) Kelp bed number and, if applicable, harvest control area or marine protected area where plants were harvested.

(F) A duplicate copy of the landing record shall be kept by a kelp harvester for a period of one year and shall be available for inspection at any time within that period by the department. A kelp harvester who harvests kelp from a harvest control area established under subsection (c)(4)(E) below or from a marine protected area established under subsection 632(b) shall maintain a copy of the landing record on board the harvest vessel for all harvesting conducted during that harvest control period. The original and one copy of the record shall be delivered to the department at the address indicated within 10 days after the close of each month, with the specified royalty required for all kelp and other aquatic plants harvested. Failure to submit the required landing record and royalty fees within the prescribed time limit are grounds for revocation of the harvester's license.

- (4) No eel grass (*Zostera*) or surf grass (*Phyllospadix*) may be cut or disturbed.
- (5) No kelp or other aquatic plant may be harvested in a state marine reserve or state marine park as per subsection 632(a). Commercial harvest of kelp or other aquatic plants may be limited in state marine conservation areas as per subsection 632(b).
- (6) It is unlawful to cause or permit waste of any kelp or other aquatic plants taken in the waters of this state or to take, receive or agree to receive more kelp or other aquatic plants than can be used without waste or spoilage.
- (c) Harvesting of *Macrocystis* and *Nereocystis* (giant and bull kelp). In this subsection, kelp means both giant and bull kelp.
- (1) A kelp harvester may harvest kelp by cutting and removing portions of attached kelp or by collecting unattached kelp.
- (2) A kelp harvester may not cut attached kelp at a depth greater than four feet below the surface of the water at the time of cutting.
- (3) No kelp received aboard a harvesting vessel shall be allowed to escape from the vessel or be deposited into the waters of this state.
- (4) If, at any time, the commission finds that the harvesting of kelp will tend to destroy or impair any kelp bed or beds, or parts thereof, or tend to impair or destroy the supply of food for fish or marine mammals, the commission may limit or prohibit the harvest of kelp within a bed or portion of a bed for any length of time.
- (A) In beds north of Point Montara, *Nereocystis* (bull kelp) may only be taken by hand harvesting. No mechanical harvesters of any kind are allowed.
- (B) Between April 1 and July 31, a kelp harvester may not harvest bull kelp from a nonleased kelp bed that lies partially or totally within the boundary of the Monterey Bay National Marine Sanctuary extending from Santa Rosa Creek, San Luis Obispo County, northward to Rocky Point, Marin County. This subsection does not preclude the removal of bull kelp from beaches within the Monterey Bay National Marine Sanctuary during the seasonal closure.
- (C) Prior commission approval of a kelp harvest plan is necessary before a kelp harvester may use a mechanical harvester to harvest giant kelp in a nonleased kelp bed north of Santa Rosa Creek, San Luis Obispo County. For approval of a kelp harvest plan, a harvester must identify how a mechanical harvester will be used while avoiding: 1) repetitive harvest from individual giant kelp plants; 2) harvest of bull kelp from those portions of kelp beds that contain both giant kelp and bull kelp; and 3) harvest giant kelp near sea otter rafting sites used by female sea otters with dependent pups.
- (D) A kelp harvester may not harvest kelp in that portion of kelp bed 220 in Monterey County that lies ~~between~~ in the area bounded by the mean high tide line, a line extending due north from the tip of the Monterey breakwater and a line created by a seaward extension running 40° magnetic north from the northern-most portion of the unnamed point that lies seaward of the Chart House restaurant, approximately 3000 feet northwest of the tip of the Monterey breakwater ~~latitude 36° 36.83 N.~~
- (E) With a finding as determined in subsection (c)(4) above, the commission may designate, through emergency regulation, a nonleased kelp bed or portion of a bed as a harvest control area for a specified period of time. The commission shall set a cumulative harvest tonnage limit for each kelp harvester that may not be exceeded while harvesting within the control area during any consecutive 7-day period. The department shall maintain a list of active harvest control areas, their effective time

period, and their cumulative harvest tonnage limit on its web page (www.dfg.ca.gov). The same information may be obtained by contacting the Marine Region office at 20 Lower Ragsdale Drive, Suite 100, Monterey, CA 93940.

(5) A kelp harvester may not harvest kelp from the following kelp beds:

Bed. No.	Square Miles
10	0.00
15	0.04
22	0.05
24	0.05
203	0.00
224	0.06
206	0.04
225	0.00
226	0.00
301	0.00
302	0.00
303	1.33
304	0.89
305	1.11
306	1.03
307	0.93
310	0.00
311	0.00
Total	5.53

(6) Only a lessee authorized by the commission may harvest kelp from the following beds:

Bed. No.	Square Miles
308	0.20
309	0.14
312	0.20
Total	0.54

(7) In addition to the license fee, a kelp harvester shall pay a royalty of \$1.71 for each ton (2,000 pounds) of wet kelp harvested from a nonleased bed.

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Note: Authority cited: Sections 6653 and 6653.5, Fish and Game Code. Reference: Sections 6650-6680, Fish and Game Code.

Subsections 165(d) through 165(f) remain unchanged.

Section 632, Title 14, CCR is amended to read:

§632. Marine Protected Areas (MPAs), Marine Managed Areas (MMAs), and Special Closures.

The areas specified in this section have been declared by the commission to be marine protected areas, marine managed areas, or special closures. Public use of marine protected areas, marine managed areas, or special closures shall be compatible with the primary purposes of such areas, and MPAs, MMAs, and special closures are subject to the following ~~applicable~~ general rules and regulations in addition to existing Fish and Game Code statutes and regulations of the commission, except as otherwise provided for in subsection 632(b), areas and special regulations for use. Nothing in this section expressly or implicitly precludes, restricts or requires modification of current or future uses of the waters identified as marine protected areas, special closures, or the lands or waters adjacent to these designated areas by the Department of Defense, its allies or agents.

(a) General Rules and Regulations:

(1) Protection of Resources.

(A) State Marine Reserves: In a state marine reserve, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except under a scientific collecting permit issued pursuant to Section 650 or specific authorization from the commission for research, restoration, or monitoring purposes.

(B) State Marine Parks: In a state marine park, it is unlawful to injure, damage, take, or possess any living or nonliving marine resource for commercial ~~exploitation~~ purposes. Any human use that would compromise protection of the species of interest, natural community or habitat, or geological, cultural, or recreational features, may be restricted by the commission as specified in subsection 632(b), areas and special regulations for use. The commission may ~~permit~~ issue scientific collecting permits pursuant to Section 650 or specifically authorize research, monitoring, and educational activities and certain recreational harvest in a manner consistent with protecting resource values.

(C) State Marine Conservation Areas: In a state marine conservation area, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource for commercial or recreational purposes, or a combination of commercial and recreational purposes except as specified in subsection 632(b), areas and special regulations for use. The commission may ~~permit~~ issue scientific collecting permits pursuant to Section 650 or specifically authorize research, education, and recreational activities, and certain commercial and recreational harvest of marine resources, provided that these uses do not compromise protection of the species of interest, natural community, habitat, or geological features.

(D) State Marine Recreational Management Areas: In a state marine recreational management area, it is unlawful to perform any activity that would compromise the recreational values for which the area may be designated. Recreational opportunities may be protected, enhanced, or restricted, while preserving basic resource values of the area. No other use is restricted unless specified in subsection 632(b), areas and special regulations for use.

(2) Finfish. Finfish, for the purpose of this section, are defined as any species of bony fish or cartilaginous fish (sharks, skates and rays). Finfish do not include amphibians,

invertebrates, plants or algae. The definition of finfish provided in Section 159 does not apply to this Section.

~~(2)~~(3) Pelagic Finfish. Pelagic finfish, for the purpose of this section, are a subset of finfish defined as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena spp.*), billfishes* (family Istiophoridae), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasii*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus spp.*), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias spp.*), swordfish (*Xiphias gladius*), tunas (family Scombridae), and yellowtail (*Seriola lalandi*). *Marlin is not allowed for commercial take.

~~(3)~~(4) Access. Access into marine protected areas or marine managed areas for non-consumptive uses including but not limited to swimming, surfing, diving, boating, hiking and walking is allowed unless otherwise specified in subsection 632(b), areas and special regulations for use.

~~(4)~~ Ejection. ~~Employees of the department may eject any person from a marine protected area for violation of any of these rules or regulations or for any reason when it appears that the general safety or welfare of the marine protected area, its associated flora and fauna, or persons thereon is endangered.~~

(5) Introduction of Species. Unless authorized by the commission or as a result of authorized fishing activities, the release of any fish or wildlife species, including domestic or domesticated species, or the introduction of any plant species, is prohibited. The department may reintroduce endemic species to marine protected areas or marine managed areas for management purposes.

(6) Feeding of Fish and Wildlife. The feeding of fish and wildlife is prohibited except permitted scientific collection pursuant to Section 650 or as a result of authorized fishing within state marine conservation areas, state marine parks, and state marine recreational management areas.

(7) Anchoring. Vessels shall be allowed to anchor in any marine protected area or marine managed area with catch onboard unless otherwise specified in subsection 632(b), areas and special regulations for use. Fishing gear shall ~~be stowed and not in use~~not be deployed in the water while anchored in a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall ~~be stowed and not in use~~not be deployed in the water while anchored in a state marine recreational management area, state marine park or state marine conservation area. Anchoring regulations shall be consistent with federal law and allowances made for anchoring required by emergency or severe weather.

(8) Transit or Drifting. Vessels shall be allowed to transit through marine protected areas and marine managed areas with catch onboard. Fishing gear shall ~~be stowed and not in use~~not be deployed in the water while transiting through a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall ~~be stowed and not in use~~not be deployed in the water while transiting through a state marine recreational management area, state marine park or state marine conservation area.

(b) Areas and Special Regulations for Use. Pursuant to the commission's authority in Fish and Game Code Section 2860 to regulate commercial and recreational fishing and any other taking of marine species in MPAs, Fish and Game Code Sections 10500(f),

10500(g), 10502.5, 10502.6, 10502.7, 10502.8, 10655, 10655.5, 10656, 10657, 10657.5, 10658, 10660, 10661, 10664, 10666, 10667, 10711, 10801, 10900, 10901, 10902, 10903, 10904, 10905, 10906, 10907, 10908, 10909, 10910, 10911, 10912, 10913, and 10932 are made inoperative as they apply to Subsection 632(b). All geographic coordinates listed use the North American Datum 1983 (NAD83) reference datum:

(1) Punta Gorda State Marine Reserve.

(A) This area is bounded by the three-fathom inshore depth contour, the 30-fathom depth contour and the following points:

40° 16.43' N. lat. 124° 22.00' W. long.;

40° 16.43' N. lat. 124° 23.50' W. long.;

40° 14.83' N. lat. 124° 23.18' W. long.; and

40° 15.23' N. lat. 124° 21.62' W. long.

(B) Take of all living marine resources is prohibited.

~~(A)~~(C) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Punta Gorda State Marine Reserve except as authorized pursuant to scientific research approved by the department.

~~(B)~~(D) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Punta Gorda State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.

~~(C)~~(E) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Punta Gorda State Marine Reserve except as authorized pursuant to scientific research approved by the department.

~~(D)~~(F) Public Entry. Public entry into the Punta Gorda State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.

~~(E)~~(G) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Punta Gorda State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.

~~(F)~~(H) Litter. No person shall deposit, drop, or scatter any debris on the Punta Gorda State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.

~~(G)~~(I) Aircraft. No person shall operate any aircraft or hovercraft within the Punta Gorda State Marine Reserve, except as authorized pursuant to scientific research approved by the department.

(H)(J) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Punta Gorda State Marine Reserve unless authorized by the department.

(H)(K) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations to conduct marine-related research within the Punta Gorda State Marine Reserve.

(J)(L) Scientific research conducted within the Punta Gorda State Marine Reserve shall not interfere with access by land to coastal trails along the shoreline adjacent to the reserve.

(2) MacKerricher State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 3-fathom depth contour and the following points:

39° 29.81' N. lat. 123° 47.50' W. long.;

39° 29.95' N. lat. 123° 47.80' W. long.;

39° 27.62' N. lat. 123° 48.80' W. long.; and

39° 27.55' N. lat. 123° 48.52' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, squid, algae except giant kelp and bull kelp, and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(3) Point Cabrillo State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 1000 feet ~~offshore~~ seaward of mean lower low water, and the following points:

39° 21.24' N. lat. 123° 49.25' W. long.;

39° 21.33' N. lat. 123° 49.64' W. long.;

39° 20.66' N. lat. 123° 49.68' W. long.; and

39° 20.57' N. lat. 123° 49.27' W. long.

(A)(B) Take of all living marine resources is prohibited except the commercial take of finfish and marine aquatic plants.

(4) Russian Gulch State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 3-fathom depth contour and the following points:

39° 19.86' N. lat. 123° 48.84' W. long.;

39° 19.85' N. lat. 123° 48.89' W. long.;

39° 19.52' N. lat. 123° 48.46' W. long.; and

39° 19.52' N. lat. 123° 48.23' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(5) Van Damme State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 3-fathom depth contour and the following points:

39° 16.45' N. lat. 123° 47.60' W. long.;

39° 16.355' N. lat. 123° 47.60' W. long.;

39° 16.27' N. lat. 123° 47.545' W. long.; and

39° 16.27' N. lat. 123° 47.43' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~ lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(6) Manchester and Arena Rock State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

39° 00.30' N. lat. 123° 41.90' W. long.;

39° 00.30' N. lat. 123° 44.40' W. long.;

38° 58.30' N. lat. 123° 45.60' W. long.; and

38° 57.50' N. lat. 123° 43.70' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~ lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(7) Del Mar Landing State Marine Park.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

38° 44.44' N. lat. 123° 30.81' W. long.;

38° 44.32' N. lat. 123° 30.95' W. long.;

38° 44.25' N. lat. 123° 30.64' W. long.;

38° 44.28' N. lat. 123° 30.49' W. long.; and

38° 44.40' N. lat. 123° 30.37' W. long.

(A)(B) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line or spear.

(8) Salt Point State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

38° 35.18' N. lat. 123° 20.49' W. long.;

38° 34.40' N. lat. 123° 21.35' W. long.;

38° 33.05' N. lat. 123° 19.58' W. long.; and

38° 33.55' N. lat. 123° 18.99' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(9) Gerstle Cove State Marine Conservation Area.

(A) This area lies within the Salt Point State Marine Conservation Area and is bounded by the mean high tide line and a straight line connecting the following points:

38° 33.93' N. lat. 123° 19.85' W. long.; and

38° 33.93' N. lat. 123° 19.65' W. long.

(A)(B) Take of all living marine resources is prohibited except the commercial take of finfish and algae except giant kelp and bull kelp.

(10) Fort Ross State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 3-fathom depth contour, and the following points:

38° 30.71' N. lat. 123° 15.14' W. long.;

38° 30.57' N. lat. 123° 15.29' W. long.;

38° 30.35' N. lat. 123° 14.50' W. long.; and

38° 30.61' N. lat. 123° 14.16' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: ~~(A) No recreational take of living or non-living marine resources is allowed except:~~ finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~ lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels. ~~Commercial take of species other than giant kelp and bull kelp is allowed.~~

2. The commercial take of all species other than giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed.

(11) Sonoma Coast State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 3-fathom depth contour, and the following points:

38° 22.55' N. lat. 123° 04.64' W. long.;
38° 22.54' N. lat. 123° 04.78' W. long.;
38° 19.50' N. lat. 123° 04.80' W. long.; and
38° 19.40' N. lat. 123° 04.70' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: ~~(A) No recreational take of living or non-living marine resources is allowed except:~~ finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels. ~~Commercial take of species other than giant kelp and bull kelp is allowed.~~

2. The commercial take of all species other than giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed.

(12) Bodega State Marine Reserve.

~~(A)~~ This area is bounded by the mean high tide line, a distance of 1000 feet ~~offshore~~seaward of mean lower low water, and the following points:

38° 19.38' N. lat. 123° 04.47' W. long.;
38° 19.57' N. lat. 123° 04.71' W. long.;
38° 18.56' N. lat. 123° 04.33' W. long.; and
38° 18.71' N. lat. 123° 04.15' W. long.

(B) Take of all living marine resources is prohibited.

~~(A)~~(C) In the Bodega State Marine Reserve licensees of the Regents of the University of California and all officers, employees, and students of such university may take, for scientific purposes, any invertebrate or specimen of marine plant life without a permit from the department.

~~(B)~~(D) The director of the Bodega State Marine Reserve may authorize any person to enter the Reserve for the purpose of taking fish, invertebrates, or marine plants for scientific study and to take or possess fish, invertebrates, or marine plants for scientific study.

