

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2013-0123-02N	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Fish and Game Commission			AGENCY FILE NUMBER (if any)

2013 JAN 23 PM 1:18
OFFICE OF ADMINISTRATIVE LAW

2013 MAR -5 PM 1:42
Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Use of Dogs for Pursuit/Take of Mammals or for Dog Training	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND
	265, 365, 366, 478, 708.12 and 708.16
TITLE(S) 14	REPEAL
3. TYPE OF FILING	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
	<input type="checkbox"/> File & Print
	<input type="checkbox"/> Other (Specify) _____
	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
	<input type="checkbox"/> Print Only
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)	
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)	
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State
	<input checked="" type="checkbox"/> \$100 Changes Without Regulatory Effect
	<input type="checkbox"/> Effective other (Specify) _____
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY	
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission
<input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> State Fire Marshal
7. CONTACT PERSON Jon Snellstrom	TELEPHONE NUMBER (916) 653-4899
	FAX NUMBER (Optional) (916) 653-5040
	E-MAIL ADDRESS (Optional) jon.snellstrom@fgc.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE January 23, 2013
TYPED NAME AND TITLE OF SIGNATORY Scott Barrow, Deputy Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAR 05 2013

Office of Administrative Law

Section 265, Title 14, CCR is amended to read:

§265. Use of Dogs for Pursuit/Take of Mammals or for Dog Training.

(a) Prohibitions on the Use of dogs. The use of dogs for the pursuit/take of mammals or for dog training is prohibited as follows:

(1) The use of dogs is prohibited during the archery seasons for deer or bear.

(2) The use of dogs is prohibited for the take of bear, bobcat, elk, bighorn sheep and antelope.

(3) Mountain lions may not be pursued with dogs except under the provisions of a depredation permit issued pursuant to Section 4803 of the Fish and Game Code. Bear or bobcat may not be pursued with dogs except under the provisions of a permit issued pursuant to sections 3960.2 or 3960.4 of the Fish and Game Code. Dog training on mountain lions is prohibited.

(4) The use of dogs for the pursuit/take of mammals or for dog training is prohibited from the first Saturday in April through the day preceding the opening of the general deer season in the following dog control zones:

(A) Central California Dog Control Zone: Napa County north of Highway 128 and east of Highway 29; Lake County east of a line beginning at the Lake-Napa county line and Highway 29; northwest on Highway 29 to Highway 53. From Highway 53 turn northwest on Highway 20; northwest on Highway 20 to the Lake-Mendocino county line; north on the Lake-Mendocino county line to the Lake-Glenn county line; south on Lake-Glenn county line to the Lake-Colusa county line; south on the Lake-Colusa county line to the Lake-Yolo county line; southwest on the Lake-Yolo county line to the Lake-Napa county line; west on the Lake-Napa county line to the starting point. Mendocino County east of Highway 101, and north of Highway 20. Sierra and Alpine counties and those portions of Nevada, Placer, Amador and Calaveras counties east of Highway 49; and El Dorado County east of the following line: Beginning at the junction of Highway 49 and the Placer-El Dorado county line; south on Highway 49 to Highway 193 at Cool; east and south along Highway 193 to Highway 49 in Placerville; south on Highway 49 to the Amador-El Dorado county line; east on the El Dorado-Amador county line to the Alpine-El Dorado county line; east on the Alpine-El Dorado county line to the California-Nevada state line; north on the California-Nevada state line to the Placer-El Dorado county line; west on the Placer-El Dorado county line to the starting point.

