

Fish and Game Commission Meeting Binder

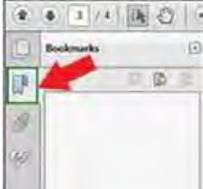


April 18, 2016

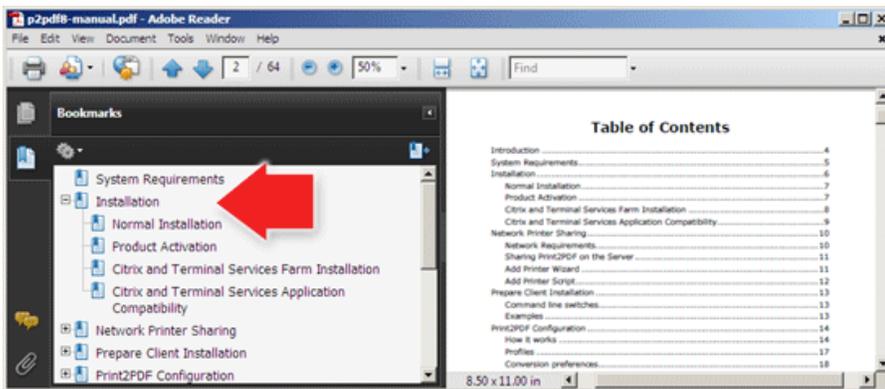
Commission Meeting

EASY GUIDE TO THE BINDER

1. Download and open the binder document using your Adobe Acrobat program/application.
2. Immediately click/tap on the “bookmark symbol” located near the top left-hand corner.



3. A bookmark panel should appear on either the top or the left-hand side of the screen. To make adjustments, simply use the Page Display option in the View tab. If done correctly, you should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the staff summaries and supporting documents included in the binder. It's helpful to think of these bookmarks as a table of contents which allows you to go to specific points in the binder without having to scroll through hundreds of pages.
5. Resize the bars by placing the icon in the dark, vertical line located between the text boxes and using a long click/tap to move ←|→ in either direction. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
6. Upon locating a staff summary for an agenda item that interests you, notice that you can get more information by double-clicking/tapping on any item underlined in blue.
7. Return to the staff summary by simply re-clicking/tapping on the item in the bookmark panel.

OVERVIEW OF FISH AND GAME COMMISSION TELECONFERENCE MEETING

- This is the 146th year of continuous operation of the California Fish and Game Commission (Commission) in partnership with the California Department of Fish and Wildlife (Department). Our goal is the preservation of our heritage and conservation of our natural resources through informed decision making. These meetings are vital in achieving that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome and please let us know if you have any questions.
- We are operating under Bagley-Keene Open Meeting Act and these proceedings are being recorded and broadcast via Cal-Span.
- In the unlikely event of an emergency, please note the location of the nearest emergency exits at your location. Additionally, for those in the Commission conference room, the restrooms are located outside the front door and down the hall to your left (women's immediately after the elevators and men's further down the hall).
- Items may be heard in any order pursuant to the determination of the presiding commissioner.
- The amount of time for each agenda item may be adjusted based on time available and the number of speakers.
- Speaker cards need to be filled out **legibly** and turned in to the staff **before** we start the agenda item. Please make sure to list the agenda items you wish to speak to on the speaker card.
- We will ask how many speakers we have at each location before taking public comment; please be prepared when your name is called. If you are not in the room when your name is called you may forfeit your opportunity to speak on the item.
- When you speak, please state your name and any affiliation. Please be respectful. Disruptions from the audience will not be tolerated. Time is precious so please be concise.
- To receive meeting agendas and regulatory notices about those subjects of interest to you, please visit the Commission's website, www.fgc.ca.gov, and sign up for our electronic mailing lists.
- All petitions for regulation change must be submitted in writing on the authorized petition form, FGC 1 Petition to the California Fish and Game Commission for Regulation Change, available on the Commission's website.
- **Reminder!** Please silence your mobile devices and computers to avoid interruptions.

INTRODUCTIONS FOR FISH AND GAME COMMISSION COMMISSION MEETINGS

FISH AND GAME COMMISSIONERS

Eric Sklar	President (Saint Helena)
Jacque Hostler-Carmesin	Vice-President (McKinleyville)
Anthony Williams	Member (Huntington Beach)
Vacant	
Vacant	

COMMISSION STAFF

Mike Yaun	Acting Executive Director/Legal Counsel
Susan Ashcraft	Acting Deputy Executive Director/Marine Advisor
Erin Chappell	Wildlife Advisor
Mary Brittain	Administrative Assistant
Sherrie Fonbuena	Analyst
Caren Woodson	Analyst

OFFICE OF THE ATTORNEY GENERAL

Chris Ames	Deputy Attorney General
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DEPARTMENT OF FISH AND WILDLIFE - *Directorate*

Chuck Bonham	Director
Wendy Bogdan	General Counsel
Jordan Traverso	Deputy Director for Communications
David Bess	Deputy Director and Chief, Law Enforcement Division
Stafford Lehr	Acting Deputy Director, Wildlife and Fisheries Division

I would also like to acknowledge special guests who are present:
(i.e., elected officials, tribal chairpersons, other special guests)

Commissioners
Eric Sklar, President
Saint Helena

Jacque Hostler-Carmesin, Vice President
McKinleyville

Anthony C. Williams, Member
Huntington Beach

Vacant, Member
Vacant, Member

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Mike Yaun, Acting Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
www.fgc.ca.gov

Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

REVISED* MEETING AGENDA - TELECONFERENCE **April 18, 2016, 10:00 a.m.**

Resources Building
Fish and Game Commission Conference Room 1320
1416 Ninth Street, Sacramento

NOTICE: Members of the public may participate in the teleconference at the address above and at the following Department of Fish and Wildlife offices:

- 50 Ericson Court, Arcata, CA 95521
- 7329 Silverado Trail, Napa, CA 94558
- 4665 Lampson Avenue, Los Alamitos, CA 90720

The meeting will be live streamed at www.cal-span.org, for listening purposes only

NOTE: * Item 3 has been added and subsequent items have been renumbered. See important meeting deadlines and procedures at the end of the agenda.

Call to order/roll call to establish quorum

1. Approve agenda and order of items
2. Public forum for items not on agenda
The Commission **may not** discuss or take action on any matter raised during this item, except to decide whether to place the matter on the agenda of a future meeting.
(Sections 11125, 11125.7(a), Government Code)
3. Receive and approve annual Private Lands Wildlife Habitat Enhancement and Management Area (PLM) plans and 2016-2017 licenses for:
(Pursuant to Section 601, Title 14, CCR)
 - (A) Ackerman-South Daugherty Wildlife Management Area (Mendocino County)
 - (B) Eden Valley Ranch (Mendocino County)
 - (C) Elk Creek Ranch (Mendocino County)
 - (D) Gabilan Ranch (Monterey County)
 - (E) Sanhedrin Ranch (Mendocino County)
 - (F) Seven Springs Ranch (Mendocino County)
 - (G) Summer Camp Ranch (Mendocino County)

4. Adopt proposed changes to season dates, size limits and daily bag limits for May-November 2016 recreational ocean salmon fishing
(Subsection 27.80(d), Title 14, CCR)
5. Adopt proposed amendments to Klamath River sport fishing regulations
(Subsection 7.50(b)(91.1), Title 14, CCR)
6. Adopt proposed changes to Central Valley salmon sport fishing regulations
(Subsections 7.50(b)(5), (68) and (156.5), Title 14, CCR)

Adjournment

**FISH AND GAME COMMISSION
2016 MEETING SCHEDULE**

www.fgc.ca.gov

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
May 18		Wildlife Resources Department of General Services Ziggurat Building – Auditorium 707 3 rd Street West Sacramento, CA 95605
June 21		Tribal TBD
June 22-23	TBD	
July 21		Marine Resources Petaluma Regional Library 100 Fairgrounds Drive Petaluma, CA 94952
August 24-25	Lake Natoma Inn Hotel & Conference Center 702 Gold Lake Drive Folsom, CA 95630	
September 21		Wildlife Resources Woodland Public Library Leake Center Community Room 250 First Street Woodland, CA 95695
October 18		Tribal TBD
October 19-20	TBD	
November 17		Marine Resources Irvine, CA
December 7-8	Portofino Inn & Suites 3805 Murphy Canyon Road San Diego, CA 92123	

OTHER MEETINGS OF INTEREST

Wildlife Conservation Board

- May 26, Sacramento
- August 30, Sacramento
- November 16, Sacramento

Pacific Fishery Management Council

- June 23-28, Tacoma, WA
- September 15-20, Boise, ID
- November 16-21, Garden Grove, CA

Pacific Flyway Council

- September 2016, date and location TBD

Western Association of Fish and Wildlife Agencies

- July 21-27, 2016, Cody, WY

IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION

WELCOME TO A MEETING OF THE CALIFORNIA FISH AND GAME COMMISSION

This is the 146th year of operation of the Commission in partnership with the California Department of Fish and Wildlife. Our goal is the preservation of our heritage and conservation of our natural resources through informed decision making; Commission meetings are vital in achieving that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome and please let us know if you have any questions.

PERSONS WITH DISABILITIES

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Reasonable Accommodation Coordinator at (916) 651-1214. Requests for facility and/or meeting accessibility should be received at least 10 working days prior to the meeting to ensure the request can be accommodated.

STAY INFORMED

To receive meeting agendas and regulatory notices about those subjects of interest to you, please visit the Commission's website, www.fgc.ca.gov, and sign up on our electronic mailing lists.

SUBMITTING WRITTEN COMMENTS

The public is encouraged to comment on any agenda item. Submit written comments by one of the following methods: **E-mail** to fgc@fgc.ca.gov; **delivery** to Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or **hand-deliver to a Commission meeting**. The Commission no longer accepts written comments via facsimile.

Comment Deadlines: Written comments received at the Commission office by **5:00 p.m. on April 5** will be made available to Commissioners prior to the meeting. Comments received by **12 noon on April 13** will be marked late and made available to Commissioners at the meeting. Otherwise, two copies of written comments must be brought to the meeting. All materials provided to the Commission may be made available to the general public.

