State of California  
Office of Administrative Law

In re:
Fish and Game Commission

Regulatory Action:
Title 14, California Code of Regulations
Adopt sections:
Amend sections: 1.73, 27.75, 27.80
Repeal sections:

NOTICE OF APPROVAL OF REGULATORY ACTION

Government Code Section 11349.3
OAL File No. 2015-0323-01 S

This rulemaking action by the Fish and Game Commission (FGC) amends section 27.80 of title 14 of the California Code of Regulations to adopt the open fishing days, bag limits, and minimum size requirements for ocean salmon sport fishing in effect April 4, 2015 through April 30, 2015. In addition, the Commission is amending section 27.75 to include latitude and longitude coordinates for the Smith River, Klamath River, and Eel River control zones. The Commission is also amending section 1.73 to include language to facilitate the recovery of coded wire tags from recreationally caught salmon.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2015.

Date: 4/1/2015

Lindsey McNeill  
Attorney

For: DEBRA M. CORNEZ  
Director

Original: Sonke Mastrup  
Copy: Sherrie Fonbuena
STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

For use by Secretary of State only

ENDORSED - FILED
in the office of the Secretary of State of the State of California

APR 1, 2015
2:06 PM

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED
APR 01, 2015
Office of Administrative Law

REGULAR

(See instructions on reverse)

OAL FILE NUMBERS
NOTICE FILE NUMBER
REGULATORY ACTION NUMBER
EMERGENCY NUMBER
Z-2014-1216-17
2015-0323-01S

Notices

2015 MAR 23 AM 9:18
OFFICE OF ADMINISTRATIVE LAW

Notice & Publication Numbers

For use by Office of Administrative Law (OAL) only

Notice Regs

2014-522

For use by Secretary of State only

Notice Regs

12/26/2014

Agency with Rulemaking Authority

Fish and Game Commission

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

1. SUBJECT OF NOTICE
Ocean salmon sport fishing in April 2015, recovery of coded wire tags from salmon heads, and coordinates of river mouth closed areas

2. REQUESTED PUBLICATION DATE
December 26, 2014

3. NOTICE TYPE
Notice re Proposed Regulatory Action

4. AGENCY CONTACT PERSON
Sherrie Fonbuena

TELEPHONE NUMBER
(916) 654-9866

FAX NUMBER (Optional)
(916) 653-5040

OAL USE ONLY

ACTION ON PROPOSED NOTICE
Approved as Submitted

NOTICE REGULATIONS

AGENCY FILE NUMBER (if any)

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATIONS
Ocean salmon sport fishing in April 2015, recovery of coded wire tags from salmon heads, and coordinates of river mouth closed areas

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBERS

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLES AND SECTIONS (Including title 26, if toxic related)

SECTION(S) AFFECTED
1.73, 27.75, 27.80

ADOPT

3. TYPE OF FILING
Regular Rulemaking (Gov. Code §11346)

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §100)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §11347.1)

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

7. CONTACT PERSON
Sherrie Fonbuena

TELEPHONE NUMBER
(916) 654-9866

FAX NUMBER (Optional)
(916) 653-5040

E-MAIL ADDRESS (Optional)
Sherrie.Fonbuena@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

ENDORSED - FILED
in the office of the Secretary of State of the State of California

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APR 01, 2015
Office of Administrative Law

Sonke Mastrup, Executive Director
Regulatory Language

Section 1.73, Title 14, CCR, is amended to read:

§1.73. Salmon.

(a) Salmon includes Chinook, coho, pink, chum, and sockeye salmon.
(b) Any person in possession of a recreationally taken salmon with a missing adipose fin (the small, fleshy fin on the back of the fish between the back fin and tail) shall immediately relinquish the head of the salmon, upon request by an authorized agent or employee of the department, to facilitate the recovery of any coded-wire tag. The head may be removed by the fish owner or, if removed by the official department representative, the head shall be removed in a manner to minimize loss of salmon flesh and the salmon shall immediately be returned to the fish owner.


Section 27.75, Title 14, CCR, is amended to read:

§27.75. Salmon Closures.

(a) No salmon may be taken in ocean waters at the mouth of the Smith and Klamath rivers within three nautical miles north and south of a line drawn due west for three nautical miles from the center of the mouth of each of said rivers.
(b) No salmon may be taken during the months of August and September in ocean waters at the mouth of the Eel River within two nautical miles north and south of a line drawn due west for two nautical miles from the center of the mouth of said river.
(c) No salmon may be taken during the month of August in ocean waters at the mouth of the Klamath River within six nautical miles north and south of a line drawn due west for three nautical miles from the center of the mouth of said river.

(a) No salmon may be taken at any time in ocean waters at the Smith River mouth bounded on the north by 41°59'36" N. lat. (approximately 3 nautical miles north of the Smith River mouth), on the west by 124°16'24" W. long. (approximately 3 nautical miles offshore), and on the south by 41°53'30" N. lat. (approximately 3 nautical miles south of the Smith River mouth).
(b) No salmon may be taken at any time in ocean waters at the Klamath River mouth bounded on the north by 41°35'30" N. lat. (approximately 3 nautical miles north of the Klamath River mouth), on the west by 124°08'54" W. long. (approximately 3 nautical miles offshore), and on the south by 41°53'30" N. lat. (approximately 3 nautical miles south of the Klamath River mouth). In August, the ocean salmon closure expands into the "Klamath Control Zone." The Klamath Control Zone is defined in federal regulations as the ocean area at the Klamath River mouth bounded on the north by 41°38'48" N. lat. (approximately 6 nautical miles north of the Klamath River mouth), on the west by
124°23'00" W. long. (approximately 12 nautical miles offshore), and on the south by 41°26'48" N. lat. (approximately 6 nautical miles south of the Klamath River mouth).

(c) No salmon may be taken during the months of August and September in ocean waters at the Eel River mouth bounded on the north by 40°40'24" N. lat. (approximately 2 nautical miles north of the Eel River mouth), on the west by 124°21'24" W. long. (approximately 2 nautical miles offshore), and on the south by 40°36'24" N. lat. (approximately 2 nautical miles south of the Eel River mouth).

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

Subsection (c) of Section 27.80, Title 14, CCR, is amended to read:

§ 27.80. Salmon.

... (c) Open Fishing Days, Daily Bag Limits, and Minimum Size in effect April 54 through April 30, 20442015.
(1) North of Horse Mountain (40°05'00" N. lat.) and in Humboldt Bay.
(A) Closed to salmon fishing.
(2) Between Horse Mountain and Point Arena (38°57'30" N. lat.).
(A) Open to salmon fishing from April 54 to April 30, 20442015. Fishing is authorized 7 days per week.
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.
(C) Minimum Size: 20 inches total length.
(3) Between Point Arena and Pigeon Point (37°11'00" N. lat.).
(A) Open to salmon fishing from April 54 to April 30, 20442015. Fishing is authorized 7 days per week.
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.
(C) Minimum Size: 24 inches total length.
(4) Between Pigeon Point and Point Sur (36°18'00" N. lat.).
(A) Open to salmon fishing from April 54 to April 30, 20442015. Fishing is authorized 7 days per week.
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.
(C) Minimum Size: 24 inches total length.
(5) South of Point Sur.
(A) Open to salmon fishing from April 54 to April 30, 20442015. Fishing is authorized 7 days per week.
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.
(C) Minimum Size: 24 inches total length.
...
Note: Authority cited: Sections 200, 202, 205, 220, 240, 316.5 and 2084, Fish and Game Code. Reference: Sections 200, 202, 205, 316.5 and 2084, Fish and Game Code.