(B) Northern California Dog Control Zone:

Plumas and Trinity counties. Butte County east of the following line: Beginning at the junction of Highway 99 and the Butte-Tehama county line; south and east along Highway 99 to Highway 149; south and east along Highway 149 to Highway 70; south along Highway 70 to the Butte-Yuba county line; east on the Butte-Yuba county line to the Butte-Plumas county line; north on the Butte-Plumas county line to the Butte-Tehama county line southwest on the Butte-Tehama county line to the starting point. Del Norte County east of Highway 101. Glenn County west of a line beginning at the intersection of County Road 200 and the Glenn-Tehama county line; southeast on County Road 200 to County Road 306; south along County Road 306 to the Colusa-Glenn county line; west on the Colusa-Glenn county line to the Glenn-Lake county line; northwest on the Glenn-Lake county line to the Glenn-Mendocino county line; north on the Glenn-Mendocino county line to the Glenn-Tehama county line; east on the Glenn-Tehama county line to the starting point. Humboldt County north of Highway 36 and east of Highway 101. Siskiyou County south and west of the line defined as follows: ~~Beginning~~ Beginning at the Oregon-California state line at Interstate 5, proceed south on

Interstate 5 to Highway 97 at the town of Weed; north on Highway 97 to Meiss Lake Road near the town of Macdoel; east on Meiss Lake Road to Old State Highway; south on Old State Highway to Redrock Road; east on the Redrock Road (forest service road 15[8Q03] to Willow Creek Red Rock Road; north on Willow Creek Red Rock Road to the Gold Digger Pass Road (N8U01); east on the Gold Digger Pass Road to the western boundary of the Lava Beds National Monument; north and east on said boundary to the Siskiyou-Modoc county line; south on the Siskiyou-Modoc county line to the Siskiyou-Shasta county line; west on the Siskiyou-Shasta county line to the Siskiyou-Trinity county line; west on the Siskiyou-Trinity county line to the Siskiyou-Humboldt county line; northwest on the Siskiyou-Humboldt county line to the Siskiyou-Del Norte county line; north on the Siskiyou-Del Norte county line to the California-Oregon state line; east on the California-Oregon state line to the starting point. Shasta County south and west of Highway 89 and north of the line defined as follows: Beginning at the Shasta-Tehama county line and Highway 36 near the town of Beegum, go west on Highway 36 to County Road A16; north on County Road A16 to Pine Street in the city of Redding; north on Pine Street to Eureka Way (Highway 299); west on Eureka Way (Highway 299) to Highway 273; north on Highway 273 to Interstate 5; north on Interstate 5 to the south shore of Shasta Lake; east and north along the southern shore of Shasta Lake to Fender's Ferry Road; southeast on Fender's Ferry Road to Highway 299; southwest on Highway 299 to Oakrun Road; southwest on the Oakrun Road to Fern Road in the town of Oakrun; northeast on the Oakrun Road to Fern Road to the town of Fern; south and west on Fern Road to Whitmore Road; east on Whitmore Road to the town of Whitmore. From Whitmore Road turn south on Ponderosa Way to Innwood Road; ~~Inwood~~ Innwood Road to Highway 44 near Innwood; east on Highway 44 to Wilson Hill Road; south on Wilson Hill Road to Rock Creek Road; south on Rock Creek Road to the Shasta-Tehama county line; east along the Shasta-Tehama county line to Highway 89; North on Highway 89 to the Shasta-Siskiyou county line; west along the Shasta-Siskiyou county line to the Shasta-Trinity county line; southeast along the Shasta-Trinity county line to the Shasta-Tehama county line; east along the Shasta-Tehama county line to the starting point. The following portions of Tehama County: Those portions of Tehama County within the Mendocino National Forest and east of Ponderosa Way. Those portions of Tehama County within the Lassen National Forest. Those portions of Tehama County east of Ponderosa Way. Those portions of Lassen County north and west of the following line: North from the Lassen-Sierra county line on Highway 395 to Highway 36 east of ~~Susanvill~~ Susanville; northwest on Highway 36 to Highway 139; north on Highway 139 to the Lassen-Modoc county line; west along the Lassen-Modoc county line to the Lassen-Shasta county line; south along the Lassen-Shasta county line to the Plumas-Lassen county line; southeast along the Plumas-Lassen county line to the Lassen-Sierra county line; east along the Lassen-Sierra county line to the starting point.