~~(C)~~(E) Except as permitted by federal law or emergency caused by hazardous weather, it is unlawful to anchor or moor a vessel in the Bodega State Marine Reserve without authorization from the reserve director for the purpose of scientific study.

(13) Tomales Bay State Marine Park.

(A) This area is bounded by the mean high tide line of Tomales Bay within Tomales Bay Ecological Reserve southeastward of a line drawn between the following two points:

38° 05.73' N. lat. 122° 49.84' W. long.; and
38° 05.45' N. lat. 122° 50.57' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants.

~~(B)~~(C) Only lightweight, hand-carried boats may be launched or operated within the park.

~~(C)~~(D) Waterfowl may be taken in accordance with the general waterfowl regulations (Sections 502, 550, 551, and 552).

(14) Point Reyes Headlands State Marine Conservation Area.

(A)This area is bounded by the mean high tide line, a distance of 1000 feet ~~offshore~~seaward of mean lower low water, and the following points:

37° 59.73' N. lat. 123° 01.46' W. long.;
37° 59.73' N. lat. 123° 01.68' W. long.;
37° 59.40' N. lat. 122° 57.60' W. long.; and
37° 59.40' N. lat. 122° 57.81' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except the commercial take of finfish and algae other than giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*).

(15) Estero de Limantour State Marine Conservation Area.

(A) This area consists of waters below the mean high tide line within Estero de Limantour eastward of a line drawn between the following two points:

38° 01.97' N. lat. 122° 55.97' W. long.; and

38° 02.33' N. lat. 122° 55.97' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except the commercial take of finfish and algae other than giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*).

(16) Duxbury Reef State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 1000 feet ~~offshore~~seaward of mean lower low water, and the following points:

37° 55.52' N. lat. 122° 44.17' W. long.;

37° 55.42' N. lat. 122° 44.31' W. long.;

37° 53.65' N. lat. 122° 41.91' W. long.; and

37° 53.77' N. lat. 122° 42.02' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: Red abalone, ~~dungeness crabs~~Dungeness crab, rock crabs, rockfish (family Scorpaenidae), lingcod, cabezon, surfperch (family Embiotocidae), halibut, flounder, sole, turbot, salmon, kelp greenling, striped bass, steelhead, monkeyface-eel, wolf-eel, smelt, and silversides. ~~Commercial take of species other than giant kelp and bull kelp is allowed.~~

2. The commercial take of all species other than giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed.

(17) Farallon Islands State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and a distance of ~~4~~one nautical mile offshore Southeast Farallon and North Farallon Islands.

~~(A)~~(B) Take other than the recreational take of marine aquatic plants is ~~permitted~~allowed except within the areas described in this section during the stated timeframes.

~~(B) Except as specifically prohibited under this section, boating, sport and commercial fishing, swimming, and skin and SCUBA diving are permitted within the ecological reserve, which extends one nautical mile from the coastline of Southeast Farallon and North Farallon Islands.~~

(C) All vessels shall observe a five (5) nautical mile per hour speed limit within 1,000 feet of any shoreline in the reserve.

(D) All commercial abalone and sea urchin diving vessels operating in the reserve shall terminate their vessel engine exhaust system either through a muffler for dry exhaust systems, or below the vessel waterline for wet exhaust systems.

(E) All commercial abalone and sea urchin diving vessels equipped with an open, deck-mounted air compressor system, while operating in the conservation area~~reserve~~, shall have the air compressor's engine exhaust system terminate below the vessel waterline.

(F) From March 15 through August 15 of each year no vessel shall be operated or anchored less than 300 feet from the shoreline of any of the four islets comprising the North Farallons, including North Farallon, the Island of St. James and the two unnamed islets located between them, in the vicinity of 37° 46' N. lat. 123° 06' W. long., except in the area beginning at a line extending due west magnetic from the northernmost point of land on North Farallon and continuing clockwise to a line drawn due west magnetic from the southernmost point of land on North Farallon and in the area beginning at a line drawn due west magnetic from the northernmost point of land on the northernmost of the two unnamed islets extending clockwise to a line drawn due south magnetic from the southernmost point of land on that islet.

(G) From March 15 through August 15 of each year no vessel shall be operated or anchored less than 300 feet from the shoreline in the area beginning at the south end of Jordan Channel, westward around Indian Head, then generally northward past Great Arch Rock, then generally following the shoreline to a line extending due west from the northernmost point of land on Sugarloaf Island or in the area from the east end of Mussel Flat, generally southward to the northeasternmost point of land on Saddle Rock (Seal Rock) then generally southwest along the northerly shoreline of Saddle Rock to the southwesternmost point of land on Saddle Rock and continuing generally northward to the west end of Mussel Flat, both areas at Southeast Farallon Island.

(H) Nothing in this section shall prohibit emergency anchorage or vessel operation necessary to protect property or human life.

(18) Fagan Marsh State Marine Park.

(A) This area consists of waters below the mean high tide line within the Fagan Marsh Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants.

~~(B)~~(C) Only lightweight, hand-carried boats may be launched or operated within the park.

(19) Peytonia Slough State Marine Park.

(A) This area consists of waters below the mean high tide line within the Peytonia Slough Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants.

~~(B)~~(C) Only lightweight, hand-carried boats may be launched or operated within the park.

(20) Corte Madera Marsh State Marine Park.

(A) This area consists of waters below the mean high tide line within the Corte Madera Marsh Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from shore only.

~~(B)~~(C) Only lightweight, hand-carried boats may be launched or operated within the park.

~~(C)~~(D) Swimming, wading, and diving are prohibited within the park.

(21) Marin Islands State Marine Park.

(A) This area consists of waters below the mean high tide line within the Marin Islands Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from shore only.

~~(B)~~(C) Boating, swimming, wading, and diving are prohibited within the park.

(22) Albany Mudflats State Marine Park.

(A) This area consists of waters below the mean high tide line within the Albany Mudflats Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from shore only.

~~(B)~~(C) Boating, swimming, wading, and diving are prohibited within the park.

(23) Robert W. Crown State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and a distance of 150 feet ~~offshore~~seaward of mean lower low water, between the following points:

37° 45.97' N. lat. 122° 16.84' W. long.; and

37° 45.95' N. lat. 122° 16.52' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. Finfish may be taken recreationally by hook and line only.

2. Finfish and kelp may be taken commercially.

(24) Redwood Shores State Marine Park.

(A) This area consists of waters below the mean high tide line within the Redwood Shores Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants.

~~(B)~~(C) Only lightweight, hand-carried boats may be launched or operated in within the park.

(25) Bair Island State Marine Park.

(A) This area consists of waters below the mean high tide line within the Bair Island Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than kelp from shore only.

~~(B)~~(C) Boating, swimming, wading, and diving are prohibited within the park.

~~(C)~~(D) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, shall enter this park during the period February 15 through May 20.

~~(D)~~(E) Waterfowl may be taken in accordance with the general waterfowl regulations (Sections 502, 550, 551, and 552).

(26) James V. Fitzgerald State Marine Park.

(A) This area is bounded by the mean high tide line, a distance of 1000 feet ~~offshore~~seaward of mean lower low water, and the following points:

37° 32.68' N. lat. 122° 31.00' W. long.;

37° 32.75' N. lat. 122° 31.18' W. long.;

37° 29.73' N. lat. 122° 30.13' W. long.; and

37° 29.74' N. lat. 122° 29.90' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational take by hook and line or spear of: rockfish (family Scorpaenidae), lingcod, surfperch (family Embiotocidae), monkeyface eel, rock eel, white croaker, halibut, cabezon, kelp greenling, and smelt (Families Osmeridae and Atherinidae).

Año Nuevo Option 1 - No-take state marine reserve designation (decision will add or remove the text below)

(27) Año Nuevo State Marine Reserve.

(A) This area is bounded by the mean high tide line and a distance of 200 feet seaward of mean lower low water between the following two points:

37° 10.00' N. lat. 122° 21.90' W. long.; and

37° 08.70' N. lat. 122° 21.00' W. long.

The area then continues southward bounded by the mean high tide line and straight lines connecting the following points in the order listed:

37° 08.70' N. lat. 122° 21.00' W. long.;

37° 04.70' N. lat. 122° 21.00' W. long.; and

37° 04.70' N. lat. 122° 16.20' W. long.

(B) Take of all living marine resources is prohibited.

~~(27) Special Closure: Año Nuevo Invertebrate Area This area is bounded by the mean high tide line and the following points within the Año Nuevo State Reserve:~~

~~37° 09.87' N. lat. 122° 21.76' W. long.; and~~

~~37° 06.98' N. lat. 122° 18.37' W. long.~~

~~(A) No invertebrates shall be taken except:~~

~~1. Recreational take of invertebrates is allowed except between the high tide mark and 100 feet beyond the low tide mark between November 30 and April 30.~~

~~2. Commercial take of the following invertebrates is allowed: crabs, ghost shrimp, jackknife clams, sea urchins, squid, and worms, except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up remove or destroy any rocks or other substrate or surfaces to which organisms are attached.~~

Año Nuevo Option 2 - State marine conservation area designation allowing the take of giant kelp by hand (decision will add or remove the text below)

(27) Año Nuevo State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and a distance of 200 feet seaward of mean lower low water between the following two points:

37° 10.00' N. lat. 122° 21.90' W. long.; and

37° 08.70' N. lat. 122° 21.00' W. long.

The area then continues southward bounded by the mean high tide line and straight lines connecting the following points in the order listed:

37° 08.70' N. lat. 122° 21.00' W. long.;

37° 04.70' N. lat. 122° 21.00' W. long.; and

37° 04.70' N. lat. 122° 16.20' W. long.

(B) Take of all living marine resources is prohibited except the commercial take of giant kelp (*Macrocystis pyrifera*) by hand harvest only.

~~(27) Special Closure: Año Nuevo Invertebrate Area This area is bounded by the mean high tide line and the following points within the Año Nuevo State Reserve:~~

~~37° 09.87' N. lat. 122° 21.76' W. long.; and~~

37° 06.98' N. lat. 122° 18.37' W. long.

(A) No invertebrates shall be taken except:

1. Recreational take of invertebrates is allowed except between the high tide mark and 100 feet beyond the low tide mark between November 30 and April 30.

2. Commercial take of the following invertebrates is allowed: crabs, ghost shrimp, jackknife clams, sea urchins, squid, and worms, except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up remove or destroy any rocks or other substrate or surfaces to which organisms are attached.

(28) Greyhound Rock State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the three nautical mile offshore boundary and straight lines connecting the following points in the order listed except where noted:

37° 04.70' N. lat. 122° 16.20' W. long.;

37° 04.70' N. lat. 122° 21.00' W. long.;

37° 03.55' N. lat. 122° 21.00' W. long.; thence southward along the three nautical mile offshore boundary to

37° 02.57' N. lat. 122° 19.10' W. long.; and

37° 02.57' N. lat. 122° 14.00' W. long.

(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: giant kelp (*Macrocystis pyrifera*) by hand harvest only, squid, salmon, and, by hook-and-line from shore only, other finfish.

2. Only the following species may be taken commercially: giant kelp (*Macrocystis pyrifera*) by hand harvest only, salmon, and squid except that not more than five percent (5%) by landed weight of any commercial squid catch may be other species taken incidentally to squid.

(29) Natural Bridges State Marine Reserve.

(A) This area is bounded by the mean high tide line and a distance of 200 feet seaward of mean lower low water between the following two points:

36° 57.90' N. lat. 122° 07.65' W. long.; and

36° 57.00' N. lat. 122° 03.50' W. long.

(B) Take of all living marine resources is prohibited.

(28)(30) Elkhorn Slough State Marine Reserve. This area is bounded by the mean high tide line and the 1.5 fathom depth contour within the Elkhorn Slough Ecological Reserve (National Estuarine Research Reserve)

(A) This area includes the waters below mean high tide within Elkhorn Slough lying east of longitude 121° 46.40' W. and south of latitude 36° 50.50' N.

(B) Take of all living marine resources is prohibited.

(A) A \$2.00 day use pass or a valid \$10.00 annual wildlife pass is required of all users of Elkhorn Slough Ecological Reserve except: users that possess a valid California sport fishing license, hunting license or trapping license; users that are under 16 years of age; or users that are part of an organized youth or school group and having free permits issued by the appropriate regional office. Refer to subsections 550(b)(4) and (5), Title 14, CCR, for regulations for fee requirements for wildlife areas.

(31) Elkhorn Slough State Marine Conservation Area.

(A) This area includes the waters below mean high tide within Elkhorn Slough east of the Highway 1 Bridge and west of longitude 121° 46.40' W.

(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish by hook-and-line only and clams. Clams may only be taken on the north shore of the slough in the area adjacent to the Moss Landing State Wildlife Area [subsection 550(a)].

(32) Moro Cojo Slough State Marine Reserve.

(A) This area includes the waters within Moro Cojo Slough below mean high tide and east of the Highway 1 Bridge and west of the crossing of the Southern Pacific Railroad tracks.

(B) Take of all living marine resources is prohibited.

(33) Soquel Canyon State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed:

36° 51.00' N. lat. 121° 56.00' W. long.;

36° 51.00' N. lat. 122° 03.80' W. long.;

36° 48.00' N. lat. 122° 02.88' W. long.;

36° 48.00' N. lat. 121° 56.00' W. long.; and

36° 51.00' N. lat. 121° 56.00' W. long.

Soquel Canyon SMCA Option 1 - Only take of pelagic finfish allowed (decision will add or remove the text below)

(B) Take of all living marine resources is prohibited except the commercial and recreational take of pelagic finfish [subsection 632(a)(3)].

Soquel Canyon SMCA Option 2 - Take of pelagic finfish and spot prawn allowed (decision will add or remove the text below)

(B) Take of all living marine resources is prohibited except the commercial and recreational take of pelagic finfish [subsection 632(a)(3)] and the commercial take of spot prawn.

(34) Portuguese Ledge State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed:

36° 43.00' N. lat. 121° 56.00' W. long.;

36° 43.00' N. lat. 122° 01.30' W. long.;

36° 41.00' N. lat. 122° 00.80' W. long.;

36° 41.00' N. lat. 121° 56.00' W. long.; and

36° 43.00' N. lat. 121° 56.00' W. long.

Portuguese Ledge SMCA Option 1 - Only take of pelagic finfish allowed (decision will add or remove the text below)

(B) Take of all living marine resources is prohibited except the commercial and recreational take of pelagic finfish [subsection 632(a)(3)].

Portuguese Ledge SMCA Option 2 - Take of pelagic finfish and spot prawn allowed (decision will add or remove the text below)

(B) Take of all living marine resources is prohibited except the commercial and recreational take of pelagic finfish [subsection 632(a)(3)] and the commercial take of spot prawn.

(35) Edward F. Ricketts State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 36.50' N. lat. 121° 53.37' W. long.;

36° 37.25' N. lat. 121° 53.78' W. long.; and

36° 37.10' N. lat. 121° 54.09' W. long.