VISUAL PRESENTATIONS/MATERIALS

Visual presentations will not be allowed at this meeting.

CONSENT CALENDAR

A summary of all items will be available for review at the meeting. Any item may be removed from the consent calendar by the Commission, or upon the request of the Department or member of the public who wishes to speak to that item.

LASER POINTERS may only be used by a speaker during a presentation; use at any other time may result in arrest.

SPEAKING AT THE MEETING

To speak on an agenda item, please complete a "Speaker Card" and give it to the designated staff member before the agenda item is announced. Cards will be available

near the entrance of the meeting room. Only one speaker card is necessary for speaking to multiple items.

1. Speakers will be called in groups; please line up when your name is called.
2. When addressing the Commission, give your name and the name of any organization you represent, and provide your comments on the item under consideration.
3. Each speaker has up to three minutes to address the Commission as determined by the presiding commissioner. If there are several speakers with the same concerns, please appoint a spokesperson and avoid repetitive testimony.
4. Speakers may cede their time to an individual spokesperson, but only under the following conditions:
 - a. Individuals ceding time forfeit their right to speak to the agenda item; and
 - b. The minimum number of individuals required to cede time to a spokesperson and the amount of time allocated are *arranged in advance* with the presiding commissioner.
5. If you are presenting handouts/written material to the Commission at the meeting, please provide two copies to the designated staff member just prior to speaking.

STAFF SUMMARY FOR APRIL 18, 2016

2. PUBLIC FORUM

Today's Item

Information

Action

Receive public comments, regulatory petitions, and requests for non-regulatory action.

Summary of Previous/Future Actions (N/A)

Background

Under the Bagley-Keene Open Meeting Act, FGC cannot act on any matter not included on the agenda; however, it can schedule for consideration at future meetings any issues raised by the public.

Significant Public Comments (N/A)

Exhibits (N/A)

Motion/Direction

Consider whether to schedule any future agenda items to address issues that are raised today.

STAFF SUMMARY FOR APRIL 18, 2016

3. ANNUAL PLM HARVEST PROGRAMS**Today's Item**Information Action

Approve the annual Private Lands Wildlife Habitat Enhancement and Management (PLM) Area 2016-2017 harvest programs on seven properties.

Summary of Previous/Future Actions (N/A)**Background**

The management plans for these properties are in compliance with FGC regulations and policies for PLM's. Full payment was made for all tags used in 2015, and all habitat work was completed (Exhibit 1).

Significant Public Comments (N/A)**Recommendation**

FGC staff: Approve seven harvest programs as recommended by DFW.

DFW: Approve the 2016-2017 harvest programs for seven properties, under the conditions specified in Exhibit 2.

Exhibits

1. [DFW Memo](#), received Apr 5, 2016
2. [PLM proposed annual details](#) (DFW memo attachment)

Motion/Direction

Moved by _____ and seconded by _____ that the Commission approves the annual private lands management wildlife habitat enhancement and management area harvest programs on seven properties for 2016-2017.

STAFF SUMMARY FOR APRIL 18, 2016

4. OCEAN SALMON SPORT FISHING**Today's Item**Information Action

Adopt proposed changes to ocean salmon sport fishing regulations for May-Nov 2016.

Summary of Previous/Future Actions

- Notice hearing Dec 9-10, 2015; San Diego
- Discussion hearing Feb 10-11, 2016; Sacramento
- **Today's adoption hearing Apr 18, 2016; Teleconference**

Background

FGC annually adopts ocean salmon sport fishing regulations in State waters to conform to federal rules. The Pacific Fishery Management Council (PFMC) coordinates West Coast management of recreational and commercial ocean salmon fisheries in the federal fishery management zone, 3 to 200 miles offshore WA, OR and CA. PFMC ocean salmon recommendations are subsequently implemented by the National Marine Fisheries Service, effective May 1 of each year. PFMC will take final action on proposed regulations in federal waters at its Apr 8-14, 2016 meeting.

The proposed regulations include a broad range of options from no fishing in all areas off CA to limited fishing in all areas to increase flexibility and encompass possible PFMC recommendations (exhibits 1-2). No changes have been made by DFW since the FGC notice hearing in Dec 2015 (Exhibit 3); at the Apr 18 FGC meeting, DFW will provide recommendations (which may be different for each area) for exact opening and closing dates, bag limits, minimum size and days of the week open after considering the final federal regulations.

Significant Public Comments (N/A)**Recommendation**

FGC staff: Adopt the regulations as recommended by DFW.

DFW: DFW will provide an update on the results of the federal process and DFW's recommendation at the Apr 18 FGC meeting.

Exhibits

1. [DFW memo](#), received Oct 19, 2015
2. [ISOR](#), dated Sep 21, 2015
3. [DFW email](#), received Apr 4, 2016

Motion/Direction

Moved by _____ and seconded by _____ that the Commission adopts changes to subsection 27.80(d) related to ocean salmon sport fishing regulations for May-November 2016 as recommended by the Department.

STAFF SUMMARY FOR APRIL 18, 2016

5. KLAMATH RIVER SPORT FISHING**Today's Item**Information Action

Adopt proposed changes to Lower Klamath River Basin sport fishing regulations.

Summary of Previous/Future Actions

- Discussion hearing Dec 9-10, 2015; San Diego
- Notice hearing Feb 10-11, 2016; Sacramento
- **Today's adoption hearing Apr 18, 2016; Teleconference**

Background

The Klamath River System, consisting of the Klamath River Basin and the Trinity River Basin, is managed through the cooperation of State, federal and tribal management agencies. FGC annually adopts Klamath River System sport fishing regulations consistent with federal fishery management goals. Specific bag and possession limits are adopted after the Pacific Fishery Management Council (PFMC) reviews West Coast salmon stocks and fishery allocations have been proposed, scheduled during the Apr 8-14, 2016 PFMC meeting. Two tribal entities within the Klamath River System (Hoopa Valley Tribe and Yurok Tribe) maintain fishing rights for ceremonial, subsistence and commercial fisheries that are managed consistent with federal fishery management goals.

Subsection 7.50(b)(91.1) is proposed for amendment to:

1. **Change quota, bag limit and possession limit.** For notice purposes, DFW recommends an allocation range of 0-67,600 adult Klamath River fall-run Chinook salmon (KRFC); bag limit between 0-4 KRFC with no more than 0-4 fish over 22" until the sub-quota is met, then 0 fish over 22"; possession limit between 0-12 KRFC with no more than 0-12 fish over 22" when the take of salmon over 22" is allowed.
2. **Clean up for clarity and consistency.**
3. **Modify Existing Blue Creek Mouth Area Closure.** This option would modify the regulations for the existing closure on the Klamath River during the Jun 15-Sep 14 closure period by reducing the distance downstream of the mouth of Blue Creek from ½ mile to 500 feet. The distance of the closure above the mouth of Blue Creek would remain at 500 feet. The regulations for the Sep 15-Dec 31 fishing closure on the main stem Klamath River would not change.

No changes are proposed for the Klamath River spit, or for Klamath River spring-run Chinook salmon opening and closing dates or bag, possession and size limits.

Significant Public Comments

1. One comment supporting the proposed reduction in distance of the Blue Creek mouth area closure (Exhibit 3)
2. One comment supporting the repeal of the Blue Creek mouth area closure and

STAFF SUMMARY FOR APRIL 18, 2016

- supporting a study (Exhibit 4)
3. One comment supporting no change to the current Blue Creek mouth area closure or, in the alternative, a closure distance downstream of the mouth of Blue Creek of 1000 feet (Exhibit 5)
 4. One comment supporting no change to the current Blue Creek mouth area closure (Exhibit 6)

Recommendation

FGC staff: Adopt the proposed changes as recommended by DFW and determine whether to move forward with any modification to the Blue Creek closure.

DFW: KRFC bag limit of 2 fish-no more than 1 adult, and a possession limit of 6 fish-no more than 3 adults. DFW will provide the final PFMC in-river quota at the Apr 18 teleconference. DFW has no recommendation regarding the closure around the mouth of Blue Creek.

Exhibits

1. [ISOR](#), dated Feb 11, 2016
2. [DFW email](#), received Apr 4, 2016
3. [Letter from Jonathan Weaver](#), received Feb 5, 2016 (this comment was received after the late comment deadline for the Feb 10-11 meeting)
4. [Letter from Ronnie Britschgi](#), received Feb 5, 2016 (this comment was received after the late comment deadline for the Feb 10-11 meeting)
5. [Email from Friends of Del Norte](#), received Mar 9, 2016 (this exhibit was also provided under the public forum agenda item at the Mar 15 teleconference)
6. [Email from Yurok Tribe](#), received Apr 5, 2016

Motion/Direction

1. Moved by _____ and seconded by _____ that the Commission adopts the proposed changes to subsection (b)(91.1) of Section 7.50 related to Klamath River sport fishing regulations for the 2016 season and other changes for clarity and consistency, as recommended by the Department.

AND

- 2a. Moved by _____ and seconded by _____ that the Commission adopts the proposed changes to the regulations regarding the fishing closure on the Klamath River around the mouth of Blue Creek during the Jun 15-Sep 14 closure period by reducing the distance downstream of the mouth of Blue Creek to 500 feet.

OR

- 2b. Moved by _____ and seconded by _____ that the Commission adopts the “no change” alternative regarding the fishing closure on the Klamath River around the mouth of Blue Creek during the Jun15-Sep14 closure period.

2016 APR -5 AM 11: 16

Memorandum

Date: March 29, 2016

To: Mike Yaun
Acting Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Agenda Item for the April 18th, 2016 Fish and Game Commission Teleconference Annual Private Lands Wildlife Habitat Enhancement and Management (PLM) Area License**

The Department of Fish and Wildlife has reviewed the annual reports and annual renewal applications for 7 properties in 2 counties consisting of 96,298 acres.

These PLM areas were previously licensed under Commission regulations under Section 601, Title 14, California Code of Regulations. Full payment was made for all tags used in 2015, and all habitat work was completed.

The Department recommends that the Commission approve the 2016/17 harvest programs under conditions specified in the attached table.