(C) Southern Sierra Dog Control Zone:

Those portions of Tuolumne, Mariposa, Madera, Fresno and Tulare counties east of the following line beginning at the intersection of Highway 49 and the Calaveras-Tuolumne county line; south on Highway 49 to Highway 108; southwest on Highway 108 to Highway 120; east on Highway 120 to the Smith Station Road (J20); south on the Smith Station Road (J20) to the Greeley Hill Road; east on the Greeley Hill Road to the Briceburg Road; east on Briceburg Road to the North Fork of the Merced River at Bower Cave; south on the North Fork of the Merced River to Road 3S15 (Black Mountain Road/Ponderosa Way); south on Road 3S15 (Ponderosa Way) to Forest

Service Road 3S02 (Ponderosa Way) crossing the U.S. Forest Service-Bureau of Land Management property boundary in Section 28 located in Township 3S, Range 18E to Forest Service Road 2S05 (Bull Creek Road); south on Forest Service Road 2S05 (Bull Creek Road) to the Main Fork of the Merced River; west on the Main Fork of the Merced River to the southern boundary of Lake McClure; west on the southern boundary of Lake McClure to Highway 49; south on Highway 49 to Highway 140 at Mariposa; north on Highway 140 to the South Fork of the Merced River; east along the South Fork of the Merced River to Hite Cove Trail at Hite Cove. From Hite Cove south on the U.S. Forest Service Road (Hite Cove Trail) to Hite Cove Road; south on Hite Cove Road to Scott Road; south on Scott Road to Jerseydale Road; south on Jerseydale Road through Jerseydale Station and Darrah to the Darrah Road; south along Darrah Road to Highway 49; south along Highway 49 to Highway 41 at Oakhurst; north along Highway 41 to its intersection with the Bass Lake Road at Yosemite Forks; south along Bass Lake Road to Road 274; south on Road 274 past Bass Lake on the east side of the lake to the junction with the Mammoth Pool Road at North Fork; west on Mammoth Pool Road to Road 222 (Auberry Road); south on Road 222 (Auberry Road) to the San Joaquin River; east along the San Joaquin River to Italian Bar Road (Road 225) at the Italian Bar Bridge; south on Italian Bar Road (Road 225) to Jose Basin Road (County Road M2441); east on Jose Basin Road (County Road M2441) to its intersection with Forestry Service Roads 8S08 (Railroad Grade Road) and 9S07 (Jose Basin Road); south on 9S07 (Jose Basin Road) to Jose Basin/Musick Farm Road; southeast on 9S07 to Auberry Road near Pine Ridge; east on Auberry Road to North Toll House Road; south on North Toll House Road to Peterson Road; east on Peterson Road to Big Creek Road; east on Big Creek Road (10S02) near Peterson Mill to Dinkey-Trimner Road (10S69 Trimmer Springs Road) at Haslett Basin; east on Dinkey-Trimner Road (10S69) to Sycamore Springs Road (11S02); east on Sycamore Springs Road (11S02) to Black Rock Road (11S12) at Balch Camp; east on the Black Rock Road (11S12) to the decommissioned 11S07 (the old Rodgers Ridge Road) at Black Rock Reservoir Dam; east along decommissioned 11S07 (old Rodgers Ridge Road) to Garlic Spur; south on Garlic Spur to the Kings River; west along the Kings River to Verplank Ridge; south on Verplank Ridge-Hoise Ridge to Forest Route 13S65; southeast on Forest Route 13S65 to Forest Route 13S03; southeast on Forest Route 13S03 to Highway 180 near Cherry Gap; south along Highway 180 to the north boundary of Kings Canyon/Sequoia National Park; south along the western boundary of Kings Canyon/Sequoia National Park to the northern boundary of Sequoia National Forest between Grouse Peak and Dennison Mountain; south along the common line between R29E and R30E, M.D.B.M. to the boundary of the Sequoia National Forest; east and south along that boundary to Balch Park Road; southeast along that road to the west boundary of Mountain Home Demonstration State Forest; south and east along that boundary to Forest Trail 30E14; southeast along 30E14 to the Doyle Springs Road (Wishon Drive); southwest along Doyle Springs Road (Wishon Drive) to Camp Wishon; southeast along the Alder Creek Grove-Hossack Meadow Road to Camp Nelson; east along Highway 190 to Coy Flat Road; south along Coy Flat Road to the boundary of the Tule River Indian Reservation; south along the east boundary of that reservation (County Highway J42) to Parker Peak; southeast through Upper Parker Meadow to Parker Pass. Parker Pass to Forest Route 22S81; south through Starvation Creek Grove on Forest Route 22S81 to M504 (Parker Pass); south on M504 to Forest Route 23S64; southeast on 23S64 to the southwest corner of Section 15, T23S, R31E, M.D.B.M, continuing to the northeast corner of Section 22, T23S, R31E, M.D.B.M.; south approximately 6 miles to Sugarloaf

