

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION  
(Pre-publication of Notice Statement)

Amend Subsections (b)(91.1) and (b)(195) of Section 7.50  
Title 14, California Code of Regulations  
Re: Klamath River Sport Fishing Regulations

I. Date of Initial Statement of Reasons: September 29, 2014

II. Dates and Locations of Scheduled Hearings:

- (a) Notice Hearing: Date: December 3, 2014  
Location: Van Nuys
- (b) Discussion Hearing: Date: February 11, 2015  
Location: Sacramento
- (c) Adoption Hearing: Date: April 17, 2015  
Location: Teleconference

III. Description of Regulatory Action:

- (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

The Klamath River System, which consists of the Klamath River and Trinity River basins, is managed through a cooperative system of State, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean recreational, ocean commercial, river recreational and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon recreational (inside three miles) and the Klamath River System recreational fisheries which are consistent with federal fishery management goals.

Two tribal entities within the Klamath River System, the Hoopa Valley Tribe and the Yurok Tribe, maintain fishing rights for ceremonial,

subsistence and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by the Hoopa and Yurok tribes.

For the purpose of PFMC mixed-stock fishery modeling and salmon stock assessment, salmon greater than 22 inches are defined as adult salmon (ages 3-5) and salmon less than or equal to 22 inches are defined as grilse salmon (age 2).

### **Klamath River Fall-Run Chinook**

Klamath River fall-run Chinook salmon (KRFC) harvest allocations and natural spawning escapement goals are established by the PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

The 2015 KRFC in-river recreational fishery allocation recommended by the PFMC is currently unknown. All proposed closures for adult KRFC are designed to ensure sufficient spawning escapement in the Klamath River Basin and equitably distribute harvest while operating within annual allocations.

### **Klamath River Spring-Run Chinook**

The Klamath River System also supports Klamath River spring-run Chinook salmon (KRSC). Naturally produced KRSC are both temporally and spatially separated from KRFC in most cases.

Presently, KRSC stocks are not managed or allocated by the PFMC. The in-river recreational fishery is managed by general basin seasons, daily bag limit, and possession limit regulations. KRSC harvest will be monitored on the Lower Klamath River in 2015 and ensuing years by creel survey.

### **KRFC Allocation Management**

The PFMC 2014 allocation for the Klamath River System recreational harvest was 4,128 adult KRFC. Preseason stock projections of 2015 adult KRFC abundance will not be available from the PFMC until March 2015. The 2015 basin allocation will be recommended by the PFMC in April 2015 and presented to the Commission for adoption prior to its April 2015 meeting.

For public notice requirements, the Department of Fish and Wildlife (Department) recommends the Commission consider an allocation range of 0 – 67,600 adult KRFC in the Klamath River Basin for the river recreational fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows the PFMC and Commission to make adjustments during the 2015 regulatory cycle.

The Commission may modify the KRFC in-river recreational salmon harvest allocation which is normally 15 percent of the non-tribal PFMC harvest allocation. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the PFMC Salmon Fishery Management Plan otherwise harvest opportunities may be reduced in the California ocean fisheries.

The annual KRFC in-river harvest allocation is split into 4 geographic areas with subquotas assigned to each. They are as follows:

1. for the main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec -- 17 percent of the recreational fishery allocation;
2. for the main stem Klamath River from downstream of the Highway 96 bridge at Weitchpec to the mouth -- 50 percent of the recreational fishery allocation;
3. for the Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the recreational fishery allocation; and
4. for the Trinity River downstream from the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the recreational fishery allocation.

The spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closes to all fishing after 15 percent of the total Klamath River Basin quota has been taken downstream of the Highway 101 bridge.

These geographic areas are based upon the historical distribution of angler effort and ensure equitable harvest of adult KRFC in the upper Klamath River and Trinity River. The subquota system requires the Department to monitor angler harvest of adult KRFC in each geographic area. All areas will be monitored on a real time basis except for the following:

Klamath River upstream of Weitchpec and the Trinity River: Due to funding and personnel reductions, the Department will be unable to deploy adequate personnel to conduct harvest monitoring in the Klamath River upstream of Weitchpec and in the Trinity River for the 2015 season. The Department has reviewed salmon harvest and run-timing data for these areas. Based on this review, the Department has developed a Harvest Predictor Model (HPM) which incorporates historic creel survey data from the Klamath River downstream of Iron Gate Dam to the confluence with the Pacific Ocean and the Trinity River downstream of Lewiston Dam to the confluence with the Klamath River. The HPM is driven by the positive relationship between KRFC harvested in the Lower and Upper Klamath River. The HPM will be used by the Department to implement fishing

closures to ensure that anglers do not exceed established subquota targets.

