STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
STATEMENT OF REASONS FOR REGULATORY ACTION  
(Pre-adooption Statement of Reasons)  

Amend subsections (b)(1) of Section 7.00,  
(b)(5), (b)(68), and (b)(156) of Section 7.50,  
and add subsection (b)(156.5) of Section 7.50  
Title 14, California Code of Regulations  
Re: Central Valley Salmon Sport Fishing  

I. Date of Initial Statement of Reasons: December 15, 2010  
II. Date of Pre-Adopt Statement of Reasons: April 13, 2011  
III. Dates and Locations of Scheduled Hearings:  

(a) Notice Hearing: Date: February 3, 2011  
Location: Sacramento, CA  
(b) Discussion Hearing: Date: March 3, 2011  
Location: Los Angeles, CA  
(c) Discussion Hearing: Date: April 7, 2011  
Location: Folsom, CA  
(d) Adoption Hearing: Date: April 21, 2011  
Location: Teleconference  

IV. Description of Modification of Originally Proposed Language of Initial Statement of Purpose:  

The following modifications to the originally proposed language will greatly  
increase fall run and late-fall run salmon fishing opportunities while maintaining  
current winter run and spring run salmon protection.  

American River, subsection 7.50(b)(5)  
1. Subsection (A) from Nimbus Dam to Hazel Avenue Bridge will be open to  
salmon fishing from July 16 through December 31.  
2. Subsection (B) from Hazel Avenue Bridge to the USGS gauging station cable  
crossing near Nimbus Hatchery will be open to salmon fishing from July 16  
through September 14.  
3. Subsection (C) from the USGS gauging station cable crossing near Nimbus  
Hatchery to the SMUD power line crossing the southwest boundary of Ancil
Hoffman Park will be open to salmon fishing from July 16 through October 31.

4. Subsection (D) from the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street Bridge will be open to salmon fishing from July 16 through December 31.

5. Subsection (E) from the Jibboom Street Bridge to the mouth will be open to salmon fishing from July 16 through December 11.
   a. The December 12 closure will protect adult winter run salmon migrating up the Sacramento River near the mouth.

Feather River, subsection 7.50(b)(68)

1. Subsection (D) from 1,000 feet below the Thermalito Afterbay Outfall to the mouth will be open to salmon fishing from August 16 through December 11.
   a. The August 16 opener will protect adult spring run salmon migrating up the Feather River.
   b. The December 12 closure will protect adult winter run salmon migrating up the Sacramento River near the mouth.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5)

1. Subsection (C) from the Deschutes Road Bridge to 500 feet upstream from Red Bluff Diversion Dam will be open to salmon fishing from August 1 through December 18.
   a. August 1 is the historical opening day for this area.
   b. The December 19 closure will protect adult winter run salmon migrating up the Sacramento River.

2. Subsection (E) from 150 feet below the Lower Red Bluff (Sycamore) Boat Ramp to the Highway 113 Bridge near Knights Landing will be open to salmon fishing from July 16 through December 18.
   a. The December 19 closure will protect adult winter run salmon migrating up the Sacramento River.

3. Subsection (F) from Highway 113 Bridge near Knights Landing to the Carquinez Bridge will be open to salmon fishing from July 16 through December 11.
   a. The December 12 closure will protect adult winter run salmon migrating from the ocean.

V. Reasons for Modification of Originally Proposed Language of Initial Statement of Reasons:

On April 13, 2011, the PFMC recommended a 61,400 Sacramento River Fall Chinook (SRFC) harvest guideline for the Central Valley river salmon fisheries. The final PFMC recommendation allows for near-full fishing in the Central Valley Basin throughout much of the historical fishing areas.

The San Joaquin River system and the Mokelumne, Napa and upper Feather
rivers will remain closed for 2011 as a precautionary approach in this first year following the consecutive three years of salmon fishery closures from 2008 to 2010.

VI. Summary of Primary Considerations Raised in Opposition and in Support:

(1) Linda Dahlmeier, Mayor of City of Oroville, letter dated March 21, 2011:
   a. The City of Oroville requests that salmon sport fishing get reinstated for 2011 in portions of the Feather River upstream of the Thermalito Afterbay Outfall to increase tourism revenue to the areas excluded during the 2010 salmon season.

Response:
   a. The Department’s conservative recommendation will keep the upper Feather River area closed for 2011 to reduce impacts on listed spring run salmon which has a much higher historical harvest rate above the Thermalito Afterbay Outfall. The Department will continue to monitor the fall and spring run Chinook salmon returns to the Feather River with the goal to expand future salmon fishing opportunities back to historical areas and dates where possible.
Updated Informative Digest (Policy Statement Overview)

The Pacific Fishery Management Council (PFMC) will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at their March 10, 2011 meeting and develop the final PFMC regulatory recommendations to the National Marine Fisheries Service at their April 14, 2011 meeting.

Although there are no PFMC regulatory options to review at this time, there exists a possibility of continued ocean water closures off California due to low Chinook salmon returns to the Central Valley River System in 2010. These ocean closures may result in PFMC recommendations for Central Valley salmon fishery closures.

The Department is proposing a range of varied salmon season dates in the American, Feather and Sacramento rivers to encompass possible PFMC 2011 recommendations for Central Valley salmon stocks in mid-April. The scope of this option is intentionally broad to increase flexibility for development of the final Central Valley salmon seasons.

Further Commission actions affecting the Central Valley salmon sport fishery may be developed after the annual PFMC reports, Review of 2010 Ocean Salmon Fisheries and Preseason Report I Stock Abundance Analysis for 2011 Ocean Salmon Fisheries, are available in late February 2011.