If you have any questions, please contact Ms. Victoria Barr at (916) 445-4034 or by email at victoria.barr@wildlife.ca.gov.

Attachment

cc: Eric Loft, Ph.D., Chief
Wildlife Branch
eric.loft@wildlife.ca.gov

Craig Stowers, Environmental Program Manager
Wildlife Branch
craig.stowers@wildlife.ca.gov

Stuart Itoga, Senior Environmental Scientist
Wildlife Branch
stuart.itoga@wildlife.ca.gov

Victoria Barr, Environmental Scientist
Wildlife Branch
victoria.barr@wildlife.ca.gov

**PLM AREA LICENSE
ANNUAL RENEWALS, 2016/2017
PROPOSED SEASONS, HARVESTS, AND HABITAT IMPROVEMENTS**

PLM Area	Proposed Season and Harvest	Habitat Improvement Program
NORTHERN REGION		
<p>ACKERMAN-SOUTH DAUGHERTY WMA</p> <p>DEER ZONE A</p> <p>MENDOCINO</p> <p>10,831 ACRES</p>	<p>Authorized Harvest: 16 buck deer forked horn or better</p> <ul style="list-style-type: none"> • Issue 16 buck deer tags for the period of July 9, 2016 through November 30, 2016. • No more than 8 buck deer may be harvested after September 18, 2016. 	<ul style="list-style-type: none"> ➤ Remove encroaching conifers from at least 10 acres of oak woodland and prairie habitat on Miller and Ackerman Ridges. ➤ Enhance and maintain perennial water sources to improve water storage near the Masonite Road/Miller Ridge area. ➤ Remove at least ¼ mile of unnecessary fencing along the 8 mile access to reduce wildlife entanglement. ➤ Create 4 brush piles for wildlife cover in the Upper Ackerman Creek watershed.
<p>EDEN VALLEY RANCH</p> <p>DEER ZONE B1</p> <p>MENDOCINO</p> <p>20,879 ACRES</p>	<p>Authorized Harvest: 8 bull elk, 7 antlerless elk; 20 forked-horn or better buck deer, and 5 antlerless deer</p> <ul style="list-style-type: none"> • Issue 6 bull elk tags for the period of July 10, 2016 through December 13, 2016. • Issue 7 antlerless elk tags for the period of September 15, 2016 through December 13, 2016. • On or before October 15, 2016, the licensee may request (in writing) up to 2 additional bull elk tags to accomplish the authorized harvest. • Issue 20 buck deer tags for the period of July 10, 2016 through November 30, 2016. • No more than 7 buck deer may be taken after October 23, 2016. • Issue 5 antlerless deer tags for the period of September 15, 2016 through November 30, 2016. 	<ul style="list-style-type: none"> ➤ Plant 42 acres of alfalfa to improve wildlife forage. ➤ Maintain 23 water sources, including 12 springs, as needed. ➤ Plant and irrigate a 3-acre area with oats, legumes, and grasses outside of the Valley Area and fence to exclude livestock. ➤ Treat at least 40 acres of yellow star thistle in the main Valley Area with appropriate herbicides. ➤ Exclude livestock grazing from 10,000 acres on the east side of Eden Valley to improve wildlife forage. ➤ Monitor and maintain the 4 rail-type elk crossings. ➤ Construct at least 4 brush piles in Paradise pasture to provide wildlife cover. ➤ Burn at least 6 acres to improve wildlife habitat. ➤ Manage livestock grazing by rotating cattle through 4 different pastures to improve wildlife forage. ➤ Remove 1 mile of unnecessary fence in Pigtail pasture to reduce wildlife entanglement. ➤ Plant 30 acres of triticale in Toni Field on the eastside of the ranch.

PLM AREA LICENSE
ANNUAL RENEWALS, 2016/2017
PROPOSED SEASONS, HARVESTS, AND HABITAT IMPROVEMENTS

PLM Area	Proposed Season and Harvest	Habitat Improvement Program
EDEN VALLEY RANCH CONT.		<ul style="list-style-type: none"> ➤ Enhance pond #2 at Bright Ridge by removing silt to increase water capacity. ➤ Improve irrigation in the 3-acre spring/wildlife area by contouring the field in the southwest part of valley, east of Stage Coach Road.
ELK CREEK RANCH DEER ZONE B1 MENDOCINO 2,241 ACRES	<p>Authorized Harvest: 7 buck deer, forked-horn or better</p> <ul style="list-style-type: none"> • Issue 7 buck deer tags for the period of July 9, 2016 through November 30, 2016. • No more than 3 buck deer may be taken after October 23, 2016. • On or before October 15, 2016, the licensee may request (in writing) up to 3 additional buck deer tags to accomplish the authorized harvest. • In no case shall the number of tags issued be used to exceed the authorized harvest. • The number of tag holders actively hunting shall not exceed the number of deer available to harvest. 	<ul style="list-style-type: none"> ➤ Exclude livestock grazing from Bennett Valley (15 acres) to improve wildlife forage and cover. ➤ Maintain the livestock exclusion fencing around the ponds in sections 8 and 5. ➤ Repair spring and water tank to irrigate the southern portion of Bennett Valley. ➤ Mechanically treat at least 20 acres of decadent brush
SANHEDRIN RANCH DEER ZONE B1 MENDOCINO 11,595 ACRES	<p>Authorized Harvest: 15 buck deer forked horn or better</p> <ul style="list-style-type: none"> • Issue 15 buck deer tags for the period of July 9, 2016 through November 30, 2016. • No more than 7 buck deer may be taken after October 23, 2016. • On or before October 15, 2016, the licensee may request (in writing) up to 5 additional buck deer tags to accomplish the authorized harvest. 	<ul style="list-style-type: none"> ➤ Exclude all livestock grazing from the PLM area to improve forage and cover for wildlife. ➤ Maintain 4 developed springs. ➤ Improve spring S4 by cleaning and digging out silt to improve water availability. ➤ Mechanically treat 20 acres of brush with a tractor and by hand. ➤ Create at least 10 brush piles for use by wildlife.

**PLM AREA LICENSE
ANNUAL RENEWALS, 2016/2017
PROPOSED SEASONS, HARVESTS, AND HABITAT IMPROVEMENTS**

PLM Area	Proposed Season and Harvest	Habitat Improvement Program
SANHEDRIN RANCH CONT.	<ul style="list-style-type: none"> • In no case shall the number of tags issued be used to exceed the authorized harvest: • The number of tag holders actively hunting shall not exceed the number of deer available to harvest. 	
SEVEN SPRINGS RANCH DEER ZONE A MENDOCINO 2,250 ACRES	<p>Authorized Harvest: 9 buck deer forked horn or better</p> <ul style="list-style-type: none"> • Issue 9 buck deer tags for the period of July 9, 2016 through November 30, 2016. • No more than 4 buck deer may be harvested after September 18, 2016. 	<ul style="list-style-type: none"> ➤ Exclude livestock grazing from the PLM area to increase habitat quality for wildlife. ➤ Plant 5 pounds of clover and vetch seed on roads and cut banks. ➤ Mechanically treat 1 acre of Douglas-fir saplings encroaching into oak woodlands at Cow Springs. ➤ Plant willows around the spring on Indian Creek Road and at Cow Springs.
SUMMER CAMP RANCH DEER ZONE B1 MENDOCINO 38,502 ACRES	<p>Authorized Harvest: 80 buck deer forked horn or better and 1 bull elk</p> <ul style="list-style-type: none"> • Issue 80 buck deer tags for the period of July 9, 2016 through November 30, 2016. • Issue 1 bull elk tag for the period of July 9, 2016 through November 30, 2016. • No more than 40 buck deer may be taken after October 23, 2016. • On or before October 15, 2016, the licensee may request (in writing) up to 20 additional buck deer tags and 1 additional bull elk tag to accomplish the authorized harvest. • In no case shall the number of tags issued be used to exceed the authorized harvest. • The number of deer tag holders actively hunting shall not exceed the number of deer available to harvest. 	<ul style="list-style-type: none"> ➤ Maintain 3 irrigated wildlife forage areas, totaling 12 acres. ➤ Improve 1 spring by cleaning out and installing an off-site water trough. ➤ Exclude livestock from 1 spring by installing at least 300 square feet of wildlife-friendly fencing. ➤ Maintain 2 riparian exclusion areas totaling ¾ acre and plant willows. ➤ Maintain 13 developed springs. ➤ Exclude livestock grazing from mid-June through October. ➤ Remove encroaching conifers from at least 10 acres of oak woodlands. ➤ Construct a minimum of 20 brush piles within oak woodland habitat. ➤ Maintain approximately 7 miles of riparian fencing on the Eel River and repair any damage.

**PLM AREA LICENSE
ANNUAL RENEWALS, 2016/2017
PROPOSED SEASONS, HARVESTS, AND HABITAT IMPROVEMENTS**

PLM Area	Proposed Season and Harvest	Habitat Improvement Program
SUMMER CAMP RANCH CONT.		<ul style="list-style-type: none"> ➤ Maintain a minimum of 10 miles of road to prevent sedimentation into the Eel River system. Road maintenance will generally include grading roads, pulling inside ditches where they exist, shaping the road surface to promote proper drainage, and maintenance of drainage facilities such as cross drains and culverts. ➤ Burn 10 acres of grasslands to rejuvenate vegetation.
CENTRAL REGION		
GABILAN RANCH MONTEREY 10,000 ACRES	<p>Authorized Harvest: 3 bull elk and 1 antlerless elk</p> <ul style="list-style-type: none"> • Issue 2 bull elk tags for the period of July 1, 2016 through December 31, 2016. 	<ul style="list-style-type: none"> ➤ Burn 200 acres of chaparral and woodland with heavy brush undergrowth to stimulate new forage growth. ➤ Construct 10 brush piles for use by wildlife. ➤ Remove cattle in May to conserve feed and reduce competition for wildlife. ➤ Continue an erosion control program to reduce sedimentation in the area creeks. ➤ Treat ¼ acre of purple star thistle to enhance and maintain habitats for wildlife. ➤ Let the “gathering pasture” (250 acres) near the house grow up between March 1- April 30th for cover for early ground nesting birds. ➤ Continue the reduced stocking rate of 625 animals which is 375 head less than normal. ➤ Follow Smoke Management Plan with CDF and Monterey Air Quality Control Board in order to improve burn scheduling flexibility.