### **Current Recreational Fishery Management**

The KRFC in-river recreational harvest allocation is divided into geographic areas and harvest is monitored under real time subquota management. KRSC in-river recreational harvest is managed by general season, daily bag limit, and possession limit regulations.

The Department presently differentiates the two stocks by the following dates:

#### **Klamath River**

1. January 1 through August 14 - General Season KRSC.  
For purposes of clarity, daily bag and possession limits apply to that section of the Klamath River downstream the Highway 96 bridge at Weitchpec to the mouth.
2. August 15 to December 31 - KRFC quota management.

#### **Trinity River**

1. January 1 through August 31 – General Season KRSC.  
For purposes of clarity, daily bag and possession limits apply to that section of the Trinity River downstream of the Old Lewiston Bridge to the confluence with the South Fork Trinity River.
2. September 1 through December 31 – KRFC quota management.

The daily bag and possession limits apply to both stocks within the same sub-area and time period.

### **Proposed Changes**

No changes are proposed for the general (KRSC) opening and closing season dates, and bag, possession and size limits.

The following changes to current regulations are proposed:

#### **KRFC QUOTA MANAGEMENT: Seasons, Bag and Possession Limits**

For public notice requirements, a range of KRFC bag and possession limits are proposed until the 2015 Klamath River Basin quota is adopted. As in previous years, no retention of adult KRFC salmon is proposed for the following areas, once the subquota has been met.

The proposed open seasons and range of bag and possession limits for KRFC salmon stocks are as follows:

1. Klamath River - August 15 to December 31
2. Trinity River - September 1 to December 31

3. Bag Limit - [0-4] Chinook salmon – of which no more than [0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.
4. Possession limit - [0-12] Chinook salmon of which [0–12] over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

#### SPIT AREA MANAGEMENT

Regulations adopted in 2014 specify that the spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closes to all fishing after 15 percent of the total Klamath River Basin quota has been taken downstream of the Highway 101 bridge. At the same time, the Commission removed language (special note in the regulations for the spit fishery) that allowed the Department to keep the spit fishery open if the Department projected that the Klamath River Basin adult fall Chinook would not be met.

In 2014 the Department also evaluated restrictive measures for the spit area which included a “no catch and release” regulation for Chinook salmon legally caught in the spit area to protect Chinook stocks from excessive catch and release mortality. The regulatory time frame did not allow for sufficient time to promulgate such a regulation change. The Department informed the Commission that it would consider this change for the 2015 regulatory cycle.

At issue is the large number of Chinook salmon caught and released by anglers trying to fill their daily grilse bag limit. Typically the fall Chinook bag limit is composed of an adult portion and grilse portion. In 2014 the daily fall Chinook bag limit was three fish, no more than one adult. Thus, anglers fishing the spit area would often catch and keep their one adult and continue fishing for the grilse portion of their daily bag. Many anglers would catch multiple adult fall Chinook and have to release these fish since they already had retained their one adult. Many released Chinook were observed floating downstream and became easy prey for the large number of marine mammals that congregate in this area or were swept out to sea with their fate unknown.

After internal discussion and Yurok Tribal coordination, the Department is proposing the following change to the 2015 fall Chinook spit area regulations:

All legally caught Chinook salmon must be retained. Once the adult Chinook component of the daily bag has been retained, the angler must cease fishing in the spit area.

This regulatory proposal does not preclude anglers from leaving the spit area and fishing other areas once their adult daily bag has been taken. Anglers may fish other areas outside of the spit to fill the grilse (Chinook salmon <22 inches) component of their daily bag limit. This regulation

also does do not preclude anglers from filling a daily bag composed entirely of grilse salmon while fishing the spit area.

The name of the road listed in subsection (b)(91.1)(B)2. Is proposed to be corrected from “Ishi Pishi Falls road” to “Ishi Pishi Road”. Cross references are proposed to be corrected in subsection (b)(195) to reduce public confusion. Other changes are proposed for clarity and consistency.

