

## Regulatory Language

### Section 1.45, Title 14, CCR, is added as follows:

#### **§1.45. Filleting of Salmonids in Inland Waters.**

Except as otherwise required, all salmon and steelhead taken in inland waters where a sport fishing license is required, must be kept in such a condition that species and size can be determined until placed at the anglers permanent residence, a commercial preservation facility or being prepared for immediate consumption. Also when required, the presence or absence of a healed adipose fin scar must be able to be determined until placed at the anglers permanent residence, a commercial preservation facility, or being prepared for immediate consumption.

Personal residence means one's principal or ordinary home or dwelling place, as distinguished from one's temporary or transient place of residence or dwelling such as a cabin, tent, trailer house, recreational vehicle, or any hotel, motel or rooming house used during a fishing, pleasure or business trip.

Note: Authority cited: Sections 200, 202, 205, 210, 219 and 220, Fish and Game Code. Reference: Sections 200, 202, 203.1, 205, 210, 215, and 220, Fish and Game Code.

### Section 1.77, Title 14, CCR, is amended to read:

#### **§1.77. Sunfish.**

Includes bluegill, green sunfish, redear sunfish, pumpkinseed, warmouth, ~~yellow perch~~ and Sacramento perch.

Note: Authority cited: Sections 200, 202, 205, 210, 219 and 220, Fish and Game Code. Reference: Sections ~~200-202~~200, 202, 203.1, ~~205-210~~205, 210, and ~~215-222~~215, and 220, Fish and Game Code.

### Section 2.25, Title 14, CCR, is amended to read:

#### **§2.25. Bow and Arrow Fishing.**

Bow and arrow fishing is permitted only for the taking of carp, goldfish, western sucker, Sacramento blackfish, hardhead, Sacramento pikeminnow and lamprey, all year, except in:

- (a) Designated salmon spawning areas (See Fish and Game Code Section 1505).
- (b) The Colorado River District where only carp, tilapia, goldfish and mullet may be taken.
- (c) See bullfrogs (Section 5.05).
- (d) The East Fork of the Walker River between Bridgeport Dam and the Nevada State line where only carp ~~only~~ may be taken ~~during trout season~~.

Note: Authority cited: Sections 200, 202, 205, 210, 219 and 220, Fish and Game Code. Reference: Sections 200, 202, 203.1, 206, 207, 210, 217.5, 217.6, 219 and 220, Fish and Game Code.

**Section 4.20, Title 14, CCR, is amended to read:**

**§4.20. Bait Fish Use in the Valley and South Central Districts.**

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the Valley or South Central District:

(a) Live or dead golden shiner, fathead minnow, mosquitofish, longjaw mudsucker, and staghorn sculpin, and dead threadfin shad, Mississippi silverside and lamprey may be used in all Valley and South Central District waters except those listed in subsection (f) below.

(b) Red shiner may be used only in the Valley District north of Interstate 580 and Highway 132.

(c) Yellowfin gobies may be used in the Valley District only in those areas described in subsections (d)(1)-(3) below.

(d) In addition, except for trout and salmon, fin fish lawfully taken in the following waters by angling or with bait fish methods approved in Section 4.05 may be used, only in the waters where taken:

(1) Carquinez Strait and Suisun Bay and their tributaries and saltwater tributaries.

(2) Sacramento River and tidewater of tributaries downstream from the Highway 32 bridge near Hamilton City, Feather River down stream from the Oroville Hatchery Fish Barrier Dam, ~~Yuba River down stream from Daguerre Point Dam,~~ and American River downstream from Nimbus Dam.

(3) San Joaquin River and tidewater of tributaries downstream from Interstate 5 bridge.

(e) Live threadfin shad, Mississippi silverside and lamprey may be used only at the location where taken.

(f) Fin fish may not be used in Keller Lake (Glenn Co.), Letts Lake (Colusa Co.), Merced Lake (San Francisco Co.), Upper and Lower Plaskett Meadow Ponds (Glenn Co.), Whale Rock Reservoir (San Luis Obispo Co.).

Note: Authority cited: Sections 200, 202, 205 and 215, Fish and Game Code.

Reference: Sections 200, 202, 205 and 206, Fish and Game Code.

**Section 5.10, Title 14, CCR, is amended to read:**

**§5.10. Candlefish or Eulachon.**

~~(a) Open season: All year, except for closures listed under special regulations.~~

~~(b) Limit: Twenty-five pounds.~~

~~(c) Methods of take: Candlefish may be taken with dip nets.~~ Candlefish or Eulachon may not be taken or possessed.

Note: Authority cited: Sections 200, 202, ~~205, 210, 219 and 220~~ and 205, Fish and Game Code. Reference: Sections ~~200-202, 203.1, 205-210 and 215-222~~ 200, 202 and 205, Fish and Game Code.

**Section 5.40, Title 14, CCR, is amended to read:**

**§5.40. Lamprey.**

(a) Open season: All year, except for closures listed under district or special regulations.