Winter Recreation Area.; southeast on Sugarloaf drive to Forest Road 24S23; northeast on Forest Route 24S23 to Forest Route 23S16; Southeast on Forest Route 23S16 to Portuguese Pass; southeast along Forest Route 23S16 (24S06) though Portuguese Pass to the Tulare-Kern county line; east along the Tulare-Kern county line to the Tulare-Inyo county line.; north along the Tulare-Inyo county line to Fresno-Inyo county line; north along the Fresno-Inyo county line to the Fresno-Mono county line; north along the Fresno-Mono County line to the Mono-Madera county line; north along the Mono-Madera county line to the Mono-Tuolumne county line; north along the Mono-Tuolumne county line to the Alpine-Tuolumne county line; northwest along the Alpine-Tuolumne county line to the Calaveras-Tuolumne county line; southwest along the Calaveras-Tuolumne county line to the starting point. That portion of Kern County within a line beginning where the Tulare-Kern county line intersects the west boundary of the Sequoia National Forest; south along the said boundary to the Poso Flat Road; on Poso Flat Road to National Forest Route 25S03 (Rancheria Road); northeast along National Forest 25S03 (Rancheria Road) to National Forest 25S15 (Rancheria Road); north on ~~Nationa-National~~ Forest 25S15 (Rancheria Road) to Rancheria Road; northeast along Rancheria Road through Shirley Meadow to Forest Highway 90 (Forest Route 23S16) at Greenhorn Summit; northeast on Forest Highway 90 (Forest Route 23S16) to Cow Creek; northeast on Cow Creek to Bull Run Creek; north on Bull Run Creek to the Tulare-Kern county line; west along said county line to the point of beginning, Those portions of Inyo and Mono counties west of Highway 395.

(D) Southern California Dog Control Zone: Those portions of Los Angeles, Ventura and Santa Barbara counties within the Los Padres and Angeles National Forests; and those portions of San Bernardino County within the San Bernardino and Angeles National Forests.

(b) Authorized Use of Dogs. The use of dogs for the pursuit/take of mammals or for dog training is authorized as follows:

(1) Dog Control Zones. The use of dogs for the pursuit/take of mammals or for dog training is permitted in the dog control zones described in subsections 265(a)(4)(A), (B), (C) and (D) from the opening day of the general deer season through the first Friday in April.

(2) Areas of the State Outside the Dog Control Zones. The use of dogs for the pursuit/take of mammals or for dog training in areas outside of the dog control zones is permitted year-round, except for closures and restrictions described in this Section 265 and ~~section~~ Section 364, and the provisions of sections 3960 and 4800 of the Fish and Game Code which prohibit allowing any dog to pursue any big game mammal during the closed season on such mammal or mountain lions, elk or any fully-protected, threatened or endangered mammal at any time.

(3) Take of Depredating Mammals. The use of dogs is permitted for pursuing/taking depredating mammals by federal and county animal damage control officers or by permittees authorized under a depredation permit issued by the department.

(4) Take of Furbearers and Nongame Mammals. Furbearers and nongame mammals as specified in ~~Section~~ subsection 472(a) may be taken with the aid of dogs during the appropriate open season, except for closures and restrictions described in subsections 265(a) and (b).

(5) Prohibition on Starting Pursuit Within 400 Yards of Baited Area. Pursuits may not be started within 400 yards of a baited area as described in Section 257.5 of these regulations.