Edward F. Ricketts SMCA Option 1 - Recreational hook-and-line fishing allowed in entire MPA at all times (decision will add or remove the text below)

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish by hook-and-line is allowed.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed by hand in the area defined by subsection 165(c)(4)(D) under the following conditions:

a. Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 12 tons of kelp from the portion of Administrative Kelp Bed 220 within the Edward F. Ricketts State Marine Conservation Area in any calendar month.

b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Edward F. Ricketts SMCA Option 2 - Recreational fishing from the Monterey breakwater allowed between Sunday evening at 6 p.m. and Friday evening at 6 p.m. only (decision will add or remove the text below)

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish by hook-and-line is allowed in the Edward F. Ricketts State Marine Conservation Area at all times except from the Monterey breakwater. Hook-and-line fishing from the Monterey breakwater is only allowed between 6 p.m. Sunday and 6 p.m. Friday.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed by hand in the area defined by subsection 165(c)(4)(D) under the following conditions:

a. Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 12 tons of kelp from the portion of Administrative Kelp Bed 220 within the Edward F. Ricketts State Marine Conservation Area in any calendar month.

b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Edward F. Ricketts SMCA Option 2(a) - Recreational fishing from the Monterey breakwater allowed between Sunday evening at 6 p.m. and Friday evening at 6 p.m. only with allowance for disabled anglers (decision will add or remove text below)

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish by hook-and-line is allowed in the Edward F. Ricketts State Marine Conservation Area at all times except from the Monterey breakwater. Hook-and-line fishing from the Monterey breakwater is only allowed between 6 p.m. Sunday and 6 p.m. Friday except persons who meet one or more of the criteria below may take finfish by hook-and-line from the breakwater at any time:

a. Any person with central visual acuity of 20/200 or less in the better eye, with the aid of the best possible correcting glasses, or central visual acuity better than 20/200 if the widest diameter of the remaining visual field is no greater than 20 degrees. Proof of

visual acuity shall be by certification from a qualified licensed optometrist or ophthalmologist.

b. Any developmentally disabled person. Proof of developmental disability shall be by presentation of certification of that disability from a qualified licensed physician or the director of a state regional center for the developmentally disabled.

c. Any person who is a resident of the state and who is so severely physically disabled as to be permanently unable to move from place to place without the aid of a wheelchair, walker, forearm crutches, or a comparable mobility-related device. Proof of the disability shall be by certification from a licensed physician or surgeon.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed by hand in the area defined by subsection 165(c)(4)(D) under the following conditions:

a. Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 12 tons of kelp from the portion of Administrative Kelp Bed 220 within the Edward F. Ricketts State Marine Conservation Area in any calendar month.

b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Edward F. Ricketts SMCA Option 3 - Recreational fishing in entire MPA between Sunday evening at 6 p.m. and Friday evening at 6 p.m. only (decision will add or remove the text below)

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish by hook-and-line is allowed in the Edward F. Ricketts State Marine Conservation Area only between 6 p.m. Sunday and 6 p.m. Friday.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed by hand in the area defined by subsection 165(c)(4)(D) under the following conditions:

a. Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 12 tons of kelp from the portion of Administrative Kelp Bed 220 within the Edward F. Ricketts State Marine Conservation Area in any calendar month.

b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Edward F. Ricketts SMCA Option 4 - Recreational fishing from Monterey breakwater between Sunday morning at 6 a.m. and Friday evening at 6 p.m. only (decision will add or remove the text below)

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish by hook-and-line is allowed in the Edward F. Ricketts State Marine Conservation Area at all times except from the Monterey breakwater. Hook-and-line fishing from the Monterey breakwater is only allowed between 6 a.m. Sunday and 6 p.m. Friday.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed by hand in the area defined by subsection 165(c)(4)(D) under the following conditions:

a. Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 12 tons of kelp from the portion of Administrative Kelp Bed 220 within the Edward F. Ricketts State Marine Conservation Area in any calendar month.

b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Edward F. Ricketts SMCA Option 4(a) - Recreational fishing from Monterey breakwater on Sunday, weekdays, and Friday afternoon only with allowance for disabled anglers (decision will add or remove text below)

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish by hook-and-line is allowed in the Edward F. Ricketts State Marine Conservation Area at all times except from the Monterey breakwater. Hook-and-line fishing from the Monterey breakwater is only allowed between 6 a.m. Sunday and 6 p.m. Friday except persons who meet one or more of the criteria below may take finfish by hook-and-line from the breakwater at any time:

a. Any person with central visual acuity of 20/200 or less in the better eye, with the aid of the best possible correcting glasses, or central visual acuity better than 20/200 if the widest diameter of the remaining visual field is no greater than 20 degrees. Proof of visual acuity shall be by certification from a qualified licensed optometrist or ophthalmologist.

b. Any developmentally disabled person. Proof of developmental disability shall be by presentation of certification of that disability from a qualified licensed physician or the director of a state regional center for the developmentally disabled.

c. Any person who is a resident of the state and who is so severely physically disabled as to be permanently unable to move from place to place without the aid of a wheelchair, walker, forearm crutches, or a comparable mobility-related device. Proof of the disability shall be by certification from a licensed physician or surgeon.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed by hand in the area defined by subsection 165(c)(4)(D) under the following conditions:

a. Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 12 tons of kelp from the portion of Administrative Kelp Bed 220 within the Edward F. Ricketts State Marine Conservation Area in any calendar month.

b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Edward F. Ricketts SMCA Option 5 - Recreational fishing in entire MPA between Sunday morning at 6 a.m. and Friday evening at 6 p.m. only (decision will add or remove the text below)

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish by hook-and-line is allowed in the Edward F. Ricketts State Marine Conservation Area only between 6 a.m. Sunday and 6 p.m. Friday.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed by hand in the area defined by subsection 165(c)(4)(D) under the following conditions:

a. Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 12 tons of kelp from the portion of Administrative Kelp Bed 220 within the Edward F. Ricketts State Marine Conservation Area in any calendar month.

b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

(29)(36) Hopkins-Lovers Point State Marine Reserve.

(A) This area is bounded by the mean high tide line, the 10-fathom depth contour, and the following points and straight lines connecting the following points in the order listed:

36° 37.25' N. lat. 121° 54.50' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.;

36° 37.22' N. lat. 121° 53.85' W. long.; and

36° 37.10' N. lat. 121° 54.09' W. long.

36° 37.10' N. lat. 121° 54.09' W. long.;

36° 37.25' N. lat. 121° 53.78' W. long.;

36° 37.38' N. lat. 121° 53.85' W. long.;

36° 37.60' N. lat. 121° 54.75' W. long.; and

36° 37.60' N. lat. 121° 54.91' W. long.

(B) Take of all living marine resources is prohibited.

~~(A) The director of the Hopkins State Marine Reserve, or any person to whom the director of the reserve has issued a permit, may take, for scientific purposes, any fish or specimen of marine plant life under the conditions prescribed by the department or the director of the reserve.~~

~~(30)(37) Pacific Grove Marine Gardens State Marine Conservation Area.~~

(A) This area is bounded by the mean high tide line, the 10-fathom depth contour, and the following points and straight lines connecting the following points in the order listed:

36° 37.09' N. lat. 121° 56.49' W. long.;

36° 37.34' N. lat. 121° 57.34' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.; and

36° 37.25' N. lat. 121° 54.50' W. long.

36° 37.60' N. lat. 121° 54.91' W. long.;

36° 37.60' N. lat. 121° 54.75' W. long.;

36° 38.70' N. lat. 121° 55.40' W. long.;

36° 38.90' N. lat. 121° 56.60' W. long.; and

36° 38.22' N. lat. 121° 56.15' W. long.

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish is allowed.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) by hand is allowed under the following conditions:

a. Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 44 tons of kelp from the portion of Administrative Kelp Bed 220 within the Pacific Grove Marine Gardens State Marine Conservation Area in any calendar month.

b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

~~(A) Take of all living marine resources is prohibited except:~~

~~1. Only the following species may be taken recreationally: finfish, and invertebrates other than mollusks or crustaceans.~~

~~2. Only the following species may be taken commercially by ring net, lampara net, or bait net: sardines, mackerel, anchovies, squid, and herring.~~

(38) Asilomar State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 38.22' N. lat. 121° 56.15' W. long.;
36° 38.90' N. lat. 121° 56.60' W. long.; and
36° 36.60' N. lat. 121° 57.50' W. long.;

(B) Take of all living marine resources is prohibited.

(39) Carmel Pinnacles State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 33.65' N. lat. 121° 57.60' W. long.;
36° 33.65' N. lat. 121° 58.50' W. long.;
36° 33.10' N. lat. 121° 58.50' W. long.;
36° 33.10' N. lat. 121° 57.60' W. long.; and
36° 33.65' N. lat. 121° 57.60' W. long.;

(B) Take of all living marine resources is prohibited.

~~(31)~~(40) Carmel Bay State Marine Conservation Area. This MPA is comprised of two areas. The first is bounded by the mean high tide line, and a straight line connecting the following points

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 33.64' N. lat. 121° 57.07' W. long.; and
36° 31.40' N. lat. 121° 56.17' W. long.

~~The second consists of waters shallower than 15 fathoms within an area bounded by straight lines connecting the following points in the order listed:~~

~~36° 33.65' N. lat. 121° 58.40' W. long.;
36° 33.65' N. lat. 121° 57.60' W. long.;
36° 33.10' N. lat. 121° 57.60' W. long.;
36° 33.10' N. lat. 121° 58.40' W. long.; and
36° 33.65' N. lat. 121° 58.40' W. long.
36° 33.65' N. lat. 121° 57.10' W. long.;
36° 31.70' N. lat. 121° 56.30' W. long.; and
36° 31.70' N. lat. 121° 55.55' W. long.~~

~~(B) Take of all living marine resources is prohibited except:~~

~~1. The recreational take of finfish is allowed.~~

~~2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) by hand is allowed under the following conditions:~~

~~a. Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 44 tons of kelp from the portion of Administrative Kelp Bed 219 within the Carmel Bay State Marine Conservation Area in any calendar month.~~

~~b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.~~

~~(A) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line or spear and the commercial take of kelp under the following conditions:~~

~~1. Within Stillwater Cove kelp may be removed at any time to allow the passage and mooring of boats between Pescadero Rocks and Arrowhead Point.~~

~~2. If, at any time, the director of the department finds that the harvesting of kelp will tend to destroy or impair any kelp bed or beds, or parts thereof, or tend to impair or destroy~~

~~the supply of any food for fish or wildlife, the director shall serve on every person licensed to harvest kelp a 48-hour advance, written notice that the kelp bed, or part thereof, will be closed to the harvesting of kelp for a period not to exceed one year. After service of such a notice, the person upon whom notice is served may appeal to the commission for a hearing to reopen the kelp bed or part thereof.~~

~~3. Not more than five percent (5%) of the total weight of kelp harvested in any one day shall consist of bull kelp (*Nereocystis* spp.).~~

~~4. Any licensed person or company intending to harvest kelp within the conservation area shall give the department's marine region manager, or designee, at least 48 hours written or oral notice of the intention to harvest. At the option of the department, the licensed person or company shall allow an observer selected by the department to accompany the harvester during such harvest.~~

~~5. Not more than 50 percent (50%) of the kelp within Administrative Kelp Bed 219 shall be harvested in any four-month period.~~

~~(32)(41) Point Lobos State Marine Reserve.~~

~~(A) This area is bounded by the mean high tide line and the following points~~straight lines~~ connecting the following points in the order listed:~~

~~36° 31.40' N. lat. 121° 56.17' W. long.;~~

~~36° 31.60' N. lat. 121° 56.27' W. long.;~~

~~36° 31.50' N. lat. 121° 57.63' W. long.;~~

~~36° 30.81' N. lat. 121° 57.99' W. long.;~~

~~36° 30.33' N. lat. 121° 56.69' W. long.; and~~

~~36° 30.33' N. lat. 121° 56.33' W. long.~~

~~36° 31.70' N. lat. 121° 55.55' W. long.;~~

~~36° 31.70' N. lat. 121° 58.25' W. long.;~~

~~36° 28.88' N. lat. 121° 58.25' W. long.; and~~

~~36° 28.88' N. lat. 121° 56.30' W. long.~~

~~(B) Take of all living marine resources is prohibited.~~

~~(A) Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.~~

~~(C) Within the portion of the Point Lobos State Marine Reserve which also falls within the boundary of the Point Lobos State Reserve (State Park Unit), restrictions on boating and diving activities exist. Contact the California Department of Parks and Recreation for current restrictions.~~

~~(42) Point Lobos State Marine Conservation Area.~~

~~(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:~~

~~36° 31.70' N. lat. 121° 58.25' W. long.;~~

~~36° 31.70' N. lat. 122° 01.30' W. long.; thence southward along the three nautical mile offshore boundary to~~

~~36° 28.88' N. lat. 122° 00.55' W. long.;~~

~~36° 28.88' N. lat. 121° 58.25' W. long.; and~~

~~36° 31.70' N. lat. 121° 58.25' W. long.~~

~~(B) Take of all living marine resources is prohibited except the recreational and commercial take of salmon, albacore, and the commercial take of spot prawn.~~

~~(43) Point Sur State Marine Reserve.~~

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 18.40' N. lat. 121° 54.10' W. long.;

36° 18.40' N. lat. 121° 56.00' W. long.;

36° 15.00' N. lat. 121° 52.50' W. long.; and

36° 15.00' N. lat. 121° 50.25' W. long.;

(B) Take of all living marine resources is prohibited.

(44) Point Sur State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

36° 18.40' N. lat. 121° 56.00' W. long.;

36° 18.40' N. lat. 121° 58.33' W. long.; thence southward along the three nautical mile offshore boundary to

36° 15.00' N. lat. 121° 55.10' W. long.;

36° 15.00' N. lat. 121° 52.50' W. long.; and

36° 18.40' N. lat. 121° 56.00' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon and albacore.

~~(33) Julia Pfeiffer Burns State Marine Conservation Area. This area is bounded by the mean high tide line and the following points:~~

~~36° 10.50' N. lat. 121° 41.90' W. long.;~~

~~36° 09.60' N. lat. 121° 42.40' W. long.;~~

~~36° 08.30' N. lat. 121° 40.80' W. long.;~~

~~36° 09.20' N. lat. 121° 40.25' W. long.; and~~

~~36° 09.25' N. lat. 121° 40.05' W. long.~~

~~(A) Take of all living marine resources is prohibited except:~~

~~1. Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.~~

~~2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, squid, kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.~~

~~(34)(45) Big Creek State Marine Reserve.~~

~~(A) This area is bounded by the mean high tide line, the 50-fathom depth contour, and the following points and straight lines connecting the following points in the order listed except where noted:~~

~~36° 05.31' N. lat. 121° 37.10' W. long.;~~

~~36° 05.31' N. lat. 121° 38.24' W. long.;~~

~~36° 03.65' N. lat. 121° 37.04' W. long.; and~~

~~36° 03.65' N. lat. 121° 35.50' W. long.~~

~~36° 07.20' N. lat. 121° 38.00' W. long.;~~

~~36° 07.20' N. lat. 121° 39.00' W. long.;~~

~~36° 05.20' N. lat. 121° 38.00' W. long.~~

36° 05.20' N. lat. 121° 41.25' W. long.; thence southward along the three nautical mile offshore boundary to

36° 02.65' N. lat. 121° 39.70' W. long.; and

36° 02.65' N. lat. 121° 35.13' W. long.

(B) Take of all living marine resources is prohibited.

(C) Anchoring. Except as pursuant to Federal law or emergency caused by hazardous weather, it is unlawful to anchor or moor a vessel in waters shallower than 10 fathoms in the Big Creek State Marine Reserve.

~~(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department.~~

~~(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Big Creek State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.~~

~~(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department.~~

~~(D) Public Entry. Public entry into the Big Creek State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.~~

~~(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.~~

~~(F) Litter. No person shall deposit, drop, or scatter any debris on the Big Creek State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.~~

~~(G) Aircraft. No person shall operate any aircraft or hovercraft within the Big Creek State Marine Reserve, except as authorized pursuant to scientific research approved by the department.~~

~~(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Big Creek State Marine Reserve unless authorized by the department.~~

~~(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations, to conduct marine-related research within the Big Creek State Marine Reserve.~~

~~(J) The Department shall only approve research within the Big Creek State Marine Reserve which is compatible with research underway within the reserve area prior to its establishment by the commission, such research compatibility to be determined by contacting the Reserve Manager for the Landels Hill Big Creek Reserve prior to authorizing research within the reserve.~~

(46) Big Creek State Marine Conservation Area.

(A) This area is bounded by the three nautical mile offshore boundary and straight lines connecting the following points in the order listed except where noted:

36° 07.20' N. lat. 121° 39.00' W. long.;

36° 07.20' N. lat. 121° 42.90' W. long.; thence southward along the three nautical mile offshore boundary to

36° 05.20' N. lat. 121° 41.24' W. long.;

36° 05.20' N. lat. 121° 38.00' W. long.; and

36° 07.20' N. lat. 121° 39.00' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon, albacore, and the commercial take of spot prawn.

(47) Piedras Blancas State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 42.85' N. lat. 121° 18.95' W. long.;

35° 42.85' N. lat. 121° 21.00' W. long.;

35° 39.15' N. lat. 121° 18.50' W. long.; and

35° 39.15' N. lat. 121° 14.45' W. long.

(B) Take of all living marine resources is prohibited.

(48) Piedras Blancas State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

35° 42.85' N. lat. 121° 21.00' W. long.;

35° 42.85' N. lat. 121° 22.85' W. long.; thence southward along the three nautical mile offshore boundary to

35° 39.15' N. lat. 121° 20.90' W. long.;

35° 39.15' N. lat. 121° 18.50' W. long.; and

35° 42.85' N. lat. 121° 21.00' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon and albacore.

(49) Cambria State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

Cambria SMCA Option 1 - Boundaries from BRTF Package 3R altered to cardinal coordinates (decision will add or delete the text below).

35° 37.10' N. lat. 121° 09.20' W. long.;

35° 37.10' N. lat. 121° 10.70' W. long.;

35° 32.85' N. lat. 121° 06.70' W. long.; and

35° 32.85' N. lat. 121° 05.85' W. long.

(B) The commercial take of all living marine resources is prohibited. Recreational take is allowed.

Cambria SMCA Option 2 - Boundaries from BRTF Package 3R altered to cardinal coordinates and to visible landmarks (decision will add or delete the text below).