(b) Limit: 5.

(c) Methods of take: Lamprey may be taken only by hand, hook, spear, bow and arrow fishing tackle, or dip net. ~~Any other species taken shall be returned to the water immediately. Traps need not be closely attended.~~

(d) The season closures in Chapter 3 (District Trout and Salmon Special Regulations) do not apply to lamprey fishing with methods other than hook and line (see sections 7.00 and 7.50(a)(2)).

Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code.

**Section 5.91, Title 14, CCR, is added as follows:**

**§5.91. Yellow Perch.**

(a) Open season: All year, except for closures listed under district or special regulations.

(b) Limit: No limit.

Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code.

**Section 8.00, Title 14, CCR, is amended to read:**

**§8.00. Low-Flow Restrictions.**

(a) Eel River, Mad River, Mattole River, Redwood Creek, Smith River and Van Duzen River. Stream closures: Special Low Flow Conditions. From September 1 for the Mad River only and October 1 for all other streams through January 31, any of the stream reaches listed in subsection (1) through (7) below shall be closed to all angling on Tuesday and Wednesday when the department determines that the flow on the previous Monday at any of the designated gauging stations is less than the minimum flows set forth in subsections (1) through (7); any of the stream reaches listed in subsections (1) through (7) below shall be closed to all angling on Thursday and Friday when the department determines that the flow on the previous Wednesday at any of the designated gauging stations is less than the minimum flows set forth in subsections (1) through (7); any of the stream reaches listed in subsections (1) through (7) below shall be closed to all angling from Saturday through Monday when the department determines that the flow on the previous Friday at any of the designated gauging stations is less than the minimum flows set forth in subsections (1) through (7). Notwithstanding this provision, the department may close or keep a stream reach closed to fishing when the minimum flow is exceeded on the scheduled flow determination day if the department is reasonably assured that the stream flow is likely to decrease below the minimum flow as specified in subsections (a)(1)-(7) of Section 8.00 before or on the next flow-determination date. In addition, the department may reopen a stream at any time during a closed period if the minimum flow as specified in subsections (a)(1)-(7) of Section 8.00 is exceeded and the department is reasonably assured that it will remain above the minimum flow until the next scheduled Monday, Wednesday, or Friday flow determination. The department shall make information available to the public by a telephone recorded message, updated as necessary, no later than 1:00 p.m. each Monday, Wednesday, and Friday as to whether any stream will be open or closed to fishing. It shall be the responsibility of the angler to use the telephone number designated in the sport fishing regulations booklet to obtain information on the status of any stream.

(1) The main stem Eel River from the paved junction of Fulmor Road with the Eel River to the South Fork Eel River.

Minimum Flow: 350 cfs at the gauging station near Scotia.

(2) The South Fork of the Eel River downstream from Rattlesnake Creek and the Middle Fork Eel River downstream from the Bar Creek.

Minimum Flow: 340 cfs at the gauging station at Miranda.

(3) Van Duzen River: The main stem Van Duzen River from its junction with the Eel River to the ~~Highway 36 bridge near Bridgeville~~ the end of Golden Gate Drive near Bridgeville (approximately 4,000 feet upstream from the Little Golden Gate Bridge).

Minimum Flow: 150 cfs at the gauging station near Grizzly Creek Redwoods State Park.

(4) Mad River: The main stem Mad River from the Hammond Trail Railroad Trestle to Cowan Creek.

Minimum Flow: 200 cfs at the gauging station at the Highway 299 bridge.

(5) Mattole River: The main stem of the Mattole River from the mouth to Honeydew Creek.

Minimum Flow: 320 cfs at the gauging station at Petrolia.

(6) Redwood Creek: The main stem of Redwood Creek from the mouth to its confluence with Bond Creek.

Minimum Flow: 300 cfs at the gauging station near the Highway 101 bridge.

(7) Smith River: The main stem Smith River from the mouth of Rowdy Creek, ~~to its confluence with~~ to the mouth of Patrick Creek (tributary of the Middle Fork Smith River);

the South Fork Smith River from the mouth upstream approximately 1000 feet to the County Road (George Tyron) bridge and Craigs Creek to its confluence with Jones Creek; and the North Fork Smith River from the mouth to its confluence with Stony Creek.

Minimum Flow: ~~400~~ 600 cfs at the Jedediah Smith Redwoods State Park gauging station.

~~The number to call for information is~~ THE NUMBER TO CALL FOR INFORMATION IS (707) 882-3164.

(b) Central Coast Streams: Stream Closures: Special Low Flow Conditions.

From October 1 through April 1, any of the stream reaches listed in subsections (1) and (2) below shall be closed to all angling for a period of one week, commencing on any Thursday, when the Department determines that the flow on the previous Wednesday morning at the designated gauging station is less than the minimum flows set forth in subsections (1) and (2). Notwithstanding this provision, the Department may immediately reopen the streams to fishing if it determines that such flows exceed the minimum flows set forth in subsections (1) and (2) and no negative impact to the resource would result. The Department shall make information available to the public by telephone recorded message, updated no later than 1:00 p.m. each Wednesday, as to whether any stream will be open or closed to fishing. It shall be the responsibility of the angler to use the telephone number designated in the sport fishing regulations booklet to obtain information on the status of any stream.

