STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

STA. 450 (REV. 01-2013)
OAL FILE NUMBERS
Z-2014-0121-01
REGULATORY ACTION NUMBER
2014-0523-01S
EMERGENCY NUMBER

For use by Office of Administrative Law (OAL) only

2014 MAY 23 AM 8:09
OFFICE OF ADMINISTRATIVE LAW

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

1. SUBJECT OF NOTICE

2. TITLE(S)

3. FIRST SECTION AFFECTED

4. REQUESTED PUBLICATION DATE

5. NOTICE TYPE

6. AGENCY CONTACT PERSON

7. TELEPHONE NUMBER

8. FAX NUMBER (Optional)

9. OAL USE ONLY

10. ACTION ON PROPOSED NOTICE

11. NOTICE REGISTER NUMBER

12. DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

13. SUBJECT OF REGULATIONS

14. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)

15. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxic related)

16. SECTION(S) AFFECTED

17. (List all section number(s) individually. Attach additional sheet if needed.)

18. ADOPT

19. AMEND

20. REPEAL

21. 7.50

22. 3. TYPE OF FILING

23. Regular Rulemaking (Gov. Code §11346)

24. Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §911346.2-11346.3)

25. (Specify)

26. Emergency (Gov. Code §11346.16(b))

27. Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11346.3 either before the emergency regulation was adopted or within the time period required by statute.

28. Emergency Readopt (Gov. Code §11346.1(h))

29. Other (Specify)

30. Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)

31. File & Print

32. Print Only

33. 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 §11347.3)

34. EFFECTIVE DATE OF CHANGES (Gov. Code, §§11343.4, 11346.15d; Cal. Code Regs., title 1, §100)

35. Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(h))

36. Effective on filing with Secretary of State

37. §100 Changes Without Regulatory Effect (Specify)

38. EFFECTIVE DATE

39. August 15, 2014

40. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL, OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

41. Department of Finance (Form STD. 399) (SAM §6660)

42. Fair Political Practices Commission

43. State Fire Marshal

44. Other (Specify)

45. CONTACT PERSON

46. Sherrie Fonbuena

47. TELEPHONE NUMBER

48. (916) 654-9866

49. FAX NUMBER (Optional)

50. E-MAIL ADDRESS (Optional)

51. Sherrie.Fonbuena@dfg.ca.gov

52. SIGNATURE OF AGENCY HEAD OR DESIGNEE

53. DATE

54. 5/22/14

55. TYPED NAME AND TITLE OF SIGNATORY

56. Sonke Mastrup, Executive Director

For use by Office of Administrative Law (OAL) only

ENDORSSED APPROVED

JUL 08 2014

Office of Administrative Law
Regulatory Language

Subsection (b)(91.1) of Section 7.50 is amended to read:

(91.1) Anadromous Waters of the Klamath River Downstream of Iron Gate Dam (Lower Klamath River Basin). The regulations in this subsection apply only to waters of the Klamath River system which are accessible to anadromous salmonids. They do not apply to waters of the Klamath River which are inaccessible to anadromous salmon and trout, for example, portions of the Klamath River system upstream of Iron Gate Dam, portions of the Trinity River system upstream of Lewiston Dam, and the Shasta River and tributaries upstream of Dwinnel Dam. Fishing in these waters is governed by the General Regulations for non-anadromous waters of the North Coast District (see Section 7.00(a)(4)).

(A) Hook and Weight Restrictions.
1. Only barbless hooks may be used. (For definitions regarding legal hook types, hook gaps and rigging see Chapter 2, Article 1, Section 2.10.)
2. During closures to the take of adult salmon, anglers shall not remove any adult Chinook salmon from the water by any means, such as by dragging the fish on shore or using a net.

(B) General Area Closures.
1. No fishing is allowed within 750 feet of any Department of Fish and Wildlife fish-counting weir.
2. No fishing is allowed from the Ishi Pishi Falls road bridge upstream to and including Ishi Pishi Falls from August 15 through December 31. EXCEPTION: members of the Karuk Indian Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand-held dip nets.
3. No fishing is allowed from September 15 through December 31 in the Klamath River within 500 feet of the mouths of the Salmon, the Shasta and the Scott rivers.

(C) Klamath River Basin Possession Limits.
1. Trout Possession Limits.
   a. The brown trout possession limit is 10 brown trout.
   b. The hatchery trout or hatchery steelhead possession limits are as follows:
      (i) Klamath River - 4 hatchery trout or hatchery steelhead.
      (ii) Trinity River - 4 hatchery trout or hatchery steelhead.
2. Chinook Salmon Possession Limits.
   a. Klamath River downstream of the Highway 96 bridge at Weitchpec from January 1 to August 14 and the Trinity River downstream of the Old Lewiston Bridge to the confluence of the South Fork Trinity River from January 1 to August 31.
      (i) 2 Chinook salmon.
   b. Klamath River from August 15 to December 31 and Trinity River from September 1 to December 31.
      (i) 4 Chinook salmon. No more than 93 Chinook salmon over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