35° 35.70' N. lat. 121° 07.50' W. long.;

35° 35.70' N. lat. 121° 10.00' W. long.;

35° 32.50' N. lat. 121° 07.00' W. long.; and

35° 32.50' N. lat. 121° 05.60' W. long.

(B) The commercial take of all living marine resources is prohibited. Recreational take is allowed.

Cambria second area Option 1 - Cambria State Marine Reserve with boundaries from BRTF Package 3R altered to cardinal coordinates (decision will add or delete the text below).

(50) Cambria State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 32.85' N. lat. 121° 05.85' W. long.;

35° 32.85' N. lat. 121° 06.70' W. long.;

35° 30.50' N. lat. 121° 05.00' W. long.; and

35° 30.50' N. lat. 121° 03.40' W. long.

(B) Take of all living marine resources is prohibited.

Cambria second area Option 2 - Cambria State Marine Reserve with boundaries from BRTF Package 3R altered to cardinal coordinates and to visible landmarks (decision will add or delete the text below).

(50) Cambria State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 32.50' N. lat. 121° 05.60' W. long.

35° 32.50' N. lat. 121° 07.00' W. long.;

35° 30.50' N. lat. 121° 05.00' W. long.; and

35° 30.50' N. lat. 121° 03.40' W. long.

(B) Take of all living marine resources is prohibited.

Cambria second area Option 3 - White Rock (Cambria) State Marine Conservation Area allowing the take of kelp with boundaries from BRTF Package 3R altered to cardinal coordinates (decision will add or delete the text below).

(50) White Rock (Cambria) State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 32.85' N. lat. 121° 05.85' W. long.;

35° 32.85' N. lat. 121° 06.70' W. long.;

35° 30.50' N. lat. 121° 05.00' W. long.; and

35° 30.50' N. lat. 121° 03.40' W. long.

(B) Take of all living marine resources is prohibited except the commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) under the following conditions:

1. Any individual kelp harvester with a valid permit issued pursuant to Section 165 and holding a valid lease to Administrative Kelp Bed 208 may take no more than 125 tons of

kelp from the portion of Administrative Kelp Bed 208 within the White Rock (Cambria) State Marine Conservation Area in any calendar month.

2. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Cambria second area Option 4 - White Rock (Cambria) State Marine Conservation Area allowing the take of kelp with boundaries from BRTF Package 3R altered to cardinal coordinates and to visible landmarks (decision will add or delete the text below).

(50) White Rock (Cambria) State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 32.50' N. lat. 121° 05.60' W. long.

35° 32.50' N. lat. 121° 07.00' W. long.;

35° 30.50' N. lat. 121° 05.00' W. long.; and

35° 30.50' N. lat. 121° 03.40' W. long.

(B) Take of all living marine resources is prohibited except the commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) under the following conditions:

1. Any individual kelp harvester with a valid permit issued pursuant to Section 165 and holding a valid lease to Administrative Kelp Bed 208 may take no more than 125 tons of kelp from the portion of Administrative Kelp Bed 208 within the White Rock (Cambria) State Marine Conservation Area in any calendar month.

2. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

~~(35) Atascadero Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and the following points:~~

~~35° 23.64' N. lat. 120° 51.98' W. long.;~~

~~35° 23.50' N. lat. 120° 55.98' W. long.;~~

~~35° 22.10' N. lat. 120° 56.07' W. long.; and~~

~~35° 22.19' N. lat. 120° 52.20' W. long.;~~

~~(A) Take of clams is prohibited. Take of other living marine resources is allowed.~~

~~(36) Morro Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and the following points:~~

~~35° 18.79' N. lat. 120° 52.30' W. long.;~~

~~35° 19.96' N. lat. 120° 55.90' W. long.;~~

~~35° 18.40' N. lat. 120° 56.35' W. long.; and~~

~~35° 17.13' N. lat. 120° 53.06' W. long.~~

~~(A) Take of clams is prohibited. Commercial take of giant kelp and bull kelp is prohibited. Take of other living marine resources is allowed.~~

~~(37) Pismo State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 1000 feet offshore, and the following points:~~

~~35° 07.65' N. lat. 120° 38.28' W. long.;~~

~~35° 07.60' N. lat. 120° 38.51' W. long.;~~

~~35° 07.28' N. lat. 120° 38.39' W. long.; and~~

~~35° 07.33' N. lat. 120° 38.17' W. long.~~

~~(A) Take of all invertebrates and marine aquatic plants is prohibited except the commercial take of algae other than giant kelp and bull kelp.~~

~~(38) Pismo-Oceano Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and the following points:~~

~~35° 01.81' N. lat. 120° 38.07' W. long.;~~

~~35° 02.50' N. lat. 120° 41.69' W. long.;~~

~~34° 59.35' N. lat. 120° 42.50' W. long.; and~~

~~34° 58.48' N. lat. 120° 38.88' W. long.~~

~~(A) Take of clams is prohibited. Commercial take of giant kelp and bull kelp is prohibited. Take of other living marine resources is allowed.~~

(51) Morro Bay State Marine Recreational Management Area.

(A) This area includes the area below mean high tide within Morro Bay east of the Morro Bay entrance breakwater and west of longitude 120° 50.34' W.

(B) Recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (sections 502, 550, 551, and 552).

(C) Take of all living marine resources is prohibited except the following activities are allowed north of latitude 35° 19.70' N:

1. The recreational take of finfish

2. Aquaculture of oysters, pursuant to a valid State water bottom lease and permit

3. Storing finfish taken outside the Morro Bay State Marine Recreational Management Area in a receiver for bait purposes.

(52) Morro Bay State Marine Reserve.

(A) This area includes the area below mean high tide line within Morro Bay east of longitude 120° 50.34' W.

(B) Take of all living marine resources is prohibited.

(53) Point Buchon State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 15.25' N. lat. 120° 54.00' W. long.;

35° 15.25' N. lat. 120° 56.00' W. long.;

35° 11.00' N. lat. 120° 52.40' W. long.; and

35° 13.30' N. lat. 120° 52.40' W. long.

(B) Take of all living marine resources is prohibited.

(54) Point Buchon State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

35° 15.25' N. lat. 120° 56.00' W. long.;

35° 15.25' N. lat. 120° 57.80' W. long.; thence southward along the three nautical mile offshore boundary to

35° 11.00' N. lat. 120° 55.20' W. long.;

35° 11.00' N. lat. 120° 52.40' W. long.; and

35° 15.25' N. lat. 120° 56.00' W. long.;

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon and albacore.

~~(39)~~(55) Vandenberg State Marine Reserve.

(A) This area is bounded by the mean high tide line, the 10 fathom depth contour, and the following points and straight lines connecting the following points in the order listed:

~~34° 36.27' N. lat. 120° 38.54' W. long.;~~
~~34° 35.82' N. lat. 120° 39.22' W. long.;~~
~~34° 33.03' N. lat. 120° 38.45' W. long.; and~~
~~34° 33.36' N. lat. 120° 37.60' W. long.~~
34° 44.65' N. lat. 120° 37.75' W. long.;
34° 44.65' N. lat. 120° 40.00' W. long.;
34° 33.25' N. lat. 120° 40.00' W. long.; and
34° 33.25' N. lat. 120° 37.25' W. long.

(B) Take of all living marine resources is prohibited except take incidental to base operations and commercial space launch operations identified by the Vandenberg Air Force Base Commander as mission critical.

(C) Public Entry. Public entry into the Vandenberg State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat or by the Commander of Vandenberg Air Force Base to protect and provide safety for base operations.

(D) The Department shall enter into a Memorandum of Understanding (MOU) with the Commander of Vandenberg Air Force Base for the mutually beneficial management and administration of the Vandenberg State Marine Reserve. The MOU shall include, but not be limited to, the identification of Vandenberg Air Force Base's national defense mission activities that are unrestricted by the subject regulations and details on management and administrative roles and responsibilities.

~~(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department.~~

~~(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Vandenberg State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.~~

~~(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department.~~

~~(D) Public Entry. Public entry into the Vandenberg State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.~~

~~(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such~~

chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.

~~(F) Litter. No person shall deposit, drop, or scatter any debris on the Vandenberg State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.~~

~~(G) Aircraft. No person shall operate any aircraft or hovercraft within the Vandenberg State Marine Reserve, except as authorized pursuant to scientific research approved by the department.~~

~~(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Vandenberg State Marine Reserve unless authorized by the department.~~

~~(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations, including Vandenberg Air Force Base (VAFB), to conduct marine-related research within the Vandenberg State Marine Reserve.~~

~~(J) The department shall enter into a Memorandum of Understanding (MOU) with the Commander of Vandenberg Air Force Base for the management and administration of the Vandenberg State Marine Reserve. The MOU shall include all uses necessary and compatible with the Vandenberg Air Force Base's national defense mission.~~

~~(40)~~(56) Refugio State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 27.63' N. lat. 120° 05.32' W. long.;

34° 27.34' N. lat. 120° 05.75' W. long.;

34° 27.34' N. lat. 120° 02.75' W. long.; and

34° 27.76' N. lat. 120° 02.75' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

~~(41)~~(57) Goleta Slough State Marine Park.

(A) This area consists of waters below the mean high tide line within the Goleta Slough Ecological Reserve:

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from designated areas.

~~(B)~~(C) Boating, swimming, wading, and diving are prohibited within the park.

~~(C)~~(D) No person shall enter this ~~reserve~~park and remain therein except on established trails, paths or other designated areas except department employees or designated employees of Santa Barbara Airport, City of Santa Barbara and Goleta Valley Mosquito Abatement District for the purposes of carrying out official duties.

~~(42)~~(58) Richardson Rock (San Miguel Island) State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 08.40' N. lat. 120° 34.20' W. long.;
34° 08.40' N. lat. 120° 28.20' W. long.;
34° 03.60' N. lat. 120° 28.20' W. long.;
34° 03.60' N. lat. 120° 34.20' W. long.; and
34° 08.40' N. lat. 120° 34.20' W. long.

(B) Take of all living marine resources is prohibited.

~~(43)~~(59) San Miguel Island Special Closure. Special restrictions on boating and access apply to San Miguel Island as follows.

(A) Boating is ~~permitted~~allowed at San Miguel Island except west of a line drawn between Judith Rock (34° 01.50' N. lat. 120° 23.30' W. long.) and Castle Rock (34° 03.30' N. lat. 120° 26.30' W. long.) where boats are prohibited closer than 300 yards from shore.

1. Notwithstanding the 300-yard boating closure between Judith Rock and Castle Rock, the following shall apply:

a. Boats may approach San Miguel Island no nearer than 100 yards from shore during the period(s) from March 15 through April 30, and October 1 through December 15; and
b. Boats operated by commercial sea urchin divers may enter waters of the 300- yard area between the western boundary of the Judith Rock State Marine Reserve at 120° 26.60' W. long. and Castle Rock for the purpose of fishing sea urchins during the period(s) from March 15 through April 30, and October 1 through December 15.

2. The department may rescind permission for boats to enter waters within 300 yards between Judith Rock and Castle Rock upon finding that impairment to the island marine mammal resource is imminent. Immediately following such closure, the department will request the commission to hear, at its regularly scheduled meeting, presentation of documentation supporting the need for such closure.

(B) Other Requirements:

1. Boats traveling within 300 yards of the shoreline or anchorages shall operate with a minimum amount of noise and shall not exceed speeds of five miles per hour.

2. Except as permitted by federal law or emergency caused by hazardous weather, boats may be anchored overnight only at Tyler Bight and Cuyler Harbor.

3. Landing is allowed on San Miguel Island only at the designated landing beach in Cuyler Harbor.

4. No person shall have access to all other offshore rocks and islands at San Miguel Island.

~~(44)~~(60) Harris Point (San Miguel Island) State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 03.10' N. lat. 120° 23.30' W. long.;
34° 06.00' N. lat. 120° 23.30' W. long.;
34° 06.00' N. lat. 120° 18.40' W. long.; and
34° 01.80' N. lat. 120° 18.40' W. long.

(B) Take of all living marine resources is prohibited.

~~(A)~~(C) An exemption to the reserve, where commercial and recreational take of living marine resources is allowed, exists between the mean high tide line in Cuyler Harbor and a straight line between the following points:

34° 03.50' N. lat. 120° 21.30' W. long.; and

34° 02.90' N. lat. 120° 20.20' W. long.

~~(45)~~(61) Judith Rock (San Miguel Island) State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 01.80' N. lat. 120° 26.60' W. long.;

33° 58.50' N. lat. 120° 26.60' W. long.;

33° 58.50' N. lat. 120° 25.30' W. long.; and

34° 01.50' N. lat. 120° 25.30' W. long.

(B) Take of all living marine resources is prohibited.

~~(46)~~(62) Carrington Point (Santa Rosa Island) State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 01.30' N. lat. 120° 05.20' W. long.

34° 04.00' N. lat. 120° 05.20' W. long.;

34° 04.00' N. lat. 120° 01.00' W. long.;

34° 00.50' N. lat. 120° 01.00' W. long.; and

34° 00.50' N. lat. 120° 02.80' W. long.

(B) Take of all living marine resources is prohibited.

~~(47)~~(63) Skunk Point (Santa Rosa Island) State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 59.00' N. lat. 119° 58.80' W. long.;

33° 59.00' N. lat. 119° 58.00' W. long.;

33° 57.10' N. lat. 119° 58.00' W. long.; and

33° 57.10' N. lat. 119° 58.20' W. long.

(B) Take of all living marine resources is prohibited.

~~(48)~~(64) South Point (Santa Rosa Island) State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 53.80' N. lat. 120° 06.50' W. long.;

33° 51.40' N. lat. 120° 06.50' W. long.;

33° 51.40' N. lat. 120° 10.00' W. long.; and

33° 55.00' N. lat. 120° 10.00' W. long.

(B) Take of all living marine resources is prohibited.

~~(49)~~(65) Painted Cave (Santa Cruz Island) State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the one nautical mile offshore boundary, and the following points:

34° 04.50' N. lat. 119° 53.00' W. long.;

34° 05.20' N. lat. 119° 53.00' W. long.;

34° 05.00' N. lat. 119° 51.00' W. long.; and

34° 04.00' N. lat. 119° 51.00' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except for the recreational take of spiny lobster (*Panulirus interruptus*) and pelagic finfish [subsection ~~632(a)(2)~~632(a)(3)].

~~(50)~~(66) Gull Island (Santa Cruz Island) State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 58.00' N. lat. 119° 51.00' W. long.;

33° 58.00' N. lat. 119° 53.00' W. long.;

33° 55.20' N. lat. 119° 53.00' W. long.;

33° 55.20' N. lat. 119° 48.00' W. long.; and

33° 57.70' N. lat. 119° 48.00' W. long.

(B) Take of all living marine resources is prohibited.

~~(51)~~(67) Scorpion (Santa Cruz Island) State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 02.94' N. lat. 119° 35.50' W. long.;

34° 06.20' N. lat. 119° 35.50' W. long.;

34° 06.20' N. lat. 119° 32.80' W. long.; and

34° 02.80' N. lat. 119° 32.80' W. long.

(B) Take of all living marine resources is prohibited.

~~(52)~~(68) Anacapa Island Special Closure.

(A) No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands commonly referred to as Anacapa Island.

(B) A brown pelican fledgling area is designated from the mean high tide mark seaward to a water depth of 20 fathoms (120 feet) on the north side of West Anacapa Island between a line extending 000° True off Portuguese Rock (34° 00.91' N. lat. 119° 25.26' W. long.) to a line extending 000° True off the western edge of Frenchy's Cove (34° 00.4' N. lat. 119° 24.6' W. long.), a distance of approximately 4,000 feet. No person except department employees or employees of the National Park Service in the performance of their official duties shall enter this area during the period January 1 to October 31.

~~(53)~~(69) Anacapa Island State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 00.80' N. lat. 119° 26.70' W. long.;

34° 04.00' N. lat. 119° 26.70' W. long.;

34° 04.00' N. lat. 119° 24.60' W. long.; and

34° 00.40' N. lat. 119° 24.60' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except for the recreational take of spiny lobster (*Panulirus interruptus*) and pelagic finfish [subsection ~~632(a)(2)~~632(a)(3)] and the commercial take of spiny lobster.

~~(54)~~(70) Anacapa Island State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 00.40' N. lat. 119° 24.60' W. long.;

34° 04.00' N. lat. 119° 24.60' W. long.;

34° 04.00' N. lat. 119° 21.40' W. long.; and

34° 01.00' N. lat. 119° 21.40' W. long.

(B) Take of all living marine resources is prohibited.

~~(55)~~(71) Big Sycamore Canyon State Marine Reserve.