### **Benefits of the Proposed Regulations**

It is the policy of this State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and inland waters under the jurisdiction and influence of the State for the benefit of all the citizens of the State. In addition, it is the policy of this State to promote the development of local California fisheries in harmony with federal law respecting fishing and the conservation of the living resources of the ocean and inland waters under the jurisdiction and influence of the State. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use. Adoption of scientifically-based Klamath River Basin salmon seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence.

The benefits of the proposed regulations are in conformance with federal law, sustainable management of Klamath River Basin salmon resources, and promotion of businesses that rely on recreational salmon fishing in the Klamath River Basin.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

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

Reference: Sections 200, 202, 205, 215 and 316.5, Fish and Game Code.

- (c) Specific Technology or Equipment Required by Regulatory Change:

None.

- (d) Identification of Reports or Documents Supporting Regulation Change:

Economic Impact Assessment.

*In-River Sport Fishing Economics Technical Report*, National Oceanographic and Atmospheric Administration, National Marine Fisheries Service (NMFS), September 2011.

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

No public meetings are being held prior to the notice publication. The 45-day comment period provides adequate time for review of the proposed amendments.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

The use of more liberal regulations for bag limits, possession limits and fishing methods. For KRFC salmon, more liberal regulations would be less desirable than those proposed because they could create risk of an intense fishery reaching or exceeding the quota in a very short time. Reaching the quota in a very short time could be damaging to the local economy. Exceeding the allowable harvest could be damaging to the KRFC salmon stocks.

(b) No Change Alternative:

The No Change Alternative would leave the current 2014 regulations in place and would not conform to the PFMC Klamath River Basin quota for 2015. Nor would it address the excessive catch and release mortality within the spit area. The change is necessary to continue appropriate harvest rates and an equitable distribution of the harvestable surplus.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are projected to have some impact on the net revenues to local businesses servicing sport fishermen. Visitor spending may be reduced and in the absence of the emergence of alternative visitor activities, the drop in spending could induce business contraction. However, this will not likely affect the ability of California businesses to compete with businesses in other states. The preservation of Klamath River salmon stocks is necessary for the success of lower and upper Klamath River Basin businesses which provide goods and services related to fishing. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The proposed regulations range from no fishing of KRFC salmon in 2015; to a normal Klamath River Basin salmon season. The Commission anticipates some impact on the creation or elimination of jobs in California. The potential employment impacts range from 0 to 23 jobs which are not expected to create, eliminate or expand businesses in California. The Commission anticipates impacts on the creation, elimination or expansion of businesses in California ranging from no impact to reduced revenues to approximately 30 businesses that serve sport fishing activities. However, the possibility of growth of businesses to serve substitute activities exists. Adverse impacts to jobs and/or businesses would be less if fishing of grilse KRFC salmon is permitted than under the complete closure to all fishing. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, subsequently, the promotion and long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a salmon sport fishery encourages consumption of a nutritious food.

The Commission anticipates benefits to the environment by the sustainable management of California's salmon resources.

The Commission does not anticipate any benefits to worker safety.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None.

(h) Effect on Housing Costs:

None.

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## **Informative Digest/Policy Statement Overview**

The Klamath River System, which consists of the Klamath River and Trinity River basins, is managed through a cooperative system of State, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean recreational, ocean commercial, river recreational and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon recreational (inside three miles) and the Klamath River System recreational fisheries which are consistent with federal fishery management goals.

For the purpose of PFMC mixed-stock fishery modeling and salmon stock assessment, salmon greater than 22 inches are defined as adult salmon (ages 3-5) and salmon less than or equal to 22 inches are defined as grilse salmon (age 2).

### **Klamath River Fall-Run Chinook**

Klamath River fall-run Chinook salmon (KRFC) harvest allocations and natural spawning escapement goals are established by the PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

The 2015 KRFC in-river recreational fishery allocation recommended by the PFMC is currently unknown. All proposed closures for adult KRFC are designed to ensure sufficient spawning escapement in the Klamath River Basin and equitably distribute harvest while operating within annual allocations.

### **Klamath River Spring-Run Chinook**

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Presently, KRSC stocks are not managed or allocated by the PFMC. The in-river recreational fishery is managed by general basin seasons, daily bag limit, and possession limit regulations.

