

REGULAR

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

ENDORSED FILED
IN THE OFFICE OF

2014 JAN 21 PM 3:13

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2013-0828-01	REGULATORY ACTION NUMBER 2013-1210-04.S	EMERGENCY NUMBER
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OFFICE OF ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
Fish and Game Commission

AGENCY FILE NUMBER (if any)

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 <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER 2013, 372	PUBLICATION DATE 9/13/2013

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Special Fishing Regulations	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 7.50(b)(195.1), and 7.50(b)(205.5)
	AMEND 7.50(b)(63), 7.50(b)(115), and 7.50(b)(187) ST 12/10/13
TITLE(S) 14	REPEAL 7.50(b)(53.8)

3. TYPE OF FILING

<input checked="" 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"/> Emergency Readopt (Gov. Code, § 11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code § 11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, § 11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, § 11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

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 checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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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"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Sheri Tiemann	TELEPHONE NUMBER (916) 654-9872	FAX NUMBER (Optional) (916) 653-5040	E-MAIL ADDRESS (Optional) Sheri.Tiemann@fgc.ca.gov
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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 <i>Melissa Miller-Henson</i>	DATE 12/10/13
TYPED NAME AND TITLE OF SIGNATORY Melissa Miller-Henson, Staff Services Manager	

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ENDORSED APPROVED

JAN 21 2014

Office of Administrative Law

Regulatory Language

§7.50. Alphabetical List of Waters with Special Fishing Regulations.

Repeal subsection (b)(53.8) of Section 7.50, Title 14, CCR:

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(53.8) Davis Lake (Plumas Co.)	All Year	5 per day, 10 in possession

Subsection (b)(63) of Section 7.50, Title 14, CCR, is amended as follows:

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(63) Eel River (Humboldt, Lake, Mendocino and Trinity cos.). Also see Section 8.00(a).		
ALL WATERS OF THE EEL RIVER DRAINAGE EXCEPT THOSE LISTED BELOW ARE CLOSED TO ALL FISHING.		
(A) Main stem.		
1. From mouth to Fulmor Road, at its paved junction with the south bank of the Eel River.	All year. Only artificial lures with barbless hooks may be used from April 1 through the Friday preceding the fourth Saturday in May. Only barbless hooks may be used from fourth Saturday in May through Mar. 31.	<u>Catch and Release of Chinook salmon</u> 2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
2. From Fulmor Road, at its paved junction with the south bank of the Eel River, to South Fork Eel River.	All year. Only artificial lures with barbless hooks may be used from Apr. 1 through Sept. 30. Only barbless hooks may be used from Oct. 1 through Mar. 31.	<u>Catch and Release of Chinook salmon</u> 2 hatchery trout or hatchery steelhead** 4 hatchery

		trout or hatchery steelhead** in possession
3. From South Fork Eel River to Cape Horn Dam. (See also Pillsbury Lake tributaries (7.50(b)(138)).	Jan. 1 through Mar. 31 and Fourth Saturday in May through Sept. 30. Only artificial lures with barbless hooks may be used.	<u>Catch and Release of Chinook salmon</u> 2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
	Apr. 1 through the Fourth Friday in May and Oct. 1 through Dec. 31.	Closed to all fishing
(B) Van Duzen River.		
1. Main stem and tributaries above Eaton Falls, located about 1/2 mile upstream of the mouth of the South Fork (Little Van Duzen) and 2 1/2 miles west of Dinsmore.	Last Saturday in Apr. through Nov. 15.	5
2. Main stem from its junction with the Eel River to the end of Golden Gate Drive near Bridgeville (approximately 4,000 feet upstream from the Little Golden Gate Bridge).	Fourth Saturday in May through Mar. 31. Only artificial lures with barbless hooks may be used from the fourth Saturday in May through Sept. 30. Only barbless hooks may be used from Oct. 1 through Mar. 31.	<u>Catch and Release of Chinook salmon</u> 2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
	Apr. 1 to Fourth Friday in May.	Closed to all fishing
(C) South Fork Eel River from mouth to Rattlesnake Creek.	Fourth Saturday in May through Mar. 31. Only artificial lures with barbless hooks may be used from the fourth Saturday in May through Sept. 30. Only barbless hooks may be used from Oct. 1 through Mar. 31.	<u>Catch and Release of Chinook salmon</u> 2 hatchery trout or

tributaries.		
(B) McKay Creek and all tributaries including Sheepheaven Spring.	Closed to all fishing all year.	
(C) Edson Creek and all tributaries, excluding Dry Creek.	Closed to all fishing all year.	
(D) Swamp Creek and all tributaries.	Last Saturday in Apr. through Nov. 15. Only artificial lures with barbless hooks may be used.	0
(E) McCloud River from McCloud Dam downstream to confluence of Ladybug Creek.	Last Saturday in Apr. through Nov. 15. Only artificial lures with barbless hooks may be used.	2
(F) McCloud River from confluence of Ladybug Creek downstream to lower boundary of the U.S. Forest Service loop (southern boundary of section 36, T38N, R3W).	Last Saturday in Apr. through Nov. 15. Only artificial lures with barbless hooks may be used.	0
(G) McCloud River from the lower boundary of the U.S. Forest Service loop (southern boundary of section 36, T38N, R3W) downstream to the upper boundary of the McCloud River Club (southern boundary of section 14, T37N, R3W).	Closed to all fishing all year.	

Subsection (b)(187) of Section 7.50, Title 14, CCR, is amended as follows:

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(187) Stanislaus River, Middle Fork (Tuolumne Co.).		
(A) From Beardsley Dam downstream to the U. S. Forest Service footbridge at Spring Gap (including the Beardsley Afterbay).	Last Saturday in Apr. through Nov. 15. Only artificial lures with barbless hooks may be used.	2
(B) From the U.S. Forest Service footbridge at Spring Gap to New Melones Reservoir.	Last Saturday in Apr. through Nov. 15	2

Subsection (b)(195.1) is added to Section 7.50, Title 14, CCR, as follows:

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>

<u>(195.1) Trinity River, above Trinity Dam (Trinity County) from the confluence with Tangle Blue Creek, (Hwy. 3) downstream (south) to the mouth of Trinity Lake, approximately 13.8 miles.</u>	<u>Nov. 16 through the Friday preceding the last Saturday in April. Only artificial lures with barbless hooks may be used.</u>	<u>0</u>
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Subsection (b)(205.5) is added to Section 7.50, Title 14, CCR, as follows:

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
<u>(205.5) West Walker River (Mono County) from the confluence with the Little Walker River (Hwy. 395 bridge at mile marker 96) downstream (north) to the inlet of Topaz Lake.</u>	<u>Nov. 16 through the Friday preceding the last Saturday in April. Only artificial lures with barbless hooks may be used.</u>	<u>0</u>

* Wild Chinook salmon are those not showing a healed adipose fin clip and not showing a healed left ventral fin clip.

**Hatchery trout or steelhead in anadromous waters are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip (adipose fin is present).

Note: Authority cited: Sections 200, 202, 205, 215, 220, 240, 315 and 316.5, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 215 and 316.5, Fish and Game Code.