Memorandum

Date: October 14, 2015

To: Sonke Mastrup
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



**Subject: Agenda Items for the December 9-10, 2015 Fish and Game Commission Meeting
Re: Request for Notice Authorization to Amend Salmon Fishing Regulations for
2016 (two ISORs; one to amend Section 27.80(c); the second to amend 27.80(d)).**

Attached for the Fish and Game Commission's (Commission) December 9-10, 2015 meeting are two rulemaking proposals for the 2016 Ocean Salmon fishing season. The first package proposes to amend subsection 27.80(c) to establish open fishing days, bag limits and minimum size restrictions for April 2016. The second package proposes to amend subsection 27.80(d) to establish open fishing days, bag limits and minimum size restrictions for the salmon season in effect on or after May 1, 2016.

Existing Title 14 regulations specify ocean salmon recreational fishing regulations that were valid only for the 2015 season. The proposed amendments to Section 27.80(c) contained in the first ISOR would allow the Commission to adopt regulations at its March teleconference meeting that would establish any ocean salmon recreational fishing regulations for the month of April 2016, in conformance with federal rules.

The proposed amendments to Section 27.80(d) contained in the second ISOR would allow the Commission to adopt regulations at its April teleconference meeting that would establish any ocean salmon recreational fishing regulations on or after May 1, 2016, in conformance with federal rules that will be recommended by the Pacific Fishery Management Council on April 14, 2016. The range of alternatives (open fishing days/times, areas, size limits, bag limits) contained in the second ISOR are the same as those contained in the first ISOR, but the resulting regulations apply only for May 1, 2016 through the end of the year.

The Department of Fish and Wildlife (Department) requests the Commission authorize publication of notice of its intent to amend the above referenced subsections of Section 27.80, Title 14, CCR, to establish ocean salmon recreational fishing regulations for the 2016 fishing season. While the proposed rulemakings are related, they should be noticed separately to conform to timelines driven by the federal regulatory process.

Sonke Mastrup, Executive Director
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If you have any questions or need additional information, please contact Dr. Craig Shuman, Regional Manager of the Marine Region, at (805) 568-1246. The public notice for this rulemaking should identify Environmental Scientist, Barry Miller as the Department's point of contact. Mr. Miller can be reached at (707) 576-2860 or by email at Barry.Miller@wildlife.ca.gov.

Attachments

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Act [16 USC §1856 (b)(1)].

PFMC Regulatory Outlook

On March 14, 2016, the PFMC will propose a suite of ocean salmon fishery regulatory options after reviewing the most up-to-date salmon abundance information for target stocks and salmon species of special concern, including Sacramento River Winter Run Chinook which is listed as endangered under both federal and State Endangered Species Acts. These options will go out for public review and the final PFMC recommendations for federal waters will be made on April 14, 2016. The federal regulations will go into effect on or after May 1, 2016 and may include:

1. the minimum size of salmon that may be retained;
2. the number of rods anglers may use (e.g., one, two, or unlimited);
3. the type of bait and/or terminal gear that may be used (e.g., amount of weight, hook type, and type of bait or no bait);
4. the number of salmon that may be retained per angler-day or period of days;
5. the definition of catch limits to allow for combined boat limits versus individual angler limits;
6. the allowable fishing dates and areas; and
7. the overall number of salmon that may be harvested, by species and area.

The range of proposed regulatory options available for the Commission's consideration is designed to encompass the range of options that will be under consideration by the PFMC.

Commission Regulatory Outlook

Although there are no proposed PFMC regulatory options to consider until March, the ocean salmon sport fishing regulations in effect on or after May 1, 2016 could range from no fishing in all areas off the California coast to limited salmon fishing for varied areas and dates between May 1 and November 13, 2016. The final PFMC recommendations made on April 14, 2016 will serve as the basis for the State's ocean salmon sport fishery regulations for May 2016 through the end of the year.

Present Regulations

Regulations for 2015 [subsections 27.80(c) and (d)] authorized ocean salmon recreational fishing seven days per week north of Horse Mountain including Humboldt Bay from May 1 to September 7, 2015. Between Horse Mountain and Point Arena, ocean salmon recreational fishing was

authorized seven days per week from April 4 to November 8, 2015. Between Point Arena and Pigeon Point, ocean salmon recreational fishing was authorized seven days per week from April 4 to October 31, 2015. Between Pigeon Point and Point Sur, ocean salmon recreational fishing was authorized seven days per week from April 4 to September 7, 2015. For areas south of Point Sur, ocean salmon recreational fishing was authorized seven days per week from April 4 to July 19, 2015. The bag limit for all areas in 2015 was two fish per day (all species except coho). The areas north of Point Arena had a minimum size limit of 20 inches total length. The area between Point Arena and Pigeon Point had a minimum size limit of 24 inches total length through April 30, 2015 and 20 inches total length thereafter. Areas south of Pigeon Point had a minimum size limit of 24 inches total length through May 31, 2015 and 20 inches total length thereafter. Since the existing regulations pertained only to the 2015 season, amendment of these regulations is essential to allow for any fishing in State waters during 2016.

Concurrent Regulatory Action

Two separate Commission actions are necessary to conform the State regulations to federal rules that will apply in 2016. This proposed regulation will amend subsection 27.80(d), establishing ocean salmon sport fishing regulations (e.g., open/closed days, minimum size limits, bag limits) that would be effective for May 2016 through the end of the year. The Commission also will be considering ocean salmon sport fishing regulations that would be effective for the period April 2-30, 2016 in a separate rulemaking package, tentatively scheduled for adoption in March 2016.

Proposed Regulations

For public notice purposes and to facilitate Commission discussion, the Department of Fish and Wildlife (Department) is proposing the following regulations to encompass the range of federal ocean salmon regulations that are expected to be in effect on or after May 1, 2016. This approach will allow the Commission to adopt State ocean salmon recreational fishing regulations to conform to those in effect in federal ocean waters shortly after the federal rules are promulgated.

- (1) North of Horse Mountain and in Humboldt Bay: The season, if any, may occur within the range of May 1 through September 30, 2016. The proposed daily bag limit will be from zero to two fish, and the proposed minimum size will be from 20 to 26 inches total length. The exact opening and closing dates, along with daily bag limit, minimum size, and days of the week open will be determined by the Commission, considering federal regulations applicable to this area for May through September 2016.
- (2) Between Horse Mountain and Point Arena: The season, if any, may occur within the range of May 1 to November 13, 2016. The proposed daily bag limit will be from zero to two fish, and the

proposed minimum size will be from 20 to 26 inches total length. The exact opening and closing dates, along with daily bag limit, minimum size, and days of the week open will be determined by the Commission, considering federal regulations applicable to this area for May through November 2016.

- (3) Between Point Arena and Pigeon Point: The season, if any, may occur within the range of May 1 to November 13, 2016. The proposed daily bag limit will be from zero to two fish, and the proposed minimum size will be from 20 to 26 inches total length. The exact opening and closing dates, along with daily bag limit, minimum size, and days of the week open will be determined by the Commission, considering federal regulations applicable to this area for May through November 2016.
- (4) Between Pigeon Point and Point Sur: The season, if any, may occur within the range of May 1 to October 2, 2016. The proposed daily bag limit will be from zero to two fish, and the proposed minimum size will be from 20 to 26 inches total length. The exact opening and closing dates, along with daily bag limit, minimum size, and days of the week open will be determined by the Commission, considering federal regulations applicable to this area for May through October 2016.
- (5) South of Point Sur: The season, if any, may occur within the range of May 1 to October 2, 2016. The proposed daily bag limit will be from zero to two fish, and the proposed minimum size will be from 20 to 26 inches total length. The exact opening and closing dates, along with daily bag limit, minimum size, and days of the week open will be determined by the Commission, considering federal regulations applicable to this area for May through October 2016.

It is the policy of the State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other 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 the State to promote the development of local fisheries and distant-water fisheries based in California in harmony with international law respecting fishing and the conservation of the living resources of the ocean and other 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, taking into consideration the necessity of regulating individual sport fishery bag limits to the quantity that is sufficient to provide a satisfying sport. Adoption of scientifically-based ocean 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 concurrence with federal law, sustainable management of ocean salmon resources, and promotion of businesses that rely on recreational ocean salmon fishing.

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

Authority: 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.

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

None.

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

Pacific Fishery Management Council. The Fishery Management Plan for Commercial and Recreational Salmon Fisheries Off the Coasts of Washington, Oregon, and California as Revised Through Amendment 18. September 2014.

http://www.pcouncil.org/wp-content/uploads/FMP_through_A-18_Final.pdf

- (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:

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

- (b) No Change Alternative:

The no change alternative would maintain existing regulations which do not provide an ocean salmon recreational fishing season within the May to November 2016 period. The State must conform its ocean recreational fishing regulations for salmon in State waters (zero to three miles offshore) to the federal regulations for consistency and to avoid public confusion. Preemption of State regulatory authority by the NMFS could occur if State regulations are in conflict with federal regulations.

- (c) Consideration of Alternatives:

In view of the 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 necessary.

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:

Although the recommendations of the PFMC for the 2016 ocean salmon season are unknown at this time, the Department anticipates that recreational salmon fishing effort will be similar to the 2015 season. For the purpose of evaluating potential economic impacts of the 2016 ocean salmon regulations, the Commission analyzed possible reductions in ocean salmon recreational effort ranging from zero (no change) to 100-percent. The base year used for estimating the 2016 economic impacts is the 2014 salmon season, the latest full year of economic data.

For the first two projections for 2016, representing 100-percent (120,300 angler days), and 50-percent (60,150 angler days) levels of ocean salmon angling effort, there are not likely to be significant statewide adverse economic impacts directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The elimination of ocean recreational salmon angling or the 0-percent (zero angler days) projection could constitute a significant decline in revenue to a number of businesses associated with recreational ocean angling. However, such a closure would be undertaken with the intent of ensuring the health of the resource and thus prevent longer term adverse economic impacts.