(D) Klamath River Basin Chinook Salmon Quotas.
The Klamath River fall Chinook salmon take is regulated using quotas. Accounting of the tribal and non-tribal harvest is closely monitored from August 15 through December 31 each year. These quota areas are noted in subsection (b)(91.1)(E) with “Fall Run Quota” in the Open Season and Special Regulations column.
1. Quota for Entire Basin.
The 2013-2014 Klamath River Basin quota is 40,0064,128 Klamath River fall Chinook salmon over 22 inches total length. The department shall inform the commission, and the public via the news media, prior to any implementation of restrictions triggered by the quotas. (NOTE: A department status report on progress toward the quotas for the various river sections is updated weekly, and
2. Sub-Quota Percentages.
   a. The sub-quotas for the Klamath River upstream of the Highway 96 bridge at Weitchpec and the Trinity River is 50% of the total Klamath River Basin quota.
      (i) The sub-quotas for the Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec is 17% of the total Klamath River Basin quota.
      (ii) The sub-quotas for the Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat is 16.5% of the total Klamath River Basin quota.
      (iii) The sub-quotas for the Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River is 16.5% of the total Klamath River Basin quota.

   b. The sub-quotas for the Lower Klamath River downstream of the Highway 96 bridge at Weitchpec is 50% of the total Klamath River Basin quota.
      (i) The sub-quota for the Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) is will close when 15% of the Lower Klamath River sub-quota total Klamath River Basin quota is taken downstream of the Highway 101 bridge. (Note: This provision only applies if the department projects that the total Klamath River Basin quota will be met.)

(E) Klamath River Basin Open Seasons and Bag Limits.
All anadromous waters of the Klamath River Basin are closed to all fishing for all year except those areas listed in the following table. Bag limits are for trout and Chinook salmon in combination unless otherwise specified.

<table>
<thead>
<tr>
<th>Body of Water</th>
<th>Open Season and Special Regulations</th>
<th>Daily Bag Limit</th>
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</thead>
<tbody>
<tr>
<td>1. Bogus Creek and tributaries.</td>
<td>Fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.</td>
<td>2 hatchery trout or hatchery steelhead**</td>
</tr>
<tr>
<td>2. Klamath River main stem from 3,500 feet downstream of Iron Gate Dam to the mouth.</td>
<td>January 1 to August 14.</td>
<td>0 Chinook salmon</td>
</tr>
<tr>
<td>a. Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec.</td>
<td>Fall Run Quota 6,801702 Chinook Salmon August 15 to December 31, 20132014.</td>
<td>-4.3 Chinook salmon - no more than 31 fish over 22 inches total length until sub quotasubquota is met, then 0 fish over 22 inches total length. 2 hatchery trout or</td>
</tr>
<tr>
<td>hatchery steelhead**</td>
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<tr>
<td>Fall Run Quota Exception: Chinook salmon over 22 inches total length may be retained from 3,500 feet downstream of Iron Gate Dam to the Interstate 5 bridge when the department determines that the adult fall-run Chinook salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish. Daily bag and possession limits specified for fall-run Chinook salmon apply during this exception.</td>
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<td>2 Chinook salmon</td>
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<tr>
<td>2 hatchery trout or</td>
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<tr>
<td>hatchery steelhead**</td>
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<tr>
<th>Fall Run Quota 20,0032,064 Chinook Salmon August 15 to December 31, 2014.</th>
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</thead>
<tbody>
<tr>
<td>4-3 Chinook salmon - no more than 31 fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length. 2 hatchery trout or hatchery steelhead**</td>
</tr>
</tbody>
</table>

| Fall Run Quota Exception: Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth). This area will be closed to all fishing after 15% of the Lower-Klamath-River-sub-quota has been met Total Klamath River Basin Quota has been taken. |

| 3. Salmon River main stem, main stem of North Fork downstream of Sawyer's Bar bridge, and main stem of South Fork downstream of the confluence of the East Fork of the South Fork. | November 1 through February 28. |
|------------------------------------------------------------------------------------------------------------------------|
| 2 hatchery trout or hatchery steelhead**                                                                                   |

| 4. Scott River main stem downstream of the Fort Jones-Greenview bridge to the confluence with the Klamath River. | Fourth Saturday in May through February 28. |
|---------------------------------------------------------------------------------------------------------------|
| 2 hatchery trout or hatchery steelhead**                                                                       |

| 5. Shasta River main stem downstream of the Interstate 5 bridge north of Yreka to the confluence with the Klamath River. | Fourth Saturday in May through August 31 and November 16 through February 28. |
|------------------------------------------------------------------------------------------------------------------------|
| 2 hatchery trout or hatchery steelhead**                                                                       |

<table>
<thead>
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<th>6. Trinity River and tributaries.</th>
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<tbody>
<tr>
<td>a. Trinity River main stem from 250 feet downstream of Lewiston Dam to the Old Lewiston Bridge.</td>
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<tr>
<td>b. Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat.</td>
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<tr>
<td>Fall Run Quota 6,601681 Chinook Salmon September 1 through December 31, 20132014.</td>
</tr>
<tr>
<td>Fall Run Quota Exception: Chinook salmon over 22 inches total length may be retained downstream of the Old Lewiston Bridge to the mouth of Indian Creek when the department determines that the adult fall-run Chinook salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish. Daily bag and possession limits specified for fall-run Chinook salmon apply during this exception.</td>
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<tr>
<td>c. Trinity River main stem downstream of the Highway 299 West bridge at Cedar Flat to the Denny Road bridge at Hawkins Bar.</td>
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<tr>
<td>d. New River main stem downstream of the confluence of the East Fork to the confluence with the Trinity River.</td>
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<tr>
<td>e. Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the mouth of the South Fork Trinity River.</td>
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</table>
* 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).