Present Regulations

The current regulations allow for no salmon fishing in all anadromous Central Valley rivers and streams except for the following short fishing seasons to achieve the 2010 PFMC harvest target of 8,200 Sacramento River Fall Chinook and allow continuance of the Central Valley Late-Fall Chinook fishery.

1) The American River downstream of the southwest boundary of Ancil Hoffman Park [subsection 7.50(b)(5)], was open to salmon fishing from October 30 to November 28 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.

2) The Feather River downstream of 1000 feet below the Thermalito Afterbay Outfall [subsection 7.50(b)(68)], was open to salmon fishing from July 31 to August 29 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits.

3) The Sacramento River, subsection 7.50(b)(156) was open to salmon fishing as follows;
   i. between Deschutes Road bridge and Red Bluff Diversion Dam from October 9 to October 31 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits [Subsection (H)];
   ii. between Sycamore Boat Ramp and Highway 113 bridge from October 9 to December 12 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits [Subsection (J)]; and
   iii. between Highway 113 bridge and Carquinez bridge from September 4 to
October 3 with a bag limit of 2 Chinook salmon and existing trout and steelhead bag limits [Subsection (K)].

Proposed Regulations
The range of varied season dates for the American, Feather and Sacramento rivers are proposed to cover the possible PFMC recommendations for the Commission’s final action and other associated items are shown below:

American River, subsection 7.50(b)(5)
1) Subsection (D) is proposed to be split into two subsections. Subsection (D) will apply to the American River from the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street Bridge. New subsection (E) will apply to the American River from the Jibboom Street Bridge to the mouth.
2) The American River from Nimbus Dam to the mouth [subsections (A) through (E)] will remain closed to salmon fishing from January 1 to July 15 with existing trout and steelhead limits.
3) The American River from Nimbus Dam to Hazel Avenue Bridge [subsection (A)]; from the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street Bridge [subsection (D); and from the Jibboom Street Bridge to the mouth [subsection (E)].
   a. The proposal is a range of varied dates between July 16 and December 31 to be open to salmon fishing with existing trout and steelhead bag limits.
2) The American River from Hazel Avenue Bridge to the USGS gauging station cable crossing near Nimbus Hatchery [subsection (B)].
   a. The proposal is a range of varied dates between July 16 and September 14 to be open to salmon fishing with existing trout and steelhead bag limits.
3) The American River from the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park [subsection (C)].
   a. The proposal is a range of varied dates between July 16 and October 31 to be open to salmon fishing with existing trout and steelhead bag limits.

Feather River, subsection 7.50(b)(68)
1) There are no proposed changes for the Feather River between Fish Barrier Dam to 1000 feet below the Thermalito Afterbay Outfall [subsections (A) through (C)].
2) The Feather River from 1,000 feet below the Thermalito Afterbay Outfall to the mouth [subsection (D)].
   a. This segment of the Feather River will remain closed to salmon fishing from January 1 to July 15 with existing trout and steelhead limits
   b. The proposal is a range of varied dates between July 16 and December 31 to be open to salmon fishing with existing trout and steelhead bag limits.
3) A line delineating the regulatory boundary at the Feather River mouth is proposed to be added to subsection (D).

Sacramento River above Keswick Dam, subsection 7.50(b)(156)
1) Subsection 7.50(b)(156) is proposed to be split into two subsections to separate the non-anadromous sections of the Sacramento River (upstream of Keswick Dam) from the anadromous sections (downstream of Keswick Dam).
2) Subsections (A) through (E) which apply only to non-anadromous salmonid regulations above Keswick Dam will remain in subsection (156).
3) There are no other proposed changes for subsections (A) through (E).
4) Subsections (F) through (K) are proposed to be moved to new subsection 7.50(b)(156.5).

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5)
1) Subsections (A) through (F) will keep the same area structure of subsections (F) through (K) of Section 7.50(b)(156).
2) The Sacramento River from Keswick Dam to the Carquinez Bridge [subsections (A) through (F)] will remain closed to salmon fishing from January 1 to July 15 with existing trout and steelhead limits.
3) A range of varied dates between July 16 and December 31 is proposed for the Sacramento River from Keswick Dam to the Carquinez Bridge [subsections (A) through (F)] to be open to salmon fishing with existing trout and steelhead bag limits.

Associated Items
1) The Sacramento River note in the Sierra District regulations, subsection 7.00(b)(1), will be revised to include the new subsection 7.50(b)(156.5).
2) The bag limit of two Chinook is proposed to remain in place for all areas open to salmon fishing in 2011.
3) A minor change is proposed to the note describing wild trout at the end of subsection 7.50(b) to improve clarity and reduce public confusion.
4) Additional minor changes are proposed to improve clarity, reduce public confusion, and simplify Title 14 structure.

On April 13, 2011, the Pacific Fishery Management Council (PFMC) recommended a 61,400 Sacramento River fall run Chinook salmon harvest guideline for the Central Valley river salmon fisheries.

The following modifications to the original language are proposed by the Department to allow for near-full fishing in the Central Valley Basin throughout much of the historical fishing areas in response to the 2011 PFMC final recommendation.

The San Joaquin River system and the Mokelumne, Napa and upper Feather
rivers will remain closed for 2011 as a precautionary approach in this first year following the consecutive three years of salmon fishery closures from 2008 to 2010.

The following proposed 2011 salmon seasons will greatly increase fall run and late-fall run salmon fishing opportunities while maintaining current winter run and spring run salmon protection.

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