Data from the Department indicate that during the 2014 salmon season, recreational fishermen participated in 120,300 angler days of ocean salmon fishing and generated an estimated \$20.2 million (2015\$) in total economic output to the State. The projected levels of fishing effort for the 2016 salmon season are 120,300 angler days, 60,150 angler days, and

zero angler days, equivalent to 100, 50, and 0-percent levels of effort, respectively. At the projected 2016 levels of angler effort, the associated fishing expenditures by fishermen would generate an estimated \$20.2 million, \$10.1 million and \$0.00 (2015\$) in total economic output for the State, respectively. Thus, relative to the 2014 salmon season, the total incremental effects (direct, indirect, and induced) of the 2016 projections on State economic output range from no change (the same \$20.2 million); a 50-percent decrease (\$10.1 million); to an 100-percent decline (-\$20.2 million) total economic output from the recreational salmon fishery.

- (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:

Approximately 164 jobs were indirectly supported by recreational ocean salmon angling during the 2014 salmon season. Thus, relative to the 2014 salmon season, the 2016 projections (100, 50, and 0-percent levels of effort) represent potential incremental effects on employment ranging from no change to a loss of 82 to 164 jobs statewide; potential incremental effects on the creation or elimination of businesses ranging from no impact to the potential elimination of businesses in the state in some localized areas that lack industry diversification and have a heavy reliance on recreational fishing and tourism; and potential incremental effects on the expansion of business ranging from no effect to the contraction of some business activities in the recreational salmon fishing arena.

The Commission anticipates benefits to the health and welfare of California residents. Salmon sport fishing contributes to increased mental health of its practitioners, provides opportunities for multi-generational family activities and promotes respect for California's environment by the future stewards of California's natural resources.

The Commission anticipates benefits to the State's environment in the sustainable management of salmon resources.

Additional benefits of the proposed regulations are concurrence with federal law, and promotion of businesses that rely on recreational ocean salmon fishing.

The Commission does not anticipate 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.

VII. Economic Impact Assessment

The PFMC coordinates west coast management of recreational and commercial ocean salmon fisheries in the federal fishery management zone (three to 200 miles offshore) along the coasts of Washington, Oregon and California. The annual PFMC ocean salmon regulation recommendations are subsequently implemented by the NMFS effective on May 1 of each year.

Although the recommendations of the PFMC for the 2016 ocean salmon season are unknown at this time, the Department anticipates that recreational salmon fishing effort will be similar to the 2015 season. For the purpose of evaluating potential economic impacts of the 2016 ocean salmon regulations, the Commission analyzed possible reductions in ocean salmon recreational effort ranging from zero (no change) to 100-percent (see Tables 1 and 2).

Table 1

Total Projected Economic Contribution Of California's Ocean Salmon Sport Fishery -- Calculations Worksheet and Summary Tables						
Projected Economic Impacts Of 2016 Salmon Fishery To California's Economy						
	Number of Salmon Angler Trips (days)	Direct Impact (2015\$)	Final Economic Output Impact (2015\$)	Earnings Impact (2015\$)	Employment (# jobs)	State & Local Taxes (2015\$)
Ocean Salmon Angling						
100% Seasonal Activity Level	120,300	\$ 14,178,906	\$ 20,165,572	\$ 8,037,875	164	\$ 1,463,720
50% Seasonal Activity Level	60,150	\$ 7,089,453	\$ 10,082,786	\$ 4,018,937	82	\$ 731,860
0% Seasonal Activity Level	0	\$ -	\$ -	\$ -	0	\$ -
Economic Multipliers*			1.4222	0.5669	11.5659	0.1032

Note:
 *Multipliers are derived from MIG IMPLAN economic models for the State of California.
 All dollar amounts are adjusted to year 2015 prices, denoted as 2015\$, using US Dept of Commerce Implicit Price Deflators for Gross Domestic Product - Table 1.1.9.
<http://www.bea.gov>

Table 2

Projected Incremental Change from 2014 Fishing Levels, in Angler Trips						
Impact Summary for Projected 2016 Ocean Salmon Angling Levels, Compared to 2014 Levels	Incremental Change in Number of Salmon Angler Trips (days)	Incremental Direct Impact (2015\$)	Incremental Final Economic Output Impact (2015\$)	Incremental Earnings Impact (2015\$)	Incremental Employment Impact (# jobs)	Incremental State & Local Tax Impact (2015\$)
100% Seasonal Activity Level	0	\$ -	\$ -	\$ -	0	\$ -
50% Seasonal Activity Level	(60,150)	\$ (7,089,453)	\$ (10,082,786)	\$ (4,018,937)	-82	\$ (731,860)
0% Seasonal Activity Level	(120,300)	\$ (14,178,906)	\$ (20,165,572)	\$ (8,037,875)	-164	\$ (1,463,720)

The following projections cover this expected range. The base year used for estimating the 2016 economic impacts is the 2014 salmon season, the latest full year of economic data. In 2014, the ocean salmon recreational fishery generated an estimated \$20.2 million (2015\$) in total economic output to the State. A 50-percent reduction in the fishery would amount to a \$10.1 million reduction and a closure of ocean salmon recreational angling could result in a \$20.2 million drop in total economic output for the State, relative to the 2014 season. As a general rule, for every 5,000 salmon harvested in the ocean recreational fishery, there is approximately \$1.0 million in potential total economic contribution to the State.

However, substitute fishing resources and recreational activities for anglers may offset the potential losses to fishing port business and jobs described below.

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State:

Using the 2014 salmon season as a base year for comparison, the California ocean salmon recreational fishery supports an estimated 164 jobs in the State. Generally, for every 5,000 salmon harvested in the ocean recreational fishery, there are approximately 7.3 jobs supported in the State. Three projected fishing activity levels were evaluated, which entail various levels of restrictions on the ocean salmon recreational fishery, as follows:

Projection 1. A seasonal level of fishing activity of 120,300 angler days.

Relative to the 2014 season's estimated angler activity of 120,300 days, Projection 1 (100-percent) represents no change to the 2014 number of angler days. This projected change could result in no net change in the number of jobs in California businesses that support the salmon recreational fishery.

Projection 2. A seasonal level of fishing activity of 60,150 angler days, or approximately 50-percent of fishing activity in Projection 1.

Compared to the 2014 season, this represents a 50-percent incremental reduction in angler days. This projected change could result in the potential loss of 82 jobs to California businesses that support the salmon recreational fishery.

Projection 3. A seasonal level of fishing activity of zero angler days, or approximately 0-percent level of fishing activity in Projection 1.

Compared to the 2014 season, this represents a 100-percent incremental reduction in angler days. This projected change could result in a loss of 164 jobs in those California businesses that support the ocean salmon recreational fishery.

(See Tables 1 and 2 above for details on how employment, wages, economic output for the State of California, and effects on State and local taxes are derived.)

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State:

The three projections of expected fishing activity represent potential indirect impacts to businesses providing goods and services to the ocean salmon recreational fishermen, as follows:

Projection 1. A seasonal level of fishing activity of 120,300 angler days.

Relative to the 2014 season, Projection 1 represents no potential indirect impact to businesses.

Projection 2. A seasonal level of fishing activity of 60,150 angler days, or approximately 50-percent of fishing activity in Projection 1.

Relative to the 2014 season, Projection 2 represents a potential indirect impact to businesses of approximately \$10.1 million in reduced economic output statewide. This may result in reduced demand for new businesses or the potential elimination of businesses in the State in some localized areas that lack industry diversification and have a heavy reliance on recreational fishing and tourism. Many ocean fishing port businesses offer alternative, substitute, fishing resources and activities for salmon anglers.

Projection 3. A seasonal level of fishing activity of zero ocean salmon angler days, or approximately 0-percent of fishing activity in Projection 1.

Relative to the 2014 season, Projection 3 represents a potential indirect impact to businesses of approximately \$20.2 million in reduced economic

output statewide. This may greatly reduce the creation of new businesses and result in the elimination of existing businesses in the State in some localized areas that lack industry diversification and have a heavy reliance on recreational fishing and tourism. Many ocean fishing port businesses offer alternative, substitute, fishing resources and activities for salmon anglers.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State:

Projection 1. A seasonal level of fishing activity of 120,300 angler days. Relative to the 2014 season, Projection 1 represents no change in economic impacts to businesses.

Projection 2. A seasonal level of fishing activity of 60,150 angler days, or approximately 50-percent of fishing activity in Projection 1. Relative to the 2015 season, Projection 2 represents a potential indirect impact to businesses of approximately \$10.1 million in decreased economic output statewide. In the short term, this decrease in economic output may induce some businesses to contract their business activities in the recreational salmon fishing arena.

Projection 3. A seasonal level of fishing activity of no angler days, or approximately 0-percent of fishing activity in Projection 1. Relative to the 2014 season, Projection 3 represents a potential indirect impact to businesses of approximately \$20.2 million in reduced economic output statewide. This may affect businesses in the State, offering goods and services to ocean salmon anglers. Some level of reduced demand for terminal tackle and equipment used in ocean salmon fishing would likely occur. This may negatively affect investments and expansion by existing businesses in the State.

(d) Benefits of the Regulation to the Health and Welfare of California Residents:

The proposed regulations are to conform to federal fisheries management allowable harvest levels, intended to sustain the fishery for the enjoyment of all California residents.

(e) Benefits of the Regulation to Worker Safety:

The proposed regulations are to conform to federal fisheries management allowable harvest levels, and intended to sustain the fishery. As such, the agency is not aware of any consequences to worker safety that could arise from the proposed regulations.

(f) Benefits of the Regulation to the State's Environment:

The proposed regulations comply with federal law and sustainable management practices designed to safeguard California's ocean salmon resources.