(6) Dog Training. Except for the prohibitions of subsection 265(a), dog training is permitted pursuant to the following provisions:

(A) Dog Training Defined. For purposes of these regulations, dog training is defined as the education of dogs through "breaking" or "practicing" under strict provisions that preclude the injuring or take of animals. Training is distinguished from "pursuit", as used in Section 86 of the Fish and Game Code, in that the animal being chased shall not be killed, captured, or injured.

(B) Prohibition on Killing, Capturing or Injuring Mammals. No person shall kill, capture or injure any mammal, nor shall any person's dog be allowed to kill, capture or injure any mammal during dog training.

(C) Prohibition on Possession of Equipment. No firearm, archery gear, crossbow or other instrument capable of killing, injuring or capturing any animal may be possessed by any person training dogs during the seasons described in subsection 265(b)(6)(F) below. Possession of a firearm, archery gear, crossbow or other instrument capable of killing or capturing any animal is prohibited while training dogs, but such equipment may be transported to or from a campsite, transported to or from a residence or lawfully possessed by a person at a campsite provided all dogs are secured and under the control of the owner, agent or person training or transporting said dogs.

(D) Prohibition on Starting Dog Training Within 400 Yards of Baited Area. Dog Training may not be started within 400 yards of a baited area as described in Section 257.5 of these regulations.

(E) Prohibition on Training Dogs on ~~Bear and Other Big Game Mammals, Bobcat~~ or on Protected, Threatened or Endangered Mammals. It shall be unlawful to train any dog on any big game mammal, bobcat, or to train any dog on any fully-protected, threatened or endangered mammal at any time. ~~A person in possession of a valid bear tag may utilize the general bear season for purposes of educating dogs for bear.~~ A person in possession of a valid deer tag may utilize the general deer season for purposes of educating a dog for deer. Only one dog may be used for training in areas where the general deer season (as described in subsection 360(a) and (b)) is open.

(F) Seasons.

1. Gray Fox. Dogs may be trained on gray fox from March 1 through the day preceding the opening of the general gray fox season, except for closures and restrictions described in subsections 265(a) and (b).

2. Raccoon. Dogs may be trained on ~~raccoon~~ raccoon from April 1 through the day preceding the opening of the general raccoon season, except for closures and restrictions described in subsections 265(a) and (b).

3. ~~Bobcat~~. Dogs may be trained on ~~bobcat~~ from the day following the close of the ~~bobcat~~ seasons through the day preceding the opening of the general ~~bobcat~~ seasons, except for closures and restrictions described in subsections 265(a) and (b).

4. ~~Other Mammals~~. Except for closures and prohibitions described in this Section 265 and sections 3960 and 4800 of the Fish and Game Code, dogs may be trained on mammals other than gray fox, ~~and raccoon and bobcat~~ at any time.

(c) Restrictions on the Number of Dogs per Hunter.

(1) One Dog per Hunter Limitation During Deer Season. No more than one dog per hunter may be used in the area where the general deer season is open.

(2) Three Dogs per Hunter Limitation for the Take of Wild Pigs. Up to three dogs per hunter may be used for the purpose of taking wild pigs, pursuant to the following provisions:

(A) No more than one dog per hunter may be used in an area where the general deer season is open.

(B) No dogs may be used within the closures described in subsection 265(a).

~~(C) After the general deer season (as described in subsections 360(a) and (b)) closes, there is no limit on the number of dogs that may be used during the general bear season.~~

(d) Prohibition on Treeing Switches and Use of Global Positioning System Equipment.

(1) Treeing Switches. Electronic dog retrieval collars containing functioning treeing switches (devices consisting of a switch mechanism that results in a change in the transmitted signals when the dog raises its head to a treed animal) are prohibited on dogs used for the pursuit/take of mammals.

(2) Global Positioning System Equipment. Electronic dog retrieval collars employing the use of global positioning system equipment (devices that utilize satellite transmissions) are prohibited on dogs used for the pursuit/take of mammals.