(A) This area is bounded by the 5- fathom depth contour, the 20-fathom depth contour, and the following points:

34° 04.79' N. lat. 119° 02.03' W. long.;

34° 03.92' N. lat. 119° 02.70' W. long.;

34° 02.97' N. lat. 119° 00.00' W. long.; and

34° 03.86' N. lat. 119° 00.00' W. long.

(B) Take of all living marine resources is prohibited.

~~(A)~~(C) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Big Sycamore Canyon State Marine Reserve except as authorized pursuant to scientific research approved by the department.

~~(B)~~(D) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Big Sycamore Canyon State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.

~~(C)~~(E) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Big Sycamore Canyon State Marine Reserve except as authorized pursuant to scientific research approved by the department.

~~(D)~~(F) Public Entry. Public entry into the Big Sycamore Canyon State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.

~~(E)~~(G) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Big Sycamore Canyon State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.

~~(F)~~(H) Litter. No person shall deposit, drop, or scatter any debris on the Big Sycamore Canyon State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.

~~(G)~~(I) Aircraft. No person shall operate any aircraft or hovercraft within the Big Sycamore Canyon State Marine Reserve, except as authorized pursuant to scientific research approved by the department.

~~(H)~~(J) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Big Sycamore Canyon State Marine Reserve unless authorized by the department.

~~(J)~~(K) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations to conduct marine-related research within the Big Sycamore Canyon State Marine Reserve.

~~(J)~~(L) The department shall notify the California Department of Parks and Recreation of scientific research approved within the Big Sycamore Canyon State Marine Reserve.

~~(56)~~(72) Santa Barbara Island State Marine Reserve.

(A) This area is bounded by the mean high tide line, the three nautical mile offshore boundary and the following points:

33° 28.50' N. lat. 119° 01.70' W. long.;

33° 28.50' N. lat. 118° 58.20' W. long.;

33° 24.90' N. lat. 119° 02.20' W. long.; and

33° 27.90' N. lat. 119° 02.20' W. long.

(B) Take of all living marine resources is prohibited.

~~(57)~~(73) Abalone Cove State Marine Park.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 44.53' N. lat. 118° 22.83' W. long.;

33° 44.47' N. lat. 118° 22.83' W. long.;

33° 44.14' N. lat. 118° 22.47' W. long.;

33° 44.14' N. lat. 118° 22.12' W. long.; and

33° 44.19' N. lat. 118° 22.12' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line or spear.

~~(58)~~(74) Point Fermin State Marine Park.

(A) This area is bounded by the mean high tide line, a distance of 600 feet offshore seaward of mean lower low water, and the following points:

33° 42.31' N. lat. 118° 17.57' W. long.;

33° 42.21' N. lat. 118° 17.57' W. long.;

33° 42.47' N. lat. 118° 17.00' W. long.; and

33° 42.47' N. lat. 118° 17.13' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational take of: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

~~(59)~~(75) Bolsa Chica State Marine Park.

(A) This area consists of waters below the mean high tide line within the Bolsa Chica Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from designated areas around outer Bolsa Bay.

~~(B)~~(C) Boating, swimming, wading, and diving are prohibited within the park.

~~(C)~~(D) No person, except State and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or

persons possessing written permission from the department or employees of Signal Corporation and its invitees for the purpose of carrying out oil and gas operations, shall enter this park and remain therein except on established trails, paths, or other designated areas.

~~(D)~~(E) No person shall enter this park between the hours of 8:00 p.m. and 6:00 a.m.

~~(E)~~(F) The County of Orange, after consultation with the department, may carry out management activities for fish and wildlife, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and use of associated equipment.

~~(60)~~(76) Special Closure: Arrow Point to Lion Head Point (Catalina Island) Invertebrate Area.

(A) This area is bounded by the mean high tide line, a distance of 1000 feet ~~offshore~~seaward of mean lower low water, and the following points:

33° 28.64' N. lat. 118° 32.33' W. long.;

33° 28.82' N. lat. 118° 32.33' W. long.;

33° 27.25' N. lat. 118° 29.90' W. long.; and

33° 27.18' N. lat. 118° 30.07' W. long.

~~(A) No recreational take of invertebrates is allowed.~~

(B) Recreational take of invertebrates is prohibited. Take of other living marine resources is allowed.

~~(61)~~(77) Catalina Marine Science Center State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 26.65' N. lat. 118° 29.33' W. long.;

33° 26.83' N. lat. 118° 29.13' W. long.;

33° 26.96' N. lat. 118° 28.56' W. long.;

33° 26.92' N. lat. 118° 28.53' W. long.; and

33° 26.87' N. lat. 118° 28.62' W. long.

(B) Take of all living marine resources is prohibited.

~~(A)~~(C) Except as pursuant to Federal law, emergency caused by hazardous weather, or as provided in this section, it is unlawful to anchor or moor a vessel in the Catalina Marine Science Center State Marine Reserve.

~~(B)~~(D) The director of the Catalina Marine Science Center Marine State Marine Reserve, or any person that the director of the reserve has authorized may anchor or moor a vessel or take, for scientific purposes, any fish or specimen of marine life under the conditions prescribed by the department or the reserve director.

~~(62)~~(78) Farnsworth Bank State Marine Conservation Area.

(A) This area consists of waters shallower than 250 feet within the area bounded by straight lines connecting the following points in the order listed:

33° 21.00' N. lat. 118° 32.00' W. long.;

33° 21.00' N. lat. 118° 30.50' W. long.;

33° 20.00' N. lat. 118° 30.50' W. long.;

33° 20.00' N. lat. 118° 32.00' W. long.; and

33° 21.00' N. lat. 118° 32.00' W. long.

~~(A)~~(B) Take of purple coral (*Stylaster californicus*) is prohibited. Take of other living marine resources is allowed.

~~(63)~~(79) Lover's Cove State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 100 yards ~~offshore~~seaward of mean lower low water, and the following points:

33° 20.64' N. lat. 118° 19.25' W. long.;

33° 20.67' N. lat. 118° 19.20' W. long.;

33° 20.59' N. lat. 118° 18.94' W. long.; and

33° 20.56' N. lat. 118° 18.98' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except the commercial take of finfish and kelp.

~~(64)~~(80) Upper Newport Bay State Marine Park.

(A) This area consists of waters below the mean high tide line within the Upper Newport Bay Ecological Reserve bounded by; the southern end of Shellmaker Island (33° 37.20' N. lat. 117° 53.51' W. long.) in the south, Back Bay Drive, East Bluff Drive, and Jamboree road in the east, the 10-foot elevation in the north and west, and a line connecting North Star Beach (33° 37.38' N. lat. 117° 53.60' W. long.) to the southern end of Shellmaker Island.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational hook and line take of species other than kelp.

~~(B)~~(C) Swimming is ~~permitted~~allowed only in the area between North Star Beach and mid-channel.

~~(C)~~(D) Boats are limited to speeds less than five miles per hour.

~~(D)~~(E) Shoreline access is limited to established trails, paths, or other designated areas.

~~(E)~~(F) A \$2.00 day use pass or a valid \$10.00 annual wildlife pass is required of all users of Upper Newport Bay Ecological Reserve except: users that possess a valid California sport fishing license, hunting license or trapping license; users that are under 16 years of age; or users that are part of an organized youth or school group and having free permits issued by the appropriate regional office. Refer to subsections 550(b)(4) and (5), Title 14, CCR, for regulations for fee requirements for wildlife areas.

~~(65)~~(81) Robert E. Badham State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 200 feet ~~offshore~~seaward of mean lower low water, and the following points:

33° 35.42' N. lat. 117° 52.22' W. long.;

33° 35.40' N. lat. 117° 52.24' W. long.;

33° 35.03' N. lat. 117° 51.78' W. long.; and

33° 35.05' N. lat. 117° 51.74' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

2. Only spiny lobster may be taken commercially.

~~(66)~~(82) Crystal Cove State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 20-fathom depth contour, and the following points:

33° 35.05' N. lat. 117° 51.74' W. long.;

33° 34.76' N. lat. 117° 52.32' W. long.;

33° 33.27' N. lat. 117° 49.62' W. long.; and

33° 33.40' N. lat. 117° 49.18' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~ lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp (Macrocystis pyrifera) and bull kelp (Nereocystis spp.) and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(67)(83) Irvine Coast State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 600 feet ~~offshore~~ seaward of mean lower low water, and the following points:

33° 35.05' N. lat. 117° 51.74' W. long.;

33° 35.00' N. lat. 117° 51.84' W. long.;

33° 33.37' N. lat. 117° 49.28' W. ~~long~~ long.; and

33° 33.40' N. lat. 117° 49.18' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

2. Only spiny lobster may be taken commercially.

(68)(84) Laguna Beach State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 600 feet ~~offshore~~ seaward of mean lower low water, and the following points:

33° 32.86' N. lat. 117° 48.35' W. long.;

33° 32.78' N. lat. 117° 48.45' W. long.;

33° 30.37' N. lat. 117° 45.17' W. long.; and

33° 30.43' N. lat. 117° 45.06' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut,

sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

2. Only spiny lobster may be taken commercially.

~~(69)~~(85) Heisler Park State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 32.66' N. lat. 117° 47.61' W. long.;

33° 32.53' N. lat. 117° 47.66' W. long.;

33° 32.43' N. lat. 117° 47.26' W. long.; and

33° 32.56' N. lat. 117° 47.30' W. long.

(B) Take of all living marine resources is prohibited.

~~(A)~~(C) Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.

~~(70)~~(86) South Laguna Beach State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 20-foot depth contour, and the following points:

33° 30.43' N. lat. 117° 45.06' W. long.;

33° 30.37' N. lat. 117° 45.17' W. long.;

33° 30.04' N. lat. 117° 44.91' W. long.; and

33° 30.15' N. lat. 117° 44.81' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

2. Only spiny lobster may be taken commercially.

~~(74)~~(87) Niguel State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 1200 feet ~~offshore~~seaward of mean lower low water, and the following points:

33° 29.15' N. lat. 117° 44.05' W. long.;

33° 29.15' N. lat. 117° 44.30' W. long.;

33° 27.74' N. lat. 117° 43.18' W. long.; and

33° 27.74' N. lat. 117° 42.95' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

2. Only spiny lobster may be taken commercially.

~~(72)~~(88) Dana Point State Marine Conservation Area.

~~(A)~~ This area is bounded by the mean high tide line, a distance of 1200 feet offshore seaward of mean lower low water, and the following points:

33° 27.74' N. lat. 117° 42.95' W. long.;

33° 27.74' N. lat. 117° 43.18' W. long.;

33° 27.47' N. lat. 117° 42.28' W. long.; and

33° 27.63' N. lat. 117° 42.45' W. long.

~~(A)~~~~(B)~~ Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally below the mean lower low-water mark: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

2. Only spiny lobster may be taken commercially.

~~(B)~~~~(C)~~ Except as expressly provided in this section, it is unlawful to enter the intertidal zone in the Dana Point State Marine Park for the purpose of taking or possessing, or to take or possess, any species of fish, plant, or invertebrate, or part thereof; to use or have in possession any contrivance designed to be used for catching fish; to disturb any native plant, fish, wildlife, aquatic organism; or to take or disturb any natural geological feature. This subdivision does not prohibit persons from entering the intertidal zone for the purpose of entertainment, recreation, and education while having a minimum impact on the intertidal environment and the living organisms therein. For this purpose, minimum impact includes foot traffic; general observation of organisms in their environment with immediate replacement of any unattached organisms to their natural location after temporary lifting for examination; and photography. Minimum impact does not include removal of attached organisms from their environment; gathering of fishing bait; littering, collecting rocks and shells; or turning rocks or other acts destructive to the environment.

~~(C)~~~~(D)~~ The department director may appoint a director of the Dana Point State Marine Park.

1-~~(E)~~ The director of the Dana Point State Marine Park may issue a special collecting permit authorizing any person to enter the park for the purposes of scientific collecting under the conditions of a scientific collector's permit issued by the department.

~~(D)~~~~(F)~~ Notwithstanding subsections ~~632(b)(67)(A)~~ or ~~632(b)(67)(B)~~ 632(b)(88)(B) or 632(b)(88)(C), the director of the Dana Point State Marine Park, or any person who has a scientific collector's permit from the department and to whom the director of the Dana Point State Marine Park has issued a special collecting permit may take, for scientific purposes, any fish or specimen of marine plant life under the conditions prescribed by the department.

~~(E)~~~~(G)~~ This section does not prohibit the entry of state and local law enforcement officers, fire suppression agencies, and employees of the department in the performance of their official duties. This section does not prohibit or restrict navigation in the Dana Point State Marine Park pursuant to federal law.

~~(73)~~~~(89)~~ Doheny Beach State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 600 feet ~~offshore~~seaward of mean lower low water, and the following points:

33° 27.70' N. lat. 117° 41.38' W. long.;

33° 27.60' N. lat. 117° 41.38' W. long.;

33° 27.27' N. lat. 117° 40.28' W. long.; and

33° 27.35' N. lat. 117° 40.21' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, California corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, Pacific barracuda, California sheephead, Pacific bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

2. Only spiny lobster may be taken commercially.

~~(74)~~(90) Doheny State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 1,500 feet ~~offshore~~seaward of mean lower low water, and the following points:

33° 27.70' N. lat. 117° 41.38' W. long.;

33° 27.45' N. lat. 117° 41.39' W. long.;

33° 27.15' N. lat. 117° 40.38' W. long.; and

33° 27.35' N. lat. 117° 40.21' W. long.

(A)(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: ~~(A) No recreational take of living or non-living marine resources is allowed except:~~ finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels. ~~Commercial take is allowed.~~

2. Commercial take is allowed.

~~(75)~~(91) Buena Vista Lagoon State Marine Park.

(A) This area consists of waters below the mean high tide line within the Buena Vista Lagoon Ecological Reserve.

(A)(B) Take of all living marine resources is prohibited except the recreational take of species other than kelp by hook and line in designated areas and at designated times only.

(B)(C) Boating, swimming, wading, and diving are prohibited within the park.

(C)(D) The County of San Diego, after consultation with the department, may carry out management activities for fish and wildlife, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and use of associated equipment.

~~(76)~~(92) Agua Hedionda Lagoon State Marine Reserve.

(A) This area consists of waters below the mean high tide line within the Agua Hedionda Lagoon Ecological Reserve.

(B) Take of all living marine resources is prohibited.

(A)(C) The department, and the County of San Diego, after consultation with the department, may carry out management activities for fish and wildlife, flood control and

vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and use of associated equipment.

~~(77)~~(93) Batiquitos Lagoon State Marine Park.

(A) This area consists of waters below the mean high tide line within the Batiquitos Lagoon Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line from shore.

~~(B)~~(C) Boating, swimming, wading, and diving are prohibited within the park.

~~(C)~~(D) San Diego County, after consultation with the department, may carry out management activities necessary for fish and wildlife management, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and associated use of equipment.

~~(78)~~(94) Encinitas State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, as distance of 600 feet ~~offshore~~seaward of mean lower low water, and the following points:

33° 02.74' N. lat. 117° 17.88' W. long.;

33° 02.70' N. lat. 117° 18.00' W. long.;

33° 01.98' N. lat. 117° 17.64' W. long.; and

33° 02.04' N. lat. 117° 17.54' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except the commercial and recreational take of finfish.

~~(79)~~(95) Cardiff-San Elijo State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 3000 feet ~~offshore~~seaward of mean lower low water, and the following points:

33° 02.04' N. lat. 117° 17.54' W. long.;

33° 01.75' N. lat. 117° 18.03' W. long.;

33° 00.06' N. lat. 117° 17.27' W. long.; and

33° 00.29' N. lat. 117° 16.73' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: ~~(A) No recreational take of living or non-living marine resources is allowed except:~~ finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, ~~lobsters~~lobster, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels. ~~Commercial take is allowed.~~

2. Commercial take is allowed.

~~(80)~~(96) San Elijo Lagoon State Marine Park.

(A) This area consists of waters below the mean high tide line within the San Elijo Lagoon Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line from shore.

~~(B)~~(C) Boating, swimming, wading, and diving are prohibited within the park.

~~(C)~~(D) San Diego County, after consultation with the department, may carry out management activities for fish and wildlife management, flood control, vector control and regional park recreational activities. Authorized operation and maintenance

activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control, minor ditching and use of associated equipment.

~~(D)~~(E) Collections may be made by the department for purposes of fish and wildlife management or by San Diego County for the purpose of water quality testing and vector control.

~~(84)~~(97) San Dieguito Lagoon State Marine Park.

(A) This area consists of waters below the mean high tide line within the San Dieguito Lagoon Ecological Reserve.

~~(A)~~(B) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line from shore and the Grand Avenue bridge.

~~(B)~~(C) Boating, swimming, wading, and diving are prohibited within the park.