### **KRFC Allocation Management**

The PFMC 2014 allocation for the Klamath River System recreational harvest was 4,128 adult KRFC. Preseason stock projections of 2015 adult KRFC abundance will not be available from the PFMC until March 2015. The 2015 Klamath River Basin allocation

will be recommended by the PFMC in April 2015 and presented to the Commission for adoption prior to its April 2015 meeting.

For public notice requirements, the Department of Fish and Wildlife (Department) recommends the Commission consider an allocation range of 0 – 67,600 adult KRFC in the Klamath River Basin for the river recreational fishery.

### **Current Recreational Fishery Management**

The KRFC in-river recreational harvest allocation is divided into geographic areas and harvest is monitored under real time subquota management. KRSC in-river recreational harvest is managed by general season, daily bag limit, and possession limit regulations.

The daily bag and possession limits apply to both stocks within the same sub-area and time period.

### **Proposed Changes**

No changes are proposed for the general (KRSC) opening and closing season dates, and bag, possession and size limits.

The following changes to current regulations are proposed:

#### KRFC QUOTA MANAGEMENT: Seasons, Bag and Possession Limits

For public notice requirements, a range of KRFC bag and possession limits are proposed until the 2015 Klamath River Basin quota is adopted. As in previous years, no retention of adult KRFC salmon is proposed for the following areas, once the subquota has been met.

The proposed open seasons and range of bag and possession limits for KRFC salmon stocks are as follows:

1. Klamath River - August 15 to December 31
2. Trinity River - September 1 to December 31
3. Bag Limit - [0-4] Chinook salmon of which no more than [0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.
4. Possession limit - [0-12] Chinook salmon of which [0–12] over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

#### SPIT AREA MANAGEMENT

Current regulations specify that the spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closes to all fishing after 15 percent of the total adult KRFC quota has been taken downstream of the Highway 101 bridge.

The following recommendation is provided for Commission consideration:

All legally caught Chinook salmon must be retained. Once the adult Chinook component of the daily bag has been retained, the angler must cease fishing in the spit area.

Other changes are proposed for clarity and consistency.

**Benefits of the Proposed Regulations**

The benefits of the proposed regulations are in conformance with federal law, sustainable management of Klamath River Basin salmon resources, and promotion of businesses that rely on recreational salmon fishing in the Klamath River Basin.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. The Legislature has delegated authority to the Commission to promulgate sport fishing regulations (sections 200, 202, 205, 315, and 316.5, Fish and Game Code). Commission staff has searched the California Code of Regulations and has found no other State regulations related to the recreational take of Chinook salmon in the Lower Klamath River Basin.

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## 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 Dwinell 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. August 31: 2 Chinook salmon.

~~(i) 2 Chinook salmon.~~

b. Klamath River from August 15 to December 31 and Trinity River from September 1 to ~~December 31.~~ December 31: [0-12] Chinook salmon. No more than [0-12] Chinook salmon over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

~~(i) 9 Chinook salmon. No more than 3 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 ~~2014~~2015 Klamath River Basin quota is ~~4,128~~[0-67,600] 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 available at 1-800-564-6479.)

2. Subquota Percentages.

a. The subquota 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 subquota 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 subquota 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 subquota 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 subquota for the Lower Klamath River downstream of the Highway 96 bridge at Weitchpec is 50% of the total Klamath River Basin quota.

(i) The Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) will close when 15% of the total Klamath River Basin quota is taken downstream of the Highway 101 bridge.

(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.

| <b>Body of Water</b>  | <b>Open Season and Special Regulations</b>  | <b>Daily Bag Limit</b>   |
|---|---|--|
| 1. Bogus Creek and tributaries.   | Fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.        | 2 hatchery trout or hatchery steelhead**   |
| 2. Klamath River main stem from 3,500 feet downstream of Iron Gate Dam to the mouth.                    |   |  |
| a. Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec. | January 1 to August 14.   | 0 Chinook salmon<br>2 hatchery trout or hatchery steelhead**   |
|   | Fall Run Quota <del>702</del> [0-11,492] Chinook Salmon August 15 to December 31, <del>2014</del> 2015. | 3[0-4] Chinook salmon - no more than 4[0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.<br>2 hatchery trout or hatchery |