(g) Other Benefits of the Regulation:

Concurrence with Federal Law: California's sport and commercial ocean salmon fishing regulations need to conform to the new federal regulations to achieve optimum yield in California. The PFMC annually reviews the status of west coast salmon populations. As part of that process, it recommends west coast adult salmon fisheries regulations aimed at meeting biological and fishery allocation goals specified in law or established in the federal Salmon Fishery Management Plan. These recommendations coordinate west coast management of sport and commercial ocean salmon fisheries off the coasts of Washington, Oregon, California, and California inland sport salmon fisheries. These recommendations are subsequently implemented as ocean fishing regulations by the NMFS and as sport salmon regulations for State marine and inland waters by the Commission.

Continuation of activities dependent on the salmon fishery: Resource sustainability supports the continuation of activities dependent on the salmon fishery. Maintaining healthy populations of salmon can translate into significant economic contributions to the State: In 2014, recreational ocean salmon activities contributed as much as \$20.2 million in total economic output, \$8.0 million in wages, and 164 jobs for Californians.

Informative Digest (Policy Statement Overview)

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) along the coasts of Washington, Oregon and California. The annual PFMC ocean salmon regulation recommendations are subsequently implemented by the National Marine Fisheries Service (NMFS) effective on May 1 of each year.

California's recreational salmon fishing regulations need to conform to the federal regulations to achieve optimum yield in California under the federal Salmon Fishery Management Plan. The Fish and Game Commission (Commission) adopts regulations for the ocean salmon recreational fishery in State waters (zero to three miles offshore) which are consistent with these federal fishery management goals.

Present Regulations

Regulations for 2015 [subsections 27.80(c) and (d)] authorized ocean salmon recreational fishing seven days per week north of Horse Mountain including Humboldt Bay from May 1 to September 7, 2015. Between Horse Mountain and Point Arena, ocean salmon recreational fishing was authorized seven days per week from April 4 to November 8, 2015. Between Point Arena and Pigeon Point, ocean salmon recreational fishing was authorized seven days per week from April 4 to October 31, 2015. Between Pigeon Point and Point Sur, ocean salmon recreational fishing was authorized seven days per week from April 4 to September 7, 2015. For areas south of Point Sur, the ocean salmon recreational fishing season was authorized seven days per week from April 4 to July 19, 2015. The bag limit for all areas in 2015 was two fish per day (all species except coho). The areas north of Point Arena had a minimum size limit of 20 inches total length. The area between Point Arena and Pigeon Point had a minimum size limit of 24 inches total length through April 30, 2015 and 20 inches total length thereafter. Areas south of Pigeon Point had a minimum size limit of 24 inches total length through May 31, 2015 and 20 inches total length thereafter. Since the existing regulations pertained only to the 2015 season, amendment of these regulations is essential to allow for any fishing in State waters during 2016.

Proposed Regulations

Two separate Commission actions are necessary to conform the State regulations to federal rules that will apply in 2016. This proposed regulation would amend subsection 27.80(d), establishing salmon fishing regulations for May 1 through the end of 2016. Recreational salmon fishing regulations for the month of April 2016 will be considered in a separate rulemaking action, tentatively scheduled for adoption in March 2016.

For public notice purposes and to facilitate Commission discussion, the Department of Fish and Wildlife is proposing the following regulations to encompass the range of federal ocean salmon regulations that are expected to be in effect on or after May 1, 2016. This approach will allow the Commission to adopt State ocean salmon recreational fishing regulations to conform to those in effect in federal ocean waters.

- (1) North of Horse Mountain and in Humboldt Bay: The season, if any, may occur within the range of May 1 through September 30, 2016.

- (2) Between Horse Mountain and Pigeon Point: The season, if any, may occur within the range of May 1 to November 13, 2016.
- (3) South of Pigeon Point: The season, if any, may occur within the range of May 1 to October 2, 2016.
- (4) For all areas, the proposed daily bag limit will be from zero to two fish, and the proposed minimum size will be from 20 to 26 inches total length.

The exact opening and closing dates, along with daily bag limit, minimum size, and days of the week open will be determined in April by the Commission considering federal regulations and may be different for each subarea.

The benefits of the proposed regulations are concurrence with federal law, sustainable management of ocean salmon resources, and promotion of businesses that rely on recreational ocean salmon fishing.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. The legislature has delegated authority to the Commission to adopt sport fishing regulations in general (Sections 200, 202 and 205, Fish and Game Code) and salmon sport fishing regulations specifically (Section 316.5, Fish and Game Code). The proposed regulations are consistent with regulations for sport fishing in marine protected areas (Section 632, Title 14, CCR) and with general sport fishing regulations in Chapters 1 and 4 of Subdivision 1 of Division 1, Title 14, CCR. Commission staff has searched the California Code of Regulations and has found no other State regulations related to the recreational take of salmon in the ocean.

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, 2015~~2016~~.

(1) North of Horse Mountain (40°05'00" N. lat.) and in Humboldt Bay.

(A) Open to salmon fishing ~~May 1 to September 7~~[varied dates within the range from May 1 to September 30, may include periodic closures], 2015~~2016~~. Fishing is authorized ~~7~~[0-7] days per week [specify open days of week and date range as needed].

Exception: See Section 27.75 for specific fishery closure areas around the Smith, Klamath and Eel rivers.

(B) Daily Bag Limit: ~~2~~[0-2] salmon per day. See subsection (b) above and subsection (e) below.

(C) Minimum Size: ~~20~~[20-26] inches total length [specify date range as needed].

(2) Between Horse Mountain and Point Arena (38°57'30" N. lat.).

(A) Open to salmon fishing ~~May 1 to November 8~~[varied dates within the range from May 1 to November 13, may include periodic closures], 2015~~2016~~. Fishing is authorized ~~7~~[0-7] days per week [specify open days of week and date range as needed].

(B) Daily Bag Limit: ~~2~~[0-2] salmon per day. See subsection (b) above and subsection (e) below.

(C) Minimum Size: ~~20~~[20-26] inches total length [specify date range as needed].

(3) Between Point Arena and Pigeon Point (37°11'00" N. lat.).

(A) Open to salmon fishing ~~May 1 to October 31~~[varied dates within the range from May 1 to November 13, may include periodic closures], 2015~~2016~~. Fishing is authorized ~~7~~[0-7] days per week [specify open days of week and date range as needed].

(B) Daily Bag Limit: ~~2~~[0-2] salmon per day. See subsection (b) above and subsection (e) below.

(C) Minimum Size: ~~24 inches total length through April 30, 2015 and 20 inches total length thereafter~~[20-26] inches total length [specify date range as needed].

(4) Between Pigeon Point and Point Sur (36°18'00" N. lat.).

(A) Open to salmon fishing ~~May 1 to September 7~~[varied dates within the range from May 1 to October 2, may include periodic closures], 2015~~2016~~. Fishing is authorized ~~7~~[0-7] days per week [specify open days of week and date range as needed].

(B) Daily Bag Limit: ~~2~~[0-2] 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~~[20-26] inches total length [specify date range as needed].

(5) South of Point Sur.

(A) Open to salmon fishing ~~May 1 to July 19~~[varied dates within the range from May 1 to October 2, may include periodic closures], 2015~~2016~~. Fishing is authorized ~~7~~[0-7] days per week [specify open days of week and date range as needed].

(B) Daily Bag Limit: ~~2~~[0-2] 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~~ [20-26] inches total length [specify date range as needed].

...

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.

Fonbuena, Sherrie@FGC

From: Barrow, Scott@Wildlife
Sent: Monday, April 04, 2016 1:36 PM
To: Yaun, Michael@FGC; Miller-Henson, Melissa@FGC; Ashcraft, Susan@FGC; Fonbuena, Sherrie@FGC
Cc: Miller, Barry@Wildlife; Martz, Craig@Wildlife
Subject: No Ocean Salmon PreAdopt for April Teleconference

Hi Commission staff:

There are no changes to the Ocean Salmon ISOR or public comments at this time for inclusion in the binder as the final PFMC action on ocean salmon is scheduled for April 13.

The Department will be providing the final PFMC seasons at the April 18 teleconference.

Thanks,

Scott

Every Californian should conserve water. Find out how at:



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

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

- I. Date of Initial Statement of Reasons: February 11, 2016

- II. Dates and Locations of Scheduled Hearings:
 - (a) Discussion Hearing: Date: December 10, 2015
Location: San Diego

 - (b) Notice Hearing: Date: February 11, 2016
Location: Sacramento

 - (c) Adoption Hearing: Date: April 18, 2016
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 sport, ocean commercial, river sport and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport 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 sport (inside three miles) and the Klamath River System sport 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 2016 KRFC in-river sport 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 sport 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 2016 and ensuing years by creel survey.

KRFC Allocation Management

The PFMC 2015 allocation for the Klamath River System sport harvest was 14,133 adult KRFC. Preseason stock projections of 2016 adult KRFC abundance will not be available from the PFMC until March 2016. The 2016 basin allocation will be recommended by the PFMC in April 2016 and presented to the Commission for adoption prior to its April 2016 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 sport 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 2016 regulatory cycle.

The Commission may modify the KRFC in-river sport 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 sport 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 sport 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 sport 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 sport 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 2016 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 and the Trinity River. The HPM will be used by the Department to implement fishing closures to ensure that anglers do not exceed established subquota targets.

Current Sport Fishery Management

The KRFC in-river sport harvest allocation is divided into geographic areas and harvest is monitored under real time subquota management. KRSC in-river sport 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 of 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.

Blue Creek Area Management

On April 17, 2015, the Commission adopted regulations to close the main stem Klamath River near the mouth of Blue Creek to reduce catch and release mortality in a thermal refuge area and protect late-fall-run Chinook salmon holding prior to entering Blue Creek. The closures were as follows:

1. From June 15 through September 14, the main stem Klamath River is closed to all fishing from 500 feet above the mouth of Blue Creek to ½ mile below the mouth of Blue Creek.
2. From September 15 through December 31, the main stem Klamath River is closed to all fishing within 500 feet of the mouth of Blue Creek.

The Commission's action was a precautionary conservation measure to provide maximum resource protection and ensure long term sustainability during a critical multi-year drought.

Proposed Changes

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

No changes are proposed for the Klamath River spit area.