~~(C)~~(D) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, shall be permitted on the California least tern nesting island.

~~(D)~~(E) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, shall enter this park between 8:00 p.m. and 5:00 a.m.

~~(E)~~(F) The County of San Diego, after consultation with the department, may carry out management activities for fish and wildlife, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and use of associated equipment.

~~(F)~~(G) Collections of fish, wildlife, water and soil may be made by the department for the purposes of fish and wildlife management or by San Diego County for the purposes of water quality testing and vector control.

~~(82)~~(98) San Diego-Scripps State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 1000 feet ~~offshore~~seaward of mean lower low water, and the following points:

32° 52.28' N. lat. 117° 15.16' W. long.;

32° 52.32' N. lat. 117° 15.34' W. long.;

32° 51.86' N. lat. 117° 15.48' W. long.; and

32° 51.86' N. lat. 117° 15.28' W. long.;

~~(A)~~(B) Take of all living marine resources is prohibited except the commercial and recreational take of finfish.

~~(B)~~(C) Licensees of the Regents of the University of California and all officers, employees, and students of such university may take, for scientific purposes, any invertebrate or specimen of marine plant life without a permit from the department.

~~(83)~~(99) La Jolla State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

32° 51.86' N. lat. 117° 15.28' W. long.;

32° 51.86' N. lat. 117° 16.25' W. long.;

32° 51.22' N. lat. 117° 16.17' W. long.; and

32° 51.07' N. lat. 117° 16.40' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except the commercial bait fishing for take of squid for bait by use of hand-held scoop net west of a line drawn due north from Goldfish Point (34° 51.00' N. lat. 119° 16.17' W. long.).

~~(B)~~(C) Boats may be launched and retrieved only in designated areas and may be anchored within the conservation area only during daylight hours.

~~(84)~~(100) Mia J. Tegner State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, a distance of 150 feet offshore seaward of mean lower low water, and the following points:

32° 40.27' N. lat. 117° 14.73' W. long.;

32° 40.27' N. lat. 117° 14.76' W. long.;

32° 39.91' N. lat. 117° 14.42' W. long.; and

32° 39.94' N. lat. 117° 14.44' W. long.

~~(A) Take of all living marine resources is prohibited except the recreational take of finfish and the commercial take of finfish and marine aquatic plants.~~

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish is allowed.

2. The commercial take of finfish and marine aquatic plants is allowed.

Note: Authority cited: Sections 200, 202, 203.1, 205(c), 219, 220, 1590, 1591, 2860, 2861, and 6750, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code. Reference: Sections 200, 202, 203.1, 205(c), 219, 220, 1580, 1583, 2861, 5521, 6653, 8420(e) and 8500, Fish and Game Code; and Sections 36700(e), 36710(e), 36725(a) and 36725(e), Public Resources Code.

Alternative 1 - Changes to portions of Sections 165 and 632 not shown here remain as in the preferred:

Section 632, Title 14, CCR is amended to read:

...

(27) Año Nuevo State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed

37° 09.87' N. lat. 122° 21.75' W. long.;

37° 09.87' N. lat. 122° 21.85' W. long.;

37° 06.91' N. lat. 122° 19.10' W. long.; and

37° 07.02' N. lat. 122° 19.10' W. long.

(B) Take of all living marine resources is prohibited.

~~(27) Special Closure: Año Nuevo Invertebrate Area This area is bounded by the mean high tide line and the following points within the Año Nuevo State Reserve:~~

~~37° 09.87' N. lat. 122° 21.76' W. long; and~~

~~37° 06.98' N. lat. 122° 18.37' W. long.~~

~~(A) No invertebrates shall be taken except:~~

~~1. Recreational take of invertebrates is allowed except between the high tide mark and 100 feet beyond the low tide mark between November 30 and April 30.~~

~~2. Commercial take of the following invertebrates is allowed: crabs, ghost shrimp, jackknife clams, sea urchins, squid, and worms, except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up remove or destroy any rocks or other substrate or surfaces to which organisms are attached.~~

(28) Greyhound Rock State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

37° 07.02' N. lat. 122° 19.10' W. long.;

37° 02.50' N. lat. 122° 19.03' W. long.;

37° 02.50' N. lat. 122° 16.46' W. long.; and

37° 05.48' N. lat. 122° 16.53' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of pelagic finfish [subsection 632(a)(3)], Dungeness crab, and squid except that not more than five percent (5%) by landed weight of any commercial squid catch may be other species taken incidentally to squid. Salmon may only be taken in waters greater than 25 fathoms.

(29) Greyhound Rock State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

37° 05.48' N. lat. 122° 16.53' W. long.;

37° 02.50' N. lat. 122° 16.46' W. long.; and

37° 02.50' N. lat. 122° 13.91' W. long.

(B) Take of all living marine resources is prohibited.

~~(28)(30) Elkhorn Slough State Marine Reserve. This area is bounded by the mean high tide line and the 1.5 fathom depth contour within the Elkhorn Slough Ecological Reserve (National Estuarine Research Reserve). following points:~~

(A) This area includes the waters below mean high tide within Elkhorn Slough east of the Highway 1 Bridge west of the Elkhorn Road Bridge.

(B) Take of all living marine resources is prohibited.

(A) A \$2.00 day use pass or a valid \$10.00 annual wildlife pass is required of all users of Elkhorn Slough Ecological Reserve except: users that possess a valid California sport fishing license, hunting license or trapping license; users that are under 16 years of age; or users that are part of an organized youth or school group and having free permits issued by the appropriate regional office. Refer to subsections 550(b)(4) and (5), Title 14, CCR, for regulations for fee requirements for wildlife areas.

(31) Moro Cojo Estuary State Marine Reserve.

(A) This area includes the waters within Moro Cojo Slough below mean high tide and between the Highway 1 Bridge and the crossing of the Southern Pacific Railroad tracks.

(B) Take of all living marine resources is prohibited.

(32) Monterey Submarine Canyon No Bottom Contact State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed:

36° 47.50' N. lat. 122° 02.71' W. long.;

36° 47.50' N. lat. 121° 58.98' W. long.;

36° 42.01' N. lat. 121° 59.00' W. long.;

36° 42.00' N. lat. 122° 01.08' W. long.; and

36° 47.50' N. lat. 122° 02.71' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of pelagic finfish [subsection 632(a)(3)] and squid except that not more than five percent (5%) by landed weight of any commercial squid catch may be other species taken incidentally to squid.

(33) Ed Ricketts State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 36.57' N. lat. 121° 53.73' W. long.;

36° 36.58' N. lat. 121° 53.85' W. long.;

36° 37.00' N. lat. 121° 53.68' W. long.;

36° 37.22' N. lat. 121° 53.85' W. long.; and

36° 37.10' N. lat. 121° 54.08' W. long.

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish by hook and line is allowed.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) is allowed by hand in the area defined by subsection 165(c)(4)(D).

(29)(34) Hopkins State Marine Reserve.

(A) This area is bounded by the mean high tide line, the 10-fathom depth contour, and straight lines connecting the following points in the order listed:

36° 37.25' N. lat. 121° 54.50' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.;

36° 37.22' N. lat. 121° 53.85' W. long.; and

36° 37.10' N. lat. 121° 54.09' W. long.

36° 37.10' N. lat. 121° 54.08' W. long.;

36° 37.22' N. lat. 121° 53.85' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.; and

36° 37.60' N. lat. 121° 54.91' W. long.

(B) Take of all living marine resources is prohibited.

~~(A) The director of the Hopkins State Marine Reserve, or any person to whom the director of the reserve has issued a permit, may take, for scientific purposes, any fish or specimen of marine plant life under the conditions prescribed by the department or the director of the reserve.~~

~~(30)~~(35) Pacific Grove-Monterey State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 10-fathom depth contour, and straight lines connecting the following points in the order listed:

36° 37.09' N. lat. 121° 56.49' W. long.;

36° 37.34' N. lat. 121° 57.34' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.; and

36° 37.25' N. lat. 121° 54.50' W. long.

36° 37.60' N. lat. 121° 54.91' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.;

36° 39.00' N. lat. 121° 54.34' W. long.;

36° 39.00' N. lat. 121° 57.00' W. long.;

36° 37.00' N. lat. 121° 57.00' W. long.; and

36° 37.00' N. lat. 121° 56.56' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, Dungeness crab, and squid, and invertebrates other than mollusks or crustaceans.

2. Only the following species may be taken commercially by ring net, lampara net, or bait net: sardines, mackerel, anchovies, and herring pelagic finfish [subsection 632(a)(3)], Dungeness crab, giant kelp (*Macrocystis pyrifera*), bull kelp (*Nereocystis spp.*), and squid except that not more than five percent (5%) by landed weight of any commercial squid catch may be other species taken incidentally to squid.

(36) Carmel Pinnacles State Marine Reserve.

(A) This area is bounded by straight lines connecting the following points in the order listed:

36° 33.64' N. lat. 121° 57.60' W. long.;

36° 33.64' N. lat. 121° 58.39' W. long.;

36° 33.09' N. lat. 121° 58.40' W. long.;

36° 33.09' N. lat. 121° 57.60' W. long.; and

36° 33.64' N. lat. 121° 57.60' W. long.;

(B) Take of all living marine resources is prohibited.

~~(31)~~(37) Carmel Bay State Marine Conservation Area. This MPA is comprised of two areas. The first is bounded by the mean high tide line, and a straight line connecting straight lines connecting the following points in the order listed:

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 33.64' N. lat. 121° 57.07' W. long.; and

36° 31.40' N. lat. 121° 56.17' W. long.

~~The second consists of waters shallower than 15 fathoms within an area bounded by straight lines connecting straight lines connecting the following points in the order listed in the order listed:~~

~~36° 33.65' N. lat. 121° 58.40' W. long.;~~

~~36° 33.65' N. lat. 121° 57.60' W. long.;~~

~~36° 33.10' N. lat. 121° 57.60' W. long.;~~

~~36° 33.10' N. lat. 121° 58.40' W. long.; and~~

36° 33.65' N. lat. 121° 58.40' W. long.
36° 33.72' N. lat. 121° 57.10' W. long.;
36° 31.68' N. lat. 121° 56.28' W. long.; and
36° 31.68' N. lat. 121° 55.55' W. long.

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish is allowed.
2. The commercial take of giant kelp (*Macrocystis pyrifera*), bull kelp (*Nereocystis spp.*) and squid is allowed. Not more than five percent (5%) by landed weight of any commercial squid catch may be other species taken incidentally to squid.

(A) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line or spear and the commercial take of kelp under the following conditions:

1. Within Stillwater Cove kelp may be removed at any time to allow the passage and mooring of boats between Pescadero Rocks and Arrowhead Point.
2. If, at any time, the director of the department finds that the harvesting of kelp will tend to destroy or impair any kelp bed or beds, or parts thereof, or tend to impair or destroy the supply of any food for fish or wildlife, the director shall serve on every person licensed to harvest kelp a 48-hour advance, written notice that the kelp bed, or part thereof, will be closed to the harvesting of kelp for a period not to exceed one year. After service of such a notice, the person upon whom notice is served may appeal to the commission for a hearing to reopen the kelp bed or part thereof.
3. Not more than five percent (5%) of the total weight of kelp harvested in any one day shall consist of bull kelp (*Nereocystis spp.*).
4. Any licensed person or company intending to harvest kelp within the conservation area shall give the department's marine region manager, or designee, at least 48 hours written or oral notice of the intention to harvest. At the option of the department, the licensed person or company shall allow an observer selected by the department to accompany the harvester during such harvest.
5. Not more than 50 percent (50%) of the kelp within Administrative Kelp Bed 219 shall be harvested in any four-month period.

(32)(38) Point Lobos State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 31.40' N. lat. 121° 56.17' W. long.;
36° 31.60' N. lat. 121° 56.27' W. long.;
36° 31.50' N. lat. 121° 57.63' W. long.;
36° 30.81' N. lat. 121° 57.99' W. long.;
36° 30.33' N. lat. 121° 56.69' W. long.; and
36° 30.33' N. lat. 121° 56.33' W. long.
36° 31.68' N. lat. 121° 55.55' W. long.;
36° 31.68' N. lat. 121° 58.00' W. long.;
36° 29.43' N. lat. 121° 58.00' W. long.; and
36° 29.43' N. lat. 121° 56.76' W. long.

(B) Take of all living marine resources is prohibited.

(A) Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.

(C) Within the portion of the Point Lobos State Marine Reserve which also falls within the boundary of the Point Lobos State Reserve (State Park Unit), restrictions on boating

and diving activities exist. Contact the California Department of Parks and Recreation for current restrictions.

(39) Point Lobos State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

36° 31.68' N. lat. 121° 58.00' W. long.;

36° 28.01' N. lat. 121° 58.01' W. long.; thence southward along the three nautical mile offshore boundary to

36° 28.01' N. lat. 122° 00.25' W. long.;

36° 31.68' N. lat. 122° 01.39' W. long.; and

36° 31.68' N. lat. 121° 58.00' W. long.

(B) Take of all living marine resources is prohibited except:

1. The recreational take of salmon is allowed

2. The commercial take of salmon and spot prawn is allowed.

(40) Point Sur Deep Reef State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

36° 21.00' N. lat. 121° 58.37' W. long.; thence southward along the three nautical mile offshore boundary to

36° 15.40' N. lat. 121° 55.50' W. long.;

36° 15.40' N. lat. 121° 53.44' W. long.; and

36° 21.00' N. lat. 121° 58.37' W. long.

(B) Take of all living marine resources is prohibited except the recreational and commercial take of pelagic finfish [subsection 632(a)(3)].

(33) Julia Pfeiffer Burns State Marine Conservation Area. This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 10.50' N. lat. 121° 41.90' W. long.;

36° 09.60' N. lat. 121° 42.40' W. long.;

36° 08.30' N. lat. 121° 40.80' W. long.;

36° 09.20' N. lat. 121° 40.25' W. long.; and

36° 09.25' N. lat. 121° 40.05' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, squid, kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(41) Julia Pfeiffer Burns State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 10.00' N. lat. 121° 41.01' W. long.;

36° 10.00' N. lat. 121° 42.61' W. long.;

36° 06.50' N. lat. 121° 38.93' W. long.; and

36° 06.50' N. lat. 121° 37.60' W. long.

(B) Take of all living marine resources is prohibited.

(42) Julia Pfeiffer Burns Offshore State Marine Reserve.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

36° 10.00' N. lat. 121° 42.61' W. long.;

36° 10.00' N. lat. 121° 46.97' W. long.; thence southward along the three nautical mile offshore boundary to

36° 08.20' N. lat. 121° 44.23' W. long.;

36° 08.25' N. lat. 121° 40.77' W. long.; and

36° 10.00' N. lat. 121° 42.61' W. long.

(B) Take of all living marine resources is prohibited.

(43) Juila Pfeiffer Burns Offshore State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

36° 08.25' N. lat. 121° 40.77' W. long.;

36° 08.20' N. lat. 121° 44.23' W. long.; thence southward along the three nautical mile offshore boundary to

36° 06.50' N. lat. 121° 42.48' W. long.;

36° 06.50' N. lat. 121° 38.93' W. long.; and

36° 08.25' N. lat. 121° 40.77' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon and commercial take of spot prawn.

(34)(44) Big Creek State Marine Reserve.

(A) This area is bounded by the mean high tide line, the 50 fathom depth contour, and straight lines connecting the following points in the order listed:

36° 05.31' N. lat. 121° 37.10' W. long.;

36° 05.31' N. lat. 121° 38.24' W. long.;

36° 03.65' N. lat. 121° 37.04' W. long.; and

36° 03.65' N. lat. 121° 35.50' W. long.

36° 03.64' N. lat. 121° 35.55' W. long.

(B) Take of all living marine resources is prohibited.

(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Big Creek State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.

(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(D) Public Entry. Public entry into the Big Creek State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering

into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.

~~(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.~~

~~(F) Litter. No person shall deposit, drop, or scatter any debris on the Big Creek State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.~~

~~(G) Aircraft. No person shall operate any aircraft or hovercraft within the Big Creek State Marine Reserve, except as authorized pursuant to scientific research approved by the department.~~

~~(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Big Creek State Marine Reserve unless authorized by the department.~~

~~(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations, to conduct marine-related research within the Big Creek State Marine Reserve.~~

~~(J) The Department shall only approve research within the Big Creek State Marine Reserve which is compatible with research underway within the reserve area prior to its establishment by the commission, such research compatibility to be determined by contacting the Reserve Manager for the Landels Hill Big Creek Reserve prior to authorizing research within the reserve.~~

(45) Alder Creek State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 53.34' N. lat. 121° 27.89' W. long.;

35° 53.32' N. lat. 121° 29.13' W. long.;

35° 50.00' N. lat. 121° 25.34' W. long.; and

35° 50.00' N. lat. 121° 23.74' W. long.