|  |   |  |
|--|---|--|
|  |   | steelhead**  |
|  | 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.                      |  |
| b. Klamath River downstream of the Highway 96 bridge at Weitchpec.   | January 1 to August 14.   | 2 Chinook salmon<br>2 hatchery trout or hatchery steelhead**   |
|  | Fall Run Quota <del>2,064</del> [0-33,800] Chinook Salmon August 15 to December 31, <del>2014</del> 2015.   | 3[0-4] Chinook salmon - no more than 4[0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.<br>2 hatchery trout or hatchery steelhead** |
|  | 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 Total Klamath River Basin Quota has been taken. <u>All legally caught Chinook salmon must be retained. Once the adult component of the total daily bag limit has been retained anglers must cease fishing in the spit area.</u> |  |
| 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**   |

|   |  |   |
|---|--|---|
| 6. Trinity River and tributaries.   |  |   |
| a. Trinity River main stem from 250 feet downstream of Lewiston Dam to the Old Lewiston Bridge.                             | April 1 through September 15. Only artificial flies with barbless hooks may be used.   | 2 hatchery trout or hatchery steelhead**  |
| b. Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat.              | January 1 to August 31.  | 2 Chinook salmon<br>5 brown trout<br>2 hatchery trout or hatchery steelhead**   |
|   | Fall Run Quota <del>684</del> [0-11,154] Chinook Salmon September 1 through December 31, <del>2014</del> <u>2015</u> .   | <del>3</del> [0-4] Chinook salmon - no more than <del>4</del> [0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.<br>5 brown trout<br>2 hatchery trout or hatchery steelhead** |
|   | 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. |   |
| c. Trinity River main stem downstream of the Highway 299 West bridge at Cedar Flat to the Denny Road bridge at Hawkins Bar. | January 1 through August 31.   | 2 Chinook salmon<br>5 brown trout<br>2 hatchery trout or hatchery steelhead**   |
|   | September 1 through December 31.   | Closed to all fishing.  |
| d. New River main stem downstream of the confluence of the East Fork to the confluence with the Trinity River.              | September 15 through November 15. Only artificial lures with barbless hooks may be used.   | 2 hatchery trout or hatchery steelhead**  |
| e. Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the mouth of the South Fork Trinity River. | January 1 to August 31.  | 2 Chinook salmon<br>5 brown trout<br>2 hatchery trout or hatchery   |

|  |  |  |
|--|--|--|
|  |  | steelhead**  |
|  | Fall Run Quota <del>684</del> [0-11,154] Chinook Salmon September 1 through December 31, <del>2014</del> 2015. This is the cumulative quota for subsections 6.e. and 6.f. of this table. | 3[0-4] Chinook salmon<br>no more than 4[0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.<br>5 brown trout<br>2 hatchery trout or hatchery steelhead** |
| f. Trinity River main stem downstream of the mouth of the South Fork Trinity River to the confluence with the Klamath River.                                   | January 1 to August 31.  | 0 Chinook salmon<br>5 brown trout<br>2 hatchery trout or hatchery steelhead**  |
|  | Fall Run Quota <del>684</del> [0-11,154] Chinook Salmon September 1 through December 31, <del>2014</del> 2015. This is the cumulative quota for subsections 6.e. and 6.f. of this table. | 3[0-4] Chinook salmon - no more than 4[0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.<br>5 brown trout<br>2 hatchery trout or hatchery steelhead**  |
| g. Hayfork Creek main stem downstream of the Highway 3 bridge in Hayfork to the confluence with the South Fork Trinity River.                                  | November 1 through March 31. Only artificial lures with barbless hooks may be used.  | 2 hatchery trout or hatchery steelhead**   |
| h. South Fork Trinity River downstream of the confluence with the East Fork of the South Fork Trinity River to the South Fork Trinity River bridge at Hyampom. | November 1 through March 31. Only artificial lures with barbless hooks may be used.  | 2 hatchery trout or hatchery steelhead**   |
| i. South Fork Trinity River downstream of the South Fork Trinity River bridge at Hyampom to the confluence with the Trinity River.                             | November 1 through March 31.   | 0 Chinook salmon<br>2 hatchery trout or hatchery   |

...

**Subsection (b)(195) of Section 7.50 is amended to read:**

|  |  |
|--|--|
| <u>(195) Trinity River and tributaries downstream of Lewiston Dam.</u> | See Klamath River Regulations subsection <del>(b)(91.1)(F)</del> <u>67.50(b)(91.1)</u> . |
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\* 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.

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