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 2016 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 may be retained until the subquota is met, then 0 fish over 22 inches total length.
4. Possession limit - [0-12] Chinook salmon of which [0–12] fish over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

Necessity: The recommended ranges allow the Commission to make the final adjustments for alignment with the federal 2016 regulatory process. The final KRFC bag and possession limits will align with the final federal regulations 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.

BLUE CREEK AREA MANAGEMENT

Members of the public approached the Commission at its December 10, 2015 hearing requesting removal of the existing closures around the mouth of Blue Creek. In response, the Commission directed the Department to add regulatory options for consideration concerning management of the Blue Creek area. The following option regarding the management of the Blue Creek area is being provided for Commission consideration and action.

Modify Existing Blue Creek Mouth Area Closure

This option would modify the regulations for the existing fishing closure on the Klamath River during the June 15 through September 14 period by reducing the distance closed downstream of the mouth of Blue Creek from ½ mile to 500 feet. The distance of the closure above the mouth of Blue Creek would remain at 500 feet. The regulations for the September 15

through December 31 fishing closure on the main stem Klamath River would not change. Local angling constituents and many fishing guides support this option with a closure distance of 500 feet.

Necessity: This Commission has been lobbied by local elected representatives by letter and testimony to consider reducing the existing closure area to provide more fishing opportunity in a historical popular fishing location. This option is provided for the Commission to consider potential approaches to craft a balanced compromise between maintaining resources protection while continuing limited fishing opportunities where allowable.

The Department and Yurok Tribe have been in collaboration designing a study to assess sport fishing hook and release mortality in the Blue Creek closure area. The final study design will need to incorporate the regulatory option selected (modified distance or status quo) in order to account for potential angler presence and fishing pressure in the study area.

OTHER

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 conformance with federal law, sustainable management of Klamath River Basin fish resources, and promotion of businesses that rely on sport 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:

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

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

A public meeting was held in conjunction with a Del Norte County Supervisors meeting January 12, 2016 in Crescent City California. The object of the meeting was to receive public, Tribal and County Supervisor input regarding regulatory options for the Blue Creek area of the mainstem Klamath River for consideration for 2016 Klamath River Basin sport fishing regulations.

The meeting was attended by approximately 30 members of the public, three Yurok Tribal representatives (including two council members), seven Department staff, four Del Norte County Supervisors, one Legislature representative, and one member of the Fish and Game Commission.

A number of alternatives for the Blue Creek area were recommended for consideration at the meeting including the following:

1. Status quo (retain closure).
2. Re-open with no restrictions
3. Modify the closure distance
4. Base a closure on either flow or temperature criteria

Near the conclusion of the meeting a show of hands was requested by the County Supervisors for support of the above options preferred by the audience. The Yurok Tribal representatives endorsed the status quo, several fishing guides supported complete re-opening, and the majority of the audience supported modifying the current closure distance of 1/2 mile downstream of Blue Creek, during June 15 to September 14, to 500 ft.

The last option (closure based on flow or temperature criteria) was not polled in the show of hands.

The conclusion of the meeting focused on a potential study of hooking mortality in the Blue Creek area which the Department and Yurok Tribe have been discussing. The public supports this effort and would like to be involved in any way possible.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

- i. 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.
- ii. Base any closures of the main stem Klamath River around the mouth of Blue Creek on either flow or temperature criteria. Currently there are no public real time flow or temperature gauges in the Blue Creek area, nor has there been flow or temperature standards developed which could be used to trigger such closures. Additionally, closing a small section of the river based on these standards is not consistent with other California river management or the goal of simplifying State fishing regulations.
- iii. Remove All Existing Blue Creek Area Closures
This alternative would remove all existing fishing closures on the main stem Klamath River near the mouth of Blue Creek. This alternative would not provide maximum resource protection and ensure long term sustainability during a critical multi-year drought.

(b) No Change Alternative:

The No Change Alternative would leave the current 2015 daily bag and possession limit regulations in place and would not conform to the PFMC Klamath River Basin quota for 2016. The change is necessary to continue appropriate harvest rates and an equitable distribution of the harvestable surplus.

The No Change Alternative for Blue Creek would keep in place the existing fishing closures on the main stem Klamath River near the mouth of Blue Creek between June 15 and December 31.

(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 minor impact on the net revenues to local businesses servicing sport fishermen. If the 2016 KRFC quota is reduced, visitor spending may correspondingly 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 adult salmon 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 45 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 steelhead and grilse KRFC salmon is permitted than under a 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, consequently promoting the 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 a healthy outdoor activity and the consumption of a nutritious food.

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

The Commission does not anticipate any benefits to worker safety because the proposed action does not affect working conditions.

(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.

VII. Economic Impact Assessment:

The regulatory amendments of subsections of Section 7.50 under consideration will set the 2016 Klamath River Basin salmon sport fishing regulations to conform to the PFMC fall-run Chinook allocation guidelines. The Klamath River Basin is anticipated to be open for sport salmon fishing at levels similar to the 2015 quotas; however the possibility of marine fishery area closures still exists. Ocean closures may in turn result in PFMC recommendations for Klamath River Basin sport salmon fishery closures for the take of adult salmon. Adverse or positive impacts to jobs and businesses will depend on the 2016 KRFC allocation ultimately adopted by the PFMC and the specific regulations promulgated by the Commission.

The proposed regulations present a range from 100 percent of last year's Klamath River Basin salmon season to 0 percent or no salmon fishing on adult Chinook salmon (greater than 22 inches) in 2016. Under all scenarios sport fishing will be allowed for steelhead and grilse fall-run Chinook salmon (2 year-old salmon 22 inches or less) regardless of PFMC regulations, thus any adverse impacts to businesses would be less severe than under a complete closure of fishing.

Based on a 2011 NMFS report on In-River Sport Fishing Economics of the Klamath River, under a normal season non-resident Klamath River sport salmon and steelhead anglers contribute about \$3,397,572 in direct expenditures, resulting in about \$4,108,977 (2015\$) in total economic output to California businesses. This revenue supports about 70 jobs in the State.

Table 1. Klamath Salmon and Steelhead Total Economic Output

Klamath Sport Fishing	Salmon	Steelhead	Total
Total Output	\$ 2,659,983	\$ 1,448,993	\$ 4,108,977
Labor Income	\$ 1,230,739	\$ 670,430	\$ 1,901,168
Jobs	45.3	24.7	69.9

The 2016 option for Blue Creek is a component of this economic assessment, but there is no fishery data for this area or a comparable surrogate fishery available. Although the Commission has received two letters from fishing guides that indicate their lost 2015 revenue in the range of \$15,000 to \$20,000 dollars (20 to 25 days) per guide, the impact of any Blue Creek option is inseparable from the full basin-wide economic assessment for annual Klamath River Basin salmon and steelhead fisheries.

Therefore, the Department is unable to determine whether there is an economic impact from the Blue Creek closures beyond the economic assessment discussed in the following sections on the creation/elimination of jobs in the state, the creation of new businesses or the elimination of existing businesses in the state, and the expansion of businesses currently doing business in the state.

Three adult salmon catch projections evaluated here are as follows: 100 percent of the 2015 Klamath River Basin adult salmon catch limit; 50 percent of the 2015 basin adult salmon catch limit; and 0 percent of the 2015 basin adult salmon catch limit.

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State:

Projection 1. 100 percent of the 2015 adult salmon catch limit: The Commission does not anticipate any adverse impacts on the creation or elimination of jobs, as the quotas would not decrease effort nor curtail the number of visitors and thus probable visitor expenditures in the fisheries areas.

An assumption of the NMFS report is that increases in expenditures by resident anglers associated with expanded fishing opportunities would be accommodated by reduced expenditures on other locally purchased goods and services – with no net change in local economic activity. For non-resident anglers, however, increases in local expenditures associated with increases in local fishing opportunities would be accomplished by diverting money that they would otherwise spend outside the local area. Thus the economic impact analysis focuses on non-resident angler expenditures, which represent ‘new money’ whose injection serves to stimulate the local economy.

The NMFS study excluded the Trinity River, the largest tributary to the Klamath. The Trinity River is allocated 33 percent of the Klamath River Basin fall-run Chinook salmon total allocation. Using the Trinity allocation as a measure of salmon angler effort, and thus impacts on associated businesses that support anglers, the total non-resident angler contribution to the entire Klamath River Basin (including the Trinity River) is estimated to be \$4,108,977 (2015\$) in total economic output. This revenue, again using a 33 percent increase to account for the Trinity River, provides an estimated total of 70 jobs in the State (assuming that personnel costs also rise with inflation). This is a conservative estimate of total economic impact as it counts only non-resident angler expenditures. Non-resident salmon or steelhead angler average expenditures are estimated to be \$107.42 (2015\$) per angler day (for lodging, food, gasoline, fishing gear, boat fuel, and guide fees) based on a NMFS sponsored survey. Resident average expenditures per angler day are estimated to be 60 percent less (markedly reduced lodging, gasoline and food expenditures) which yields an estimate of \$42.60 per angler day. Resident anglers comprise about 36 percent of Klamath River Basin anglers.

Projection 2. 50 percent of the 2015 adult salmon catch limit: The Commission anticipates some impact on the creation or elimination of jobs which is offset due the continued sport fishing allowed for steelhead and grilse fall-run Chinook salmon (2 year-old salmon 22 inches or less). A 50 percent salmon catch reduction will likely reduce visitor spending by slightly less than 50 percent, given price elasticities of demand for salmon fishing activity of less than one. As the “price” of fishing per unit catch increases the demand for fishing trips declines by a lesser extent, particularly in the short-run. While difficult to predict, job losses

associated with a 50 percent reduction in the salmon catch limit are expected to be less than half of the estimated total jobs supported by salmon angler visits (i.e. fewer than 23 jobs).