Note: Authority cited: Sections 200, 202 and 203, 3960, 3960.2 and 3960.4, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 3960, 3960.2, 3960.4 and 4756, Fish and Game Code.

Section 365, Title 14, CCR is amended to read:

§365. Bear.

Except as provided in Section 366, bear may be taken only as follows: ~~(Note: See subsection 265(c)(1) for restrictions on the use of dogs.)~~

(a) Areas:

(1) Northern California: In the counties of Del Norte, Humboldt, Plumas, Shasta, Siskiyou, Tehama and Trinity; and those portions of Lassen and Modoc counties west of the following line: Beginning at Highway 395 and the Sierra-Lassen county line; north on Highway 395 to the junction of Highway 36; west on Highway 36 to the junction of Highway 139; north on Highway 139 to Highway 299; north on Highway 299 to County Road 87; west on County Road 87 to Lookout-Hackamore Road; north on Lookout-Hackamore Road to Highway 139; north on Highway 139 to the Modoc-Siskiyou county line; north on the Modoc-Siskiyou county line to the Oregon border.

(2) Central California: In the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lake, Mendocino, Nevada, Placer, Sacramento, Sierra, Sutter, Yolo and Yuba and those portions of Napa and Sonoma counties northeast of Highway 128.

(3) Southern Sierra: That portion of Kern County west of Highway 14 and east of the following line: Beginning at the intersection of Highway 99 and the Kern-Tulare county line; south on Highway 99 to Highway 166; west and south on Highway 166 to the Kern-Santa Barbara county line; and those portions of Fresno, Madera, Mariposa, Merced, Stanislaus, Tulare and Tuolumne counties east of Highway 99.

(4) Southern California: In the counties of Los Angeles, Santa Barbara and Ventura; that portion of Riverside County north of Interstate 10 and west of Highway 62; and that portion of San Bernardino County south and west of the following line: Beginning at the intersection of Highway 18 and the Los Angeles-San Bernardino county line; east along Highway 18 to Highway 247; southeast on Highway 247 to Highway 62; southwest along Highway 62 to the Riverside-San Bernardino county line.

(5) Southeastern Sierra: Those portions of Inyo and Mono counties west of Highway 395; and that portion of Madera County within the following line: Beginning at the junction of the Fresno-Madera-Mono county lines; north and west along the Madera-Mono county line to the boundary of the Inyo-Sierra National Forest; south along the Inyo-Sierra National Forest boundary to the Fresno-Madera county line; north and east on the Fresno-Madera county line to the point of beginning. Also, that portion of Inyo county west of Highway 395; and that portion of Mono county beginning at the intersection of Highway 6 and the Mono county line; north along Highway 6 to the Nevada state line; north along the Nevada state line to the Alpine county line; south along the Mono-Alpine county line to the Mono-Tuolumne county line and the Inyo National Forest Boundary; south along the Inyo National Forest Boundary to the Inyo-Sierra Forest boundary; south along the Inyo-Sierra Forest boundary to the Fresno-Madera county line; north and east along the Fresno-Madera county line to the junction of the Fresno-Madera-Mono county line; south along the Mono-Fresno county line to the Mono-Inyo County line; east along the Mono-Inyo county line to the point of beginning.

(b) Seasons: Except in the deer hunt areas designated as zones X-1 through X-7b in subsection 360(b), the bear season shall open on the opening day of the general deer season as described in subsections 360(a) and (b) and extend until the last Sunday in December in the areas described in subsections 365(a)(1), (2), (3) (4) and (5) above. In those areas designated as deer hunting zones X-1 through X-7b, the bear season shall

open on the second Saturday in October and extend for 79 consecutive days. The bear season shall be closed when the department determines that 1,700 bears have been taken pursuant to the reporting requirement in subsection 708.12~~(e)~~(d). The department shall notify the commission, the public via the news media and bear tag holders via the U.S. mail and the news media when implementing this closure.

(c) Bag and Possession Limit: One adult bear per hunting license year. Cubs and females accompanied by cubs may not be taken. (Cubs are defined as bears less than one year of age or bears weighing less than 50 pounds.)