THE NUMBER TO CALL FOR INFORMATION IS (707) 944-5533.

(1) ~~The~~ Sonoma Creek (Sonoma County), and all streams tributary to the Pacific Ocean (and its bays) in Mendocino, Sonoma, and Marin counties, except for the Russian River. Minimum Flow: 500 cfs at the gauging station on the main stem Russian River near Guerneville (Sonoma County).

(2) The Napa River (Napa County) between Trancas Avenue in Napa and Oakville Cross Bridge near Yountville.

Minimum Flow: 15 cfs at the gauging station at the Oak Knoll Bridge on the main stem Napa River.

(c) South Central Coast Streams - Special Low Flow Closures: During December 1 through March 7 the following streams (subsections (1) through (7)) will be closed to fishing when the ~~Department~~ department determines that stream flows are inadequate to provide fish passage for migrating steelhead trout and salmon. Closed streams will be reopened when the ~~Department~~ department determines flows are adequate for fish passage. ~~By December 2005, the Department will develop stream flow values in cubic feet per second at the below U.S.G.S. gauging stations that indicate when fish passage is impeded and streams are to be closed to fishing.~~

(1) Upper Penitencia Ck. (Santa Clara Co.) and Lower Coyote Ck. below its confluence with Upper Penitencia Ck (U. S. G. S. gauging station on lower Coyote Ck. above St. Highway 237 in Milpitas).

(2) Pescadero Creek and all anadromous reaches of San Mateo Co. coastal streams normally open for fishing, from Elliot Ck. through Milagro Ck., shall be closed to all fishing when the department determines that the Pescadero Ck. flows are impeding fish ~~passge~~ passage. (U. S. G. S. gauging station is on Pescadero Ck.)

(3) The San Lorenzo River and all its ~~tributaries~~ tributaries, as well as all anadromous reaches of coastal streams normally open for fishing in Santa Cruz Co. from the San Lorenzo R. on North through Wadell Ck., shall be closed to all fishing when the department determines that the San Lorenzo flows are impeding fish passage. (U. S. G. S. gauging station in Henry Cowell Redwood State Park).

(4) Aptos and Soquel Creeks (Santa Cruz Co.) shall be closed to all fishing when the department determines that the Soquel Ck. flows are impeding fish passage. (U. S. G. S. gauging station on Soquel Ck.).

(5) The Pajaro River and Uvas, Llagas, and Corralitos Creeks, (Santa Cruz, Monterey, & Santa Clara Co.) shall be closed to all fishing when the department determines that the Pajaro River flows are impeding fish passage. (U. S. G. S. gauging station on the lower Pajaro River).

(6) The main stem of the Salinas River (Monterey Co.), below its confluence with the Arroyo Seco River shall be closed to all fishing when the department determines that the flows are impeding fish passage (U. S. G. S. Spreckels gauging station on the Salinas R.).

(7) The Arroyo Seco River (Monterey Co.) shall be closed to all fishing when the department determines that the flows are impeding fish passage. (Flows to be evaluated at U. S. G. S. Spreckels gauging station on the Salinas R. and the U. S. G. S. gauging station near Geenfield on the Arroyo Seco R.).

(8) The Carmel River main stem, and the adjacent waters of San Jose, Gibson, Malpaso, Soberanes creeks that are West of Highway 1 (Monterey Co.), shall be closed to all fishing when the department determines that the flow at the U. S. G. S. gauging station near Carmel is less than 80 cfs.

(9) The Big Sur River main stem west of the Highway 1 bridge, all of Limekiln Ck and its tributaries, and the anadromous portions of all other Big Sur Coast streams west of Highway 1 in Monterey Co., from Granite Ck. south to Salmon Ck., shall be closed to all fishing when the department determines that the flow at the U. S. G. S. gauging station on the Big Sur River is less than 40 cfs.

The stream flow gauges referred to above in subsections (8) and (9) will be checked on Tuesday and Friday of each week. The decision as to whether these rivers will be open or closed to fishing will take place only on Tuesday and Friday of each week. In the event that river flow differs later in the week, the fishing status for each specific river will not change until the day following the next scheduled reading. It shall be the responsibility of the angler to use the telephone number designated in the sport fishing regulations booklet

to obtain information on the status of any of the rivers or creeks listed above in subsections (1) through (9). THE NUMBER TO CALL FOR INFORMATION IS (831) 649-2886.

**NOTE:**

Note: Authority cited: Sections 200, 202, 205, 215 and 220, Fish and Game Code.

Reference: Sections 200, 202, 205, 206 and 220, Fish and Game Code.