State of California
Office of Administrative Law

In re:
Fish and Game Commission

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections: 27.80
Repeal sections:

NOTICE OF APPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL Matter Number: 2015-0427-02

OAL Matter Type: Regular (S)

The Pacific Fishery Management Council ("PFMC") coordinates west coast management of recreational and commercial ocean salmon fisheries in the federal fishery management zone (three to 200 miles offshore) off California, Oregon, and Washington. The annual PFMC ocean salmon regulation recommendations are subsequently implemented by the National Marine Fisheries Service effective on May 1st of each year. Through this regular rulemaking, the Fish and Game Commission (the "Commission") amends section 27.80 in title 14 of the California Code of Regulations. Specifically, the Commission is amending Section 27.80 so that the ocean salmon recreational fishery in State waters (zero to three miles offshore) are consistent with federal fishery management goals. The Commission states that this is necessary to achieve optimum yield in California under the Federal Salmon Fishery Management Plan.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 5/1/2015.

Date: May 1, 2015

Steven J. Escobar
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 Office of Administrative Law (OAL) only

2015 APR 27 PM 3:05

OFFICE OF ADMINISTRATIVE LAW

MAY 1, 2015
1:40 PM

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

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

1. SUBJECT OF NOTICE
Ocean salmon sport fishing May-Nov 2015

2. REQUESTED PUBLICATION DATE
December 26, 2014

3. NOTICE TYPE
X Notice of Proposed Regulatory Action

4. AGENCY CONTACT PERSON
Sherrie Fonbuena

OAL USE
OAL USE ONLY

ACTION ON PROPOSED NOTICE

APPROVED/DISAPPROVED

NOTICE REGISTER NUMBER
2017 521

PUBLICATION DATE
12/24/2014

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1. SUBJECT OF REGULATION(S)
Ocean salmon sport fishing May-November 2015

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 25, if toxics related)

SECTION(S) AFFECTED
(List all section number(s) individually. Attach additional sheet if needed.)

ADOPT
27.80

REPEAL

3. TYPE OF FILING

☐ Regular Rulemaking (Gov. Code §11346)

☐ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §11346.3, 11349.4)

☐ Emergency (Gov. Code, §11346.1(b))

☐ 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.

☐ Emergency Readopt (Gov. Code, §11346.1(b))

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

☐ File & Print

☐ Other (Specify)

☐ 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 §11347.3)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.6; Cal. Code Regs. title 1, §100)

☐ Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))

☐ Effective on filing with Secretary of State

☐ 9/30 Changes Without Regulatory Effect (Cal. Code Regs. title 1, §100)

☐ 9/30 Changes Without Regulatory Effect (Gov. Code §11347.3(c)(4)(d))

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

☐ Department of Finance (Form STD. 399) (SAM 6660)

☐ Fair Political Practices Commission

☐ State Fire Marshal

☐ Other (Specify)

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.

SIGNED: Sonke Mastrup, Executive Director

DATE: 4/27/15

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED
MAY 1, 2015
Office of Administrative Law
Regulatory Language

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

§27.80. Salmon.

... 

(d) Open Fishing Days, Daily Bag Limits, and Minimum Size in effect on or after May 1, 20142015. 
(1) North of Horse Mountain (40°05′00″ N. lat.) and in Humboldt Bay. 
(A) Open to salmon fishing May 10 to September 7, 2014May 1 to September 7, 2015. 
Fishing is authorized 7 days per week. 
Exception: The ocean area surrounding 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 south by 41°26′48″ N. lat. (approximately 6 nautical miles south of the Klamath River mouth), and extending 3 nautical miles offshore is closed to salmon fishing during August. No salmon may be taken at any time in ocean waters at the mouths of the Smith and Klamath rivers and during August and September at the mouth of the Eel River. See Section 27.75 for specific fishery closure areas around the Smith, Klamath and Eel rivers. 
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below. 
(C) Minimum Size: 2420 inches total length. 
(2) Between Horse Mountain and Point Arena (38°57′30″ N. lat.) 
(A) Open to salmon fishing May 1 to November 9, 2014May 1 to November 8, 2015. 
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 May 1 to November 9, 2014May 1 to October 31, 2015. 
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 through June 30, 2014April 30, 2015 and 20 inches total length thereafter. 
(4) Between Pigeon Point and Point Sur (36°18′00″ N. lat.) 
(A) Open to salmon fishing May 1 to October 5, 2014May 1 to September 7, 2015. 
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 through May 31, 2015 and 20 inches total length thereafter. 
(5) South of Point Sur. 
(A) Open to salmon fishing May 1 to October 5, 2014May 1 to July 19, 2015. 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 through May 31, 2015 and 20 inches total length thereafter.

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.