(d) No open season for bear in the balance of the state not included in subsection (a) above.

(e) Bait: No feed, bait or other materials capable of attracting a bear shall be placed or used for the purpose of taking or pursuing a bear. No bear shall be taken over such bait. No person may take a bear within a 400-yard radius of a garbage dump or bait.

Note: Authority cited: Sections 86, 200, 202, and 203, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, and 207, Fish and Game Code.

Section 366, Title 14, CCR is amended to read:

§366. Archery Bear Hunting.

Bear may be taken with bow and arrow during the bear season as specified in ~~section~~ Section 365 and as follows:

- (a) Areas: Those portions of the state as described in subsection ~~(a)~~ of ~~section~~ 365(a).
- (b) Season: The archery bear season shall open on the third Saturday in August and extend for 23 consecutive days. There is no open season for taking bear with bow and arrow in the balance of the state.
- (c) Bag and Possession Limit: One adult bear per hunting license year. Cubs and female accompanied by cubs may not be taken. (Cubs are defined as bears less than one year of age or bears weighing less than 50 pounds.)
- (d) The use of dogs is prohibited during the archery season for bear.
- (e) Bait. No feed, bait or other materials capable of attracting a bear to a feeding area shall be placed or used for the purpose of taking or pursuing a bear. No bear shall be taken over such bait. No person may take a bear within a 400 yard radius of a garbage dump or bait.

Note: Authority cited: Sections 200, 202 and 203, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1 and 207, Fish and Game Code.

Section 478, Title 14, CCR is amended to read:

§478. Bobcat.

Except as provided in ~~subsections~~ subsection (c) and ~~(d)~~ below no person shall pursue, take or possess any bobcat without first procuring a trapping license or a hunting license and bobcat hunting tags. The pursuit, take and/or possession of a bobcat under the authority of a hunting license and a bobcat hunting tag shall be in accordance with the provisions of this section and ~~Sections~~ sections 265 and 472-479 ~~472, 473, 474, 475, 478.1 and 479~~ of these regulations.

Bobcats taken under the authority of a trapping license shall be taken with traps or other means in accordance with this section and ~~Sections~~ sections 265, 465, 465.5 and 475. Bobcats taken under a trapping license must be tagged in accordance with the provisions of Section 479.

(a) Trapping Season and Area: Bobcat may only be taken under the authority of a trapping license as follows:

(1) Area: Statewide.

(2) Season: November 24 through January 31.

(b) Hunting Season and Area: Bobcats may only be taken under the authority of a hunting license and bobcat hunting tags as follows:

(1) Area: Statewide.

(2) Season: October 15 through February 28.

(c) Bag and Possession Limit:

(1) Bobcats taken under a hunting license and bobcat hunting tags: Five bobcats per season.

(2) Bobcats taken under a trapping license: No limit.

~~(d) Dogs may be permitted to pursue bobcats in the course of breaking, training or practicing dogs in accordance with the provisions of Section 265 of these regulations.~~

~~(e) This section shall not apply to bobcats trapped under the provisions of Sections sections 4152 and 4180 of the Fish and Game Code (also see Section 480 of these regulations).~~

Note: Authority cited: ~~Section~~ Sections 200, 202, 203 and 4150, Fish and Game Code.

Reference: ~~Section~~ Sections 3960 and 4150, Fish and Game Code.

Section 708.12, Title 14, CCR is amended to read:

§708.12. Bear License Tags.

(a) Bear License Tags:

(1) With the exception of permits and tags issued pursuant to section 4181 of the Fish and Game Code, all bear license tags shall be available to the public through the department's Automated License Data System terminals at any department license agent or department license sales office.

(2) The department shall require that the specified fee provided for in section 4751 of the Fish and Game Code for such bear license tags be paid as a prerequisite to obtaining a bear license tag.

(3) The department shall charge a nonrefundable processing fee, as specified in Section 702, for each bear license tag.