(B) Take of all living marine resources is prohibited.

(46) Alder Creek State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

35° 53.32' N. lat. 121° 29.13' W. long.;

35° 53.31' N. lat. 121° 32.17' W. long.; thence southward along the three nautical mile offshore boundary to

35° 49.99' N. lat. 121° 29.29' W. long.;

35° 50.00' N. lat. 121° 25.34' W. long.; and

35° 53.32' N. lat. 121° 29.13' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of pelagic finfish [subsection 632(a)(3)].

(47) Point Piedras Blancas State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 39.84' N. lat. 121° 17.07' W. long.;

35° 39.83' N. lat. 121° 17.07' W. long.;
35° 39.49' N. lat. 121° 16.15' W. long.;
35° 39.49' N. lat. 121° 15.16' W. long.;
35° 39.05' N. lat. 121° 13.64' W. long.; and
35° 39.12' N. lat. 121° 13.64' W. long.

(B) Take of all living marine resources is prohibited.

(48) Cambria State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 35.82' N. lat. 121° 07.74' W. long.;
35° 35.80' N. lat. 121° 09.01' W. long.;
35° 32.25' N. lat. 121° 06.53' W. long.; and
35° 32.25' N. lat. 121° 05.28' W. long.

(B) The commercial take of all living marine resources is prohibited. Recreational take is allowed.

~~(35) Atascadero Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and straight lines connecting the following points in the order listed:~~

~~35° 23.64' N. lat. 120° 51.98' W. long.;~~
~~35° 23.50' N. lat. 120° 55.98' W. long.;~~
~~35° 22.10' N. lat. 120° 56.07' W. long.; and~~
~~35° 22.19' N. lat. 120° 52.20' W. long.;~~

~~(A) Take of clams is prohibited. Take of other living marine resources is allowed.~~

~~(36) Morro Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and straight lines connecting the following points in the order listed:~~

~~35° 18.79' N. lat. 120° 52.30' W. long.;~~
~~35° 19.96' N. lat. 120° 55.90' W. long.;~~
~~35° 18.40' N. lat. 120° 56.35' W. long.; and~~
~~35° 17.13' N. lat. 120° 53.06' W. long.~~

~~(A) Take of clams is prohibited. Commercial take of giant kelp and bull kelp is prohibited. Take of other living marine resources is allowed.~~

~~(37) Pismo State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 1000 feet offshore, and straight lines connecting the following points in the order listed:~~

~~35° 07.65' N. lat. 120° 38.28' W. long.;~~
~~35° 07.60' N. lat. 120° 38.51' W. long.;~~
~~35° 07.28' N. lat. 120° 38.39' W. long.; and~~
~~35° 07.33' N. lat. 120° 38.17' W. long.~~

~~(A) Take of all invertebrates and marine aquatic plants is prohibited except the commercial take of algae other than giant kelp and bull kelp.~~

~~(38) Pismo-Oceano Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and straight lines connecting the following points in the order listed:~~

~~35° 01.81' N. lat. 120° 38.07' W. long.;~~
~~35° 02.50' N. lat. 120° 41.69' W. long.;~~
~~34° 59.35' N. lat. 120° 42.50' W. long.; and~~
~~34° 58.48' N. lat. 120° 38.88' W. long.~~

(A) Take of clams is prohibited. Commercial take of giant kelp and bull kelp is prohibited. Take of other living marine resources is allowed.

(49) Morro Bay Harbor State Marine Conservation Area.

(A) This area includes the area below mean high tide within Morro Bay east of the Morro Bay entrance breakwater and north of latitude 35° 19.70' N.

(B) Commercial take of all living marine resources is prohibited except permitted aquaculture of oysters and storing finfish taken outside the Morro Bay Harbor State Marine Conservation Area in a receiver for bait purposes. Recreational take is allowed.

(50) Morro Bay South State Marine Recreational Management Area.

(A) This area includes the area below mean high tide within Morro Bay south of latitude 35° 19.70' N.

(B) Take of all living marine resources is prohibited.

(C) Recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (Sections 502, 550, 551, and 552).

(51) Point Buchon State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 14.00' N. lat. 120° 52.91' W. long.;

35° 14.00' N. lat. 120° 54.00' W. long.;

35° 13.00' N. lat. 120° 53.27' W. long.; and

35° 13.00' N. lat. 120° 51.71' W. long.

(B) Take of all living marine resources is prohibited.

(52) Point Buchon State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

35° 14.00' N. lat. 120° 54.00' W. long.;

35° 14.00' N. lat. 120° 57.36' W. long.; thence southward along the three nautical mile offshore boundary to

35° 11.38' N. lat. 120° 55.49' W. long.;

35° 11.38' N. lat. 120° 52.08' W. long.; and

35° 14.00' N. lat. 120° 54.00' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon.

(53) Diablo Canyon Security Zone State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 13.00' N. lat. 120° 51.71' W. long.;

35° 13.00' N. lat. 120° 53.27' W. long.;

35° 11.38' N. lat. 120° 52.08' W. long.;

35° 11.39' N. lat. 120° 50.33' W. long.; and

35° 11.91' N. lat. 120° 50.33' W. long.

(B) Take of all living marine resources is prohibited.

(C) Entry is prohibited except as allowed pursuant to Federal law.

~~(39)~~(54) Vandenberg State Marine Reserve.

(A) This area is bounded by the mean high tide line, the 10 fathom depth contour, and straight lines connecting the following points in the order listed:

34° 36.27' N. lat. 120° 38.54' W. long.;

34° 35.82' N. lat. 120° 39.22' W. long.;

34° 33.03' N. lat. 120° 38.45' W. long.; and
34° 33.36' N. lat. 120° 37.60' W. long.
34° 44.30' N. lat. 120° 37.58' W. long.;
34° 44.30' N. lat. 120° 38.50' W. long.;
34° 41.83' N. lat. 120° 38.49' W. long.;
34° 34.53' N. lat. 120° 40.23' W. long.;
34° 32.86' N. lat. 120° 38.89' W. long.; and
34° 33.37' N. lat. 120° 37.55' W. long.

(B) Take of all living marine resources is prohibited except take incidental to base operations and commercial space launch operations identified by the Vandenberg Air Force Base Commander as mission critical.

(C) Public Entry. Public entry into the Vandenberg State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat or by the Commander of Vandenberg Air Force Base to protect and provide safety for base operations.

(D) The Department shall enter into a Memorandum of Understanding (MOU) with the Commander of Vandenberg Air Force Base for the mutually beneficial management and administration of the Vandenberg State Marine Reserve. The MOU shall include, but not be limited to, the identification of Vandenberg Air Force Base's national defense mission activities that are unrestricted by the subject regulations and details on management and administrative roles and responsibilities.

~~(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department.~~

~~(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Vandenberg State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.~~

~~(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department.~~

~~(D) Public Entry. Public entry into the Vandenberg State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.~~

~~(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.~~

~~(F) Litter. No person shall deposit, drop, or scatter any debris on the Vandenberg State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.~~

~~(G) Aircraft. No person shall operate any aircraft or hovercraft within the Vandenberg State Marine Reserve, except as authorized pursuant to scientific research approved by the department.~~

~~(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Vandenberg State Marine Reserve unless authorized by the department.~~

~~(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations, including Vandenberg Air Force Base (VAFB), to conduct marine-related research within the Vandenberg State Marine Reserve.~~

~~(J) The department shall enter into a Memorandum of Understanding (MOU) with the Commander of Vandenberg Air Force Base for the management and administration of the Vandenberg State Marine Reserve. The MOU shall include all uses necessary and compatible with the Vandenberg Air Force Base's national defense mission.~~

(55) Vandenberg Danger Zone 4 State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

34° 41.83' N. lat. 120° 38.49' W. long.;

34° 41.83' N. lat. 120° 40.03' W. long.; thence southward along the three nautical mile offshore boundary to

34° 34.54' N. lat. 120° 42.86' W. long.;

34° 34.53' N. lat. 120° 40.23' W. long.; and

34° 41.83' N. lat. 120° 38.49' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon and crabs and take incidental to base operations and commercial space launch operations identified by the Vandenberg Air Force Base Commander as mission critical.

(C) Public Entry. Public entry into the Vandenberg Danger Zone 4 State Marine Conservation Area may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat or by the Commander of Vandenberg Air Force Base to protect and provide safety for base operations.

(D) The Department shall enter into a Memorandum of Understanding (MOU) with the Commander of Vandenberg Air Force Base for the mutually beneficial management and administration of the Vandenberg Danger Zone 4 State Marine Conservation Area. The MOU shall include, but not be limited to, the identification of Vandenberg Air Force Base's national defense mission activities that are unrestricted by the subject regulations and details on management and administrative roles and responsibilities.

...

Subsequent subsections will be renumbered beginning with 56...

Alternative 2 - Changes to portions of Sections 165 and 632 not shown here remain as in the preferred:

Section 632, Title 14, CCR is amended to read:

...

(27) Año Nuevo State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

37° 10.00' N. lat. 122° 21.80' W. long.;

37° 10.00' N. lat. 122° 22.11' W. long.;

37° 06.87' N. lat. 122° 20.43' W. long.;

37° 06.67' N. lat. 122° 20.76' W. long.;

37° 06.25' N. lat. 122° 20.50' W. long.;

37° 06.25' N. lat. 122° 19.71' W. long.;

37° 03.26' N. lat. 122° 19.63' W. long.; thence southward along the three nautical mile offshore boundary to

37° 02.50' N. lat. 122° 19.04' W. long.; and

37° 02.50' N. lat. 122° 13.91' W. long.

(B) Take of all living marine resources is prohibited.

~~(27) Special Closure: Año Nuevo Invertebrate Area This area is bounded by the mean high tide line and the following points within the Año Nuevo State Reserve:~~

~~37° 09.87' N. lat. 122° 21.76' W. long; and~~

~~37° 06.98' N. lat. 122° 18.37' W. long.~~

~~(A) No invertebrates shall be taken except:~~

~~1. Recreational take of invertebrates is allowed except between the high tide mark and 100 feet beyond the low tide mark between November 30 and April 30.~~

~~2. Commercial take of the following invertebrates is allowed: crabs, ghost shrimp, jackknife clams, sea urchins, squid, and worms, except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up remove or destroy any rocks or other substrate or surfaces to which organisms are attached.~~

(28) Baldwin to Natural Bridges State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 57.88' N. lat. 122° 07.58' W. long.;

36° 56.90' N. lat. 122° 03.25' W. long.; and

36° 56.94' N. lat. 122° 03.25' W. long.

(B) Take of all living marine resources is prohibited.

~~(28)(29) Elkhorn Slough State Marine Reserve. This area is bounded by the mean high tide line and the 1.5-fathom depth contour within the Elkhorn Slough Ecological Reserve (National Estuarine Research Reserve). following points:~~

~~(A) This area includes the waters below mean high tide within Elkhorn Slough east of the Highway 1 Bridge and west of the Elkhorn Road Bridge.~~

~~(B) Take of all living marine resources is prohibited.~~

~~(A) A \$2.00 day use pass or a valid \$10.00 annual wildlife pass is required of all users of Elkhorn Slough Ecological Reserve except: users that possess a valid California sport fishing license, hunting license or trapping license; users that are under 16 years of age; or users that are part of an organized youth or school group and having free~~

permits issued by the appropriate regional office. Refer to subsections 550(b)(4) and (5), Title 14, CCR, for regulations for fee requirements for wildlife areas.

(30) Moro Cojo Estuary State Marine Reserve.

(A) This area includes the waters within Moro Cojo Slough below mean high tide and between the Highway 1 Bridge and the crossing of the Southern Pacific Railroad tracks.

(B) Take of all living marine resources is prohibited.

(31) Soquel Canyon State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

36° 51.00' N. lat. 121° 56.00' W. long.;

36° 50.93' N. lat. 122° 03.78' W. long.; thence along the three nautical mile offshore boundary to

36° 48.00' N. lat. 122° 02.91' W. long.; and

36° 48.02' N. lat. 121° 56.00' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon and albacore.

(32) Portuguese Ledge State Marine Reserve.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

36° 43.00' N. lat. 121° 56.00' W. long.;

36° 43.00' N. lat. 122° 01.42' W. long.; thence along the three nautical mile offshore boundary to

36° 41.00' N. lat. 122° 00.82' W. long.; and

36° 41.00' N. lat. 121° 56.00' W. long.

(B) Take of all living marine resources is prohibited.

(33) Edward C. Cooper State Marine Reserve.

(A) This area is bounded by the mean high tide line, the 10-fathom depth contour, and straight lines connecting the following points in the order listed:

36° 36.56' N. lat. 121° 53.72' W. long.;

36° 36.51' N. lat. 121° 53.38' W. long.;

36° 36.65' N. lat. 121° 53.38' W. long.;

36° 36.92' N. lat. 121° 53.66' W. long.; and

36° 36.83' N. lat. 121° 53.84' W. long.

(B) Take of all living marine resources is prohibited.

(34) Ed Ricketts State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 10-fathom depth contour, and straight lines connecting the following points in the order listed:

36° 36.83' N. lat. 121° 53.84' W. long.;

36° 36.92' N. lat. 121° 53.66' W. long.;

36° 37.22' N. lat. 121° 53.85' W. long.; and

36° 37.10' N. lat. 121° 54.09' W. long.

(B) Take of all living marine resources is prohibited except the commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) by hand is allowed between November 1 and March 1 in the area defined by subsection 165(c)(4)(D) under the following conditions:

(1) Any individual kelp harvester with a valid permit issued pursuant to Section 165 may take no more than 12 tons of kelp from the portion of Administrative Kelp Bed 220 within the Edward F. Ricketts State Marine Conservation Area in any calendar month.

(2) Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

~~(29)~~(35) Hopkins State Marine Reserve.

(A) This area is bounded by the mean high tide line, the 10-fathom depth contour, and straight lines connecting the following points in the order listed:

36° 37.25' N. lat. 121° 54.50' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.;

36° 37.22' N. lat. 121° 53.85' W. long.; and

36° 37.10' N. lat. 121° 54.09' W. long.

36° 37.10' N. lat. 121° 54.09' W. long.;

36° 37.33' N. lat. 121° 53.85' W. long.;

36° 37.28' N. lat. 121° 53.92' W. long.;

36° 37.44' N. lat. 121° 53.95' W. long.;

36° 37.44' N. lat. 121° 54.11' W. long.;

36° 37.71' N. lat. 121° 54.71' W. long.; and

36° 37.60' N. lat. 121° 54.91' W. long.

(B) Take of all living marine resources is prohibited.

~~(A) The director of the Hopkins State Marine Reserve, or any person to whom the director of the reserve has issued a permit, may take, for scientific purposes, any fish or specimen of marine plant life under the conditions prescribed by the department or the director of the reserve.~~

~~(30)~~(36) Pacific Grove State Marine Conservation Area.

(A) This area is bounded by the mean high tide line, the 10-fathom depth contour, and straight lines connecting the following points in the order listed:

36° 37.09' N. lat. 121° 56.49' W. long.;

36° 37.34' N. lat. 121° 57.34' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.; and

36° 37.25' N. lat. 121° 54.50' W. long.

36° 37.60' N. lat. 121° 54.91' W. long.;

36° 37.71' N. lat. 121° 54.71' W. long.;

36° 38.53' N. lat. 121° 55.89' W. long.; and

36° 38.23' N. lat. 121° 55.90' W. long.

~~(A)~~(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish is allowed in the area between the seaward extension of Esplanade Street and boundary of the Hopkins State Marine Reserve by hook and line or spear under the following conditions:

a. Take is prohibited by use of poke-pole gear.

b. Take is prohibited for any competition involving two or more persons in which persons are ranked, or winners are determined, based on size, weight, number of species, type of species, or number of fish taken by means of spearfishing.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) by hand is allowed. Not more than 44 tons of kelp may be taken from the portion of Administrative Kelp Bed 220 within the Pacific Grove State Marine Conservation Area in any calendar month.

~~1. Only the following species may be taken recreationally: finfish and invertebrates other than mollusks or crustaceans.~~

~~2. Only the following species may be taken commercially by ring net, lampara net, or bait net: sardines, mackerel, anchovies, and herring.~~

(37) Asilomar State Marine Reserve.

(A) This area is bounded by the mean high tide line, the 10-fathom depth contour, and the following points:

36° 38.23' N. lat. 121° 55.90' W. long.;

36° 38.53' N. lat. 121° 55.89' W. long.;

36° 37.33' N. lat. 121° 57.30' W. long.; and

36° 37.09' N. lat. 121° 56.49' W. long.

(B) Take of all living marine resources is prohibited.

(38) Carmel Pinnacles State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 34.44' N. lat. 121° 58.41' W. long.;

36° 33.09' N. lat. 121° 58.40' W. long.;

36° 33.10' N. lat. 121° 57.30' W. long.;

36° 33.40' N. lat. 121° 57.30' W. long.;

36° 33.40' N. lat. 121° 56.90' W. long.;

36° 33.70' N. lat. 121° 56.90' W. long.; and

36° 33.70' N. lat. 121° 57.10' W. long.

(B) Take of all living marine resources is prohibited.

(34)(39) Carmel Bay State Marine Conservation Area. This MPA is comprised of two areas. The first is bounded by the mean high tide line, and a straight line connecting straight lines connecting the following points in the order listed:

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 33.64' N. lat. 121° 57.07' W. long.; and

36° 31.40' N. lat. 121° 56.17' W. long.

~~The second consists of waters shallower than 15 fathoms within an area bounded by straight lines connecting straight lines connecting the following points in the order listed in the order listed:~~

~~36° 33.65' N. lat. 121° 58.40' W. long.;~~

~~36° 33.65' N. lat. 121° 57.60' W. long.;~~

~~36° 33.10' N. lat. 121° 57.60' W. long.;~~

~~36° 33.10' N. lat. 121° 58.40' W. long.; and~~

~~36° 33.65' N. lat. 121° 58.40' W. long.~~

~~36° 33.70' N. lat. 121° 57.10' W. long.;~~

~~36° 33.70' N. lat. 121° 56.90' W. long.;~~

~~36° 33.40' N. lat. 121° 56.90' W. long.;~~

~~36° 33.40' N. lat. 121° 56.40' W. long.;~~

~~36° 31.60' N. lat. 121° 56.40' W. long.; and~~

~~36° 31.60' N. lat. 121° 56.51' W. long.~~

(B) Take of all living marine resources is prohibited except:

1. The recreational take of finfish by hook-and-line or spear is allowed under the following conditions:

a. Take is prohibited by use of poke-pole gear.

b. Take is prohibited for any competition involving two or more persons in which persons are ranked, or winners are determined, based on size, weight, number of species, type of species, or number of fish taken by means of spearfishing.

2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis spp.*) by hand is allowed.

~~(A) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line or spear and the commercial take of kelp under the following conditions:~~

~~1. Within Stillwater Cove kelp may be removed at any time to allow the passage and mooring of boats between Pescadero Rocks and Arrowhead Point.~~

~~2. If, at any time, the director of the department finds that the harvesting of kelp will tend to destroy or impair any kelp bed or beds, or parts thereof, or tend to impair or destroy the supply of any food for fish or wildlife, the director shall serve on every person licensed to harvest kelp a 48-hour advance, written notice that the kelp bed, or part thereof, will be closed to the harvesting of kelp for a period not to exceed one year. After service of such a notice, the person upon whom notice is served may appeal to the commission for a hearing to reopen the kelp bed or part thereof.~~

~~3. Not more than five percent (5%) of the total weight of kelp harvested in any one day shall consist of bull kelp (*Nereocystis spp.*).~~

~~4. Any licensed person or company intending to harvest kelp within the conservation area shall give the department's marine region manager, or designee, at least 48 hours written or oral notice of the intention to harvest. At the option of the department, the licensed person or company shall allow an observer selected by the department to accompany the harvester during such harvest.~~

~~5. Not more than 50 percent (50%) of the kelp within Administrative Kelp Bed 219 shall be harvested in any four-month period.~~

~~(32)(40) Point Lobos State Marine Reserve.~~

~~(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:~~

~~36° 31.40' N. lat. 121° 56.17' W. long.;~~

~~36° 31.60' N. lat. 121° 56.27' W. long.;~~

~~36° 31.50' N. lat. 121° 57.63' W. long.;~~

~~36° 30.81' N. lat. 121° 57.99' W. long.;~~

~~36° 30.33' N. lat. 121° 56.69' W. long.; and~~

~~36° 30.33' N. lat. 121° 56.33' W. long.~~

~~36° 31.60' N. lat. 121° 55.51' W. long.;~~

~~36° 31.60' N. lat. 121° 58.00' W. long.;~~

~~36° 28.88' N. lat. 121° 58.01' W. long.; and~~

~~36° 28.88' N. lat. 121° 56.31' W. long.~~

~~(B) Take of all living marine resources is prohibited.~~

~~(A) Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.~~

~~(C) Within the portion of the Point Lobos State Marine Reserve which also falls within the boundary of the Point Lobos State Reserve (State Park Unit), restrictions on boating and diving activities exist. Contact the California Department of Parks and Recreation for current restrictions.~~

~~(41) Point Lobos State Marine Conservation Area.~~

~~(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:~~

~~36° 32.00' N. lat. 121° 56.40' W. long.;~~

36° 32.00' N. lat. 122° 01.34' W. long.; thence southward along the three nautical mile offshore boundary to

36° 28.89' N. lat. 122° 00.62' W. long.;

36° 28.89' N. lat. 121° 58.01' W. long.;

36° 31.60' N. lat. 121° 58.00' W. long.; and

36° 31.60' N. lat. 121° 56.40' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon, albacore, and commercial take of spot prawn.

(42) Point Sur State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

36° 18.36' N. lat. 121° 54.14' W. long.;

36° 18.34' N. lat. 121° 57.85' W. long.; thence southward along the three nautical mile offshore boundary to

36° 15.00' N. lat. 121° 55.10' W. long.; and

36° 14.98' N. lat. 121° 50.27' W. long.

(B) Take of all living marine resources is prohibited.

(33) Julia Pfeiffer Burns State Marine Conservation Area. This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 10.50' N. lat. 121° 41.90' W. long.;

36° 09.60' N. lat. 121° 42.40' W. long.;

36° 08.30' N. lat. 121° 40.80' W. long.;

36° 09.20' N. lat. 121° 40.25' W. long.; and

36° 09.25' N. lat. 121° 40.05' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, squid, kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(43) Julia Pfeiffer Burns State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

36° 09.62' N. lat. 121° 40.47' W. long.;

36° 09.62' N. lat. 121° 46.09' W. long.; thence southward along the three nautical mile offshore boundary to

36° 06.26' N. lat. 121° 42.36' W. long.; and

36° 06.25' N. lat. 121° 37.51' W. long.

(B) Take of all living marine resources is prohibited.

(44) Big Creek State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

36° 06.25' N. lat. 121° 37.51' W. long.;

36° 06.26' N. lat. 121° 42.36' W. long.; thence southward along the three nautical mile offshore boundary to

36° 02.90' N. lat. 121° 39.84' W. long.;

36° 02.94' N. lat. 121° 36.53' W. long.;

36° 05.31' N. lat. 121° 38.24' W. long.; and

36° 05.31' N. lat. 121° 37.13' W. long.

(B) Take of all living marine resources is prohibited except, in waters deeper than 50 fathoms, the commercial and recreational take of salmon, albacore, and the commercial take of spot prawn.

(34)(45) Big Creek State Marine Reserve.

(A) This area is bounded by the mean high tide line, the 50-fathom depth contour, and straight lines connecting the following points in the order listed:

36° 05.31' N. lat. 121° 37.10' W. long.;

36° 05.31' N. lat. 121° 38.24' W. long.;

36° 03.65' N. lat. 121° 37.04' W. long.; and

36° 03.65' N. lat. 121° 35.50' W. long.

36° 05.31' N. lat. 121° 37.13' W. long.;

36° 05.31' N. lat. 121° 38.24' W. long.;

36° 02.94' N. lat. 121° 36.53' W. long.; and

36° 02.96' N. lat. 121° 35.49' W. long.

(B) Take of all living marine resources is prohibited.

(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Big Creek State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.

(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(D) Public Entry. Public entry into the Big Creek State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.

(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.

~~(F) Litter. No person shall deposit, drop, or scatter any debris on the Big Creek State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.~~

~~(G) Aircraft. No person shall operate any aircraft or hovercraft within the Big Creek State Marine Reserve, except as authorized pursuant to scientific research approved by the department.~~

~~(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Big Creek State Marine Reserve unless authorized by the department.~~

~~(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations, to conduct marine-related research within the Big Creek State Marine Reserve.~~

~~(J) The Department shall only approve research within the Big Creek State Marine Reserve which is compatible with research underway within the reserve area prior to its establishment by the commission, such research compatibility to be determined by contacting the Reserve Manager for the Landels Hill Big Creek Reserve prior to authorizing research within the reserve.~~

(46) Piedras Blancas State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

35° 43.65' N. lat. 121° 19.08' W. long.;

35° 43.61' N. lat. 121° 22.93' W. long.; thence southward along the three nautical mile offshore boundary to

35° 39.16' N. lat. 121° 20.92' W. long.; and

35° 39.27' N. lat. 121° 14.67' W. long.

(B) Take of all living marine resources is prohibited.

(47) Cambria State Marine Conservation Area.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 37.05' N. lat. 121° 09.05' W. long.;

35° 37.05' N. lat. 121° 11.35' W. long.;

35° 33.09' N. lat. 121° 08.08' W. long.; and

35° 33.10' N. lat. 121° 06.19' W. long.

(B) The commercial take of all living marine resources is prohibited. Recreational take is allowed.

(48) Ken Norris State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 33.10' N. lat. 121° 06.19' W. long.;

35° 33.09' N. lat. 121° 08.08' W. long.;

35° 30.74' N. lat. 121° 06.14' W. long.; and

35° 30.74' N. lat. 121° 03.71' W. long.

(B) Take of all living marine resources is prohibited.

(49) Estero Bluff State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 27.22' N. lat. 120° 57.38' W. long.;

35° 27.14' N. lat. 120° 57.42' W. long.;

35° 26.74' N. lat. 120° 56.19' W. long.; and

35° 26.82' N. lat. 120° 56.20' W. long.

(B) Take of all living marine resources is prohibited.

~~(35) Atascadero Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and straight lines connecting the following points in the order listed:~~

~~35° 23.64' N. lat. 120° 51.98' W. long.;~~

~~35° 23.50' N. lat. 120° 55.98' W. long.;~~

~~35° 22.10' N. lat. 120° 56.07' W. long.; and~~

~~35° 22.19' N. lat. 120° 52.20' W. long.;~~

~~(A) Take of clams is prohibited. Take of other living marine resources is allowed.~~

~~(36) Morro Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and straight lines connecting the following points in the order listed:~~

~~35° 18.79' N. lat. 120° 52.30' W. long.;~~

~~35° 19.96' N. lat. 120° 55.90' W. long.;~~

~~35° 18.40' N. lat. 120° 56.35' W. long.; and~~

~~35° 17.13' N. lat. 120° 53.06' W. long.~~

~~(A) Take of clams is prohibited. Commercial take of giant kelp and bull kelp is prohibited. Take of other living marine resources is allowed.~~

~~(37) Pismo State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 1000 feet offshore, and straight lines connecting the following points in the order listed:~~

~~35° 07.65' N. lat. 120° 38.28' W. long.;~~

~~35° 07.60' N. lat. 120° 38.51' W. long.;~~

~~35° 07.28' N. lat. 120° 38.39' W. long.; and~~

~~35° 07.33' N. lat. 120° 38.17' W. long.~~

~~(A) Take of all invertebrates and marine aquatic plants is prohibited except the commercial take of algae other than giant kelp and bull kelp.~~

~~(38) Pismo-Oceano Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and straight lines connecting the following points in the order listed:~~

~~35° 01.81' N. lat. 120° 38.07' W. long.;~~

~~35° 02.50' N. lat. 120° 41.69' W. long.;~~

~~34° 59.35' N. lat. 120° 42.50' W. long.; and~~

~~34° 58.48' N. lat. 120° 38.88' W. long.~~

~~(A) Take of clams is prohibited. Commercial take of giant kelp and bull kelp is prohibited. Take of other living marine resources is allowed.~~

(50) Morro Bay State Marine Conservation Area.

(A) This area includes the area below mean high tide within Morro Bay east of the Morro Bay entrance breakwater, west of longitude 120° 50.34' W. and north of latitude 35° 19.70' N.

(B) Commercial take of all living marine resources is prohibited except permitted aquaculture of oysters and storing finfish taken outside the Morro Bay State Marine Conservation Area in a receiver for bait purposes. Recreational take is allowed.

(51) Morro Bay East State Marine Reserve.

(A) This area includes the area below mean high tide within Morro Bay east of longitude 120° 50.34' W.

(B) Take of all living marine resources is prohibited.

(52) Morro Bay State Marine Recreational Management Area.

(A) This area includes the area below mean high tide within Morro Bay south of latitude 35° 19.70' N.

(B) Take of all living marine resources is prohibited.

(C) Recreational hunting of waterfowl is allowed unless otherwise restricted by hunting regulations (Sections 502, 550, 551, and 552).

(53) Point Buchon State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 16.71' N. lat. 120° 53.38' W. long.;

35° 16.71' N. lat. 120° 55.47' W. long.;

35° 15.25' N. lat. 120° 56.05' W. long.;

35° 12.50' N. lat. 120° 53.50' W. long.; and

35° 13.23' N. lat. 120° 52.25' W. long.

(B) Take of all living marine resources is prohibited.

(54) Point Buchon State Marine Conservation Area.

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

35° 16.71' N. lat. 120° 55.47' W. long.;

35° 16.70' N. lat. 120° 57.41' W. long.; thence southward along the three nautical mile offshore boundary to

35° 11.36' N. lat. 120° 55.47' W. long.;

35° 12.50' N. lat. 120° 53.50' W. long.;

35° 15.25' N. lat. 120° 56.05' W. long.; and

35° 16.71' N. lat. 120° 55.47' W. long.

(B) Take of all living marine resources is prohibited except the commercial and recreational take of salmon and albacore.

(55) Purisima Point State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

34° 45.42' N. lat. 120° 38.22' W. long.;

34° 45.41' N. lat. 120° 42.22' W. long.; thence southward along the three nautical mile offshore boundary to

34° 41.44' N. lat. 120° 40.16' W. long.; and

34° 41.45' N. lat. 120° 36.25' W. long.

(B) Take of all living marine resources is prohibited except take incidental to base operations and commercial space launch operations identified by the Vandenberg Air Force Base Commander as mission critical in the portion of the Purisima Point State Marine Reserve adjacent to the Vandenberg Air Force Base.

(C) Public Entry. Public entry into the portion of the Purisima Point State Marine Reserve adjacent to the Vandenberg Air Force Base may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat or by the Commander of Vandenberg Air Force Base to protect and provide safety for base operations.

(D) The Department shall enter into a Memorandum of Understanding (MOU) with the Commander of Vandenberg Air Force Base for the mutually beneficial management and administration of the portion of the Purisima Point State Marine Reserve adjacent to the Vandenberg Air Force Base. The MOU shall include, but not be limited to, the identification of Vandenberg Air Force Base's national defense mission activities that

are unrestricted by the subject regulations and details on management and administrative roles and responsibilities.

~~(39) Vandenberg State Marine Reserve. This area is bounded by the mean high tide line, the 10 fathom depth contour, and straight lines connecting the following points in the order listed:~~

~~34° 36.27' N. lat. 120° 38.54' W. long.;~~

~~34° 35.82' N. lat. 120° 39.22' W. long.;~~

~~34° 33.03' N. lat. 120° 38.45' W. long.; and~~

~~34° 33.36' N. lat. 120° 37.60' W. long.~~

~~(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department.~~

~~(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Vandenberg State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.~~

~~(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department.~~

~~(D) Public Entry. Public entry into the Vandenberg State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.~~

~~(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.~~

~~(F) Litter. No person shall deposit, drop, or scatter any debris on the Vandenberg State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.~~

~~(G) Aircraft. No person shall operate any aircraft or hovercraft within the Vandenberg State Marine Reserve, except as authorized pursuant to scientific research approved by the department.~~

~~(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Vandenberg State Marine Reserve unless authorized by the department.~~

~~(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations, including Vandenberg Air Force Base (VAFB), to conduct marine-related research within the Vandenberg State Marine Reserve.~~

~~(J) The department shall enter into a Memorandum of Understanding (MOU) with the Commander of Vandenberg Air Force Base for the management and administration of the Vandenberg State Marine Reserve. The MOU shall include all uses necessary and compatible with the Vandenberg Air Force Base's national defense mission.~~

(56) Point Arguello State Marine Reserve.

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 36.23' N. lat. 120° 38.55' W. long.;

34° 36.22' N. lat. 120° 40.00' W. long.;

34° 32.50' N. lat. 120° 40.00' W. long.; and

34° 32.50' N. lat. 120° 33.23' W. long.

(B) Take of all living marine resources is prohibited.

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Subsequent subsections will be renumbered beginning with 57...