(4) Applicants may purchase only one bear license tag during any one license year. Any person who purchases more than one bear license tag may be denied bear license tags for the current license year.

(5) Upon the killing of any bear, that person shall immediately fill out all portions of the tag including the report card completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. The bear license tag shall be attached to the ear of the bear and kept attached during the open season and for 15 days thereafter.

(b) Use of Guides: Any holder of a bear license tag who utilizes the services of a guide or guides shall verify that the guide is in possession of a valid guide's license and shall place the guide's license number on the bear license tag in the space provided.

~~(c) Use of Dogs: Any holder of a bear license tag who utilizes dogs to take bear shall so indicate on his bear license tag in the space provided.~~

~~(d) Validation of Bear Tags:~~

Only department employees may validate bear license tags (This provision supersedes section 4755 of the Fish and Game Code). Bear license tags shall be countersigned by a department employee before transporting such bear except for the purpose of taking it to the nearest department employee authorized to countersign the bear license tag. If department offices are closed, the bear tag shall be validated within one (1) business day of transporting the bear from the point where taken.

~~(e)~~ (d) Return of Bear License Tags:

(1) Every person who takes a bear shall immediately return the report card portion of the bear license tag, after having the tag countersigned as required in ~~(d)~~-(c) above. The tag may be presented to a department office/officer or returned through the United States Mail.

(2) Every person who is unsuccessful in taking bear shall return the report card portion of the bear license tags by February 1 of the current license year. The tag may be presented to a department office/officer or returned through the United States Mail.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 1050, 1572, 3960 and 10502, Fish and Game Code. Reference: Sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 713, 1050, 1570, 1571, 1572, 3950, 3960, 4750, 4751, 4752, 4753, 4754, 4755, 4756, 10500 and 10502, Fish and Game Code.

Section 708.16, Title 14, CCR is amended to read:

§708.16. Fund-Raising Big Game License Tags, Random Drawing.

(a) General Conditions

(1) Commencing January 1, 2011, except as otherwise provided, the department may award license tags for fund-raising hunts for deer, bighorn sheep, elk and pronghorn antelope hunts, as described in sections 360, 361, 362, 363, and 364, using a random drawing system.

(A) Applicants for a deer, elk, or antelope license tag shall be 12 years of age on or before July 1 of the license year for which they are applying.

(B) Applicants for a big horn sheep license tag shall be 16 years of age on or before July 1 of the license year for which they are applying.

(C) Applicants for deer, bighorn sheep, pronghorn antelope and elk hunts shall include the appropriate nonrefundable fee in Section 702.

(D) Applicants shall apply through the department's Automated License Data System terminals at any department license agent or department license sales office on or before June 2 each year.

(E) Any resident or nonresident applicant may submit one or more fund-raising tag random drawing applications for each species during the same license year.

(F) No applicant shall earn a preference point in any fund-raising tag random drawings.

(G) Accumulated preference points shall not be considered in any of the fund-raising tag random drawings.

(H) Fund-raising tags shall not be transferred to another person.

(I) Successful applicants and a list of alternates for each fund-raising license tag will be determined by drawing within 10 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible.

(J) Unsuccessful applicants shall not be notified by mail.

(K) Successful applicants will be mailed notification as soon as practical.

(L) Upon receipt of the notification, the applicant shall claim the tag at the department's License and Revenue Branch, 1740 N. Market Blvd., Sacramento, CA 95834 by 5:00 p.m. on July 15 each year. If the deadline to claim the tag falls on a weekend or holiday the applicant can claim the tag until the close of business on the first state business day following the deadline. Any tags unclaimed by successful applicants after that date shall be awarded to alternates for that license tag in the order drawn.

Note: Authority cited: Sections 200, 202, 203, 215, 219, 220, 331, 332, 1050, 1572, 4302, 4331, 4336, 4340, 4341 and 10502, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 713, 1050, 1570, 1571, 1572, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4652, 4653, 4654, 4655, 4657, 4750, 4751, 4752, 4753, 4754, 4755, ~~4756~~, 4902, 10500 and 10502, Fish and Game Code.