Projection 3. 0 percent of the 2015 adult salmon catch limit: In the event of fisheries closures in some or all Klamath River Basin areas, the Commission anticipates less than 50 percent reduction in fishery-related jobs. As mentioned earlier, sport fishing for steelhead and grilse fall-run Chinook salmon (2-year-old salmon less than 22 inches) will still be allowed, thus lessening any job losses. A closure on the take of adult Chinook salmon was instituted in 2006 and only steelhead and grilse salmon could be legally harvested that year. The effect of the 2006 closure, as measured by angler days on the Klamath River, resulted in an approximate 50 percent drop in angler days, compared to the 2000-2005 average (12,000 angler days vs. 23,300 angler days). Job creation or elimination tends to lag in adjustment to changes in consumer demand. Thus, the potential impacts of a closure on the take of adult Chinook are estimated to result in the loss of less than 45 jobs due to the continued sport fishing allowed for steelhead and grilse fall-run Chinook salmon (2 year-old salmon 22 inches or less).

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State:

Projection 1: 100 percent of the 2015 adult salmon catch limit: The Commission does not anticipate any impacts on the creation of new business or the elimination of existing businesses, as the quotas would not decrease effort nor curtail the number of visitors and thus probable visitor expenditures in the fisheries areas.

Projection 2. 50 percent of the 2015 adult salmon catch limit: The Commission anticipates a decline in visits to the fishery areas of less than 50 percent due the continued sport fishing allowed for steelhead and grilse fall-run Chinook salmon (2 year-old salmon 22 inches or less). This may result in some decline in business activity, but the Commission does not anticipate any impacts on the creation of new business or the elimination of existing businesses directly related to fishing activities. However, with less effort being expended on salmon fishing, the possibility of substitute activities and the growth of businesses to serve those activities exists.

Projection 3. 0 percent of the 2015 adult salmon catch limit: In the event of salmon fisheries closures in some or all Klamath River Basin areas, the Commission anticipates a decline in regional spending and thus reduced revenues to the approximately 30 businesses that serve sport fishing activities with unknown impacts on the creation of new business or the elimination of existing businesses. However adverse impacts will be mitigated by the continued opportunity to harvest steelhead and grilse salmon. Additionally, the long-term intent of the proposed action is to

increase sustainability in fishable salmon stocks and, consequently, the long-term viability of these same small businesses.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State:

Projection 1. 100 percent of the 2015 adult salmon catch limit: The Commission does not anticipate any impacts on the expansion of businesses in California as the quotas would not increase effort nor increase the number of visitors and thus probable visitor expenditures in the fisheries areas.

Projection 2. 50 percent of the 2015 adult salmon catch limit: The Commission does not anticipate any impacts on the expansion of businesses in California. Decreases in expenditures by resident anglers associated with reduced fishing opportunities may be offset by increased expenditures on other locally purchased goods and services – with no net change in local economic activity. For non-resident anglers, however, decreases in local expenditures associated with decreases in local fishing opportunities may result in increases in other expenditures outside the Klamath River Basin area.

Projection 3. 0 percent of the 2015 adult salmon catch limit: In the event of salmon fisheries closures in some or all Klamath River Basin areas, the Commission does not anticipate any expansion of businesses in California. Decreases in expenditures by anglers associated with reduced fishing opportunities may be partially offset by increased expenditures on other locally purchased goods and services as visitors fish for steelhead, grilse salmon, or substitute salmon fishing with other recreational pursuits.

(d) Benefits of the Regulation to the State's Environment:

Under all projections, the Commission anticipates benefits to the environment in the sustainable management of Klamath River Basin salmonid resources. 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 seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations of salmon and steelhead to ensure their continued existence.

(e) Benefits of the Regulation to the Health and Welfare of California Residents:

Under all projections, the Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a Klamath River Basin sport salmon and steelhead fisheries encourages a healthy outdoor activity and the consumption of a nutritious food. Salmon and steelhead sport fishing also contributes to increased mental health of its practitioners as fishing is a hobby and form of relaxation for many. Salmon and steelhead sport fishing also provides opportunities for multi-generational family activities and promotes respect for California's environment by the future stewards of California's natural resources.

(f) Benefits of the Regulation to Worker Safety:

Under all projections, the Commission does not anticipate benefits to worker safety because the proposed regulations will not impact working conditions.

(g) Other Benefits of the Regulation:

Concurrence with Federal Law: California's salmon sport fishing regulations need to conform to the new Federal regulations to achieve optimum yield in California. The PFMC annually reviews the status of west coast salmon populations. As part of that process, it recommends west coast adult salmon fisheries regulations aimed at meeting biological and fishery allocation goals specified in law or established in the Salmon Fishery Management Plan. These recommendations coordinate west coast management of sport and commercial ocean salmon fisheries off the coasts of Washington, Oregon, and California and California inland sport salmon fisheries. These recommendations are subsequently implemented as ocean fishing regulations by the NMFS and as sport salmon regulations for State marine and inland waters by the Commission.

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 sport, ocean commercial, river sport and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport 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 sport (inside three miles) and the Klamath River System sport 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 2016 KRFC in-river sport 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 sport fishery is managed by general basin seasons, daily bag limit, and possession limit regulations.

KRFC Allocation Management

The PFMC 2015 allocation for the Klamath River System sport harvest was 14,133 adult KRFC. Preseason stock projections of 2016 adult KRFC abundance will not be available from the PFMC until March 2016. The 2016 Klamath River Basin allocation

will be recommended by the PFMC in April 2016 and presented to the Commission for adoption prior to its April 2016 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 in-river sport fishery.

Current Sport Fishery Management

The KRFC in-river sport harvest allocation is divided into geographic areas and harvest is monitored under real time subquota management. KRSC in-river sport 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.

Blue Creek Area Management

On April 17, 2015, the Commission adopted regulations to close the main stem Klamath River near the mouth of Blue Creek to reduce catch and release mortality in a thermal refuge area and protect late-fall-run Chinook salmon holding prior to entering Blue Creek. The Commission's action was a precautionary conservation measure to provide maximum resource protection and ensure long-term sustainability during a critical multi-year drought.

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 2016 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 may be retained until the subquota is met, then 0 fish over 22 inches total length.
4. Possession limit - [0-12] Chinook salmon of which [0-12] fish over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

BLUE CREEK AREA MANAGEMENT

The following option is provided for public discussion, and Commission consideration and action.

Modify Existing Blue Creek Mouth Area Closure

This option would modify the regulations for the existing fishing closure on the Klamath River during the June 15 through September 14 closure period by reducing the distance closed below the mouth of Blue Creek from ½ mile to 500 feet. The distance of the closure above the mouth of Blue Creek would remain at 500 feet. The regulations for the September 15 through December 31 fishing closure on the main stem Klamath River would not change. Local angling constituents and many fishing guides support this option with a closure distance of 500 feet.

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 salmonid resources, and promotion of businesses that rely on sport 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 sport fishing in the Lower Klamath River Basin.

Regulatory Language

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

Proposed changes for subsection 7.50(b)(91.1)(A)

(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, it shall be unlawful to~~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.~~

Proposed option for subsection 7.50(b)(91.1)(B)

Modify closure for Blue Creek from June 15 to September 14

(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 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 and Blue Creek.
4. No fishing is allowed from June 15 through September 14 in the Klamath River from 500 feet above the mouth of Blue Creek to ~~1/2 mile~~500 feet downstream of the mouth of Blue Creek.

Proposed changes for subsection 7.50(b)(91.1)(C), (D) and (E)

(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: 2 Chinook salmon.

b. Klamath River from August 15 to December 31 and Trinity River from September 1 to December 31: 9 [0-12] Chinook salmon. No more than 6 [0-12] 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 ~~2015~~2016 Klamath River Basin quota is ~~44,133~~[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.

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

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 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 2,403 <u>[0-11,492]</u> Chinook Salmon August 15 to December 31, 2015 <u>2016</u> .	3 <u>[0-4]</u> Chinook salmon - no more than 2 <u>[0-4]</u> fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length. 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 2 hatchery trout or hatchery steelhead**

	Fall Run Quota 7,067 <u>[0-33,800]</u> Chinook Salmon August 15 to December 31, 2015 <u>2016</u> .	3 <u>[0-4]</u> Chinook salmon - no more than 2 <u>[0-4]</u> fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length. 2 hatchery trout or hatchery steelhead**
	<p>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. All legally caught Chinook salmon must be retained. Once the adult (greater than 22 inches) component of the total daily bag limit has been retained anglers must cease fishing in the spit area.</p> <p><u>All legally caught Chinook salmon must be retained. Once the adult (greater than 22 inches) component of the total daily bag limit has been retained anglers must cease fishing in the spit area.</u></p>	
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 5 brown trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 2,332 <u>[0-11,154]</u> Chinook Salmon September 1 through December 31, 2015 <u>2016</u> .	3 <u>[0-4]</u> Chinook salmon - no more than 2 <u>[0-4]</u> fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length. 5 brown trout 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 5 brown trout 2 hatchery trout or hatchery steelhead**
	September 1 through December 31.	Closed to all fishing.

<p>d. New River main stem downstream of the confluence of the East Fork to the confluence with the Trinity River.</p>	<p>September 15 through November 15. Only artificial lures with barbless hooks may be used.</p>	<p>2 hatchery trout or hatchery steelhead**</p>
<p>e. Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the mouth of the South Fork Trinity River.</p>	<p>January 1 to August 31.</p>	<p>2 Chinook salmon 5 brown trout 2 hatchery trout or hatchery steelhead**</p>
	<p>Fall Run Quota 2,334<u>[0-11,154]</u> Chinook Salmon September 1 through December 31, 2015<u>2016</u>. This is the cumulative quota for subsections 6.e. and 6.f. of this table.</p>	<p>3<u>[0-4]</u> Chinook salmon - no more than 2<u>[0-4]</u> fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length. 5 brown trout 2 hatchery trout or hatchery steelhead**</p>
<p>f. Trinity River main stem downstream of the mouth of the South Fork Trinity River to the confluence with the Klamath River.</p>	<p>January 1 to August 31.</p>	<p>0 Chinook salmon 5 brown trout 2 hatchery trout or hatchery steelhead**</p>

	Fall Run Quota 2,334 [0-11,154] Chinook Salmon September 1 through December 31, 2015 2016. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	3[0-4] Chinook salmon - no more than 2[0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length. 5 brown trout 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 2 hatchery trout or hatchery steelhead**

* 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, 215 and 316.5, Fish and Game Code.

Fonbuena, Sherrie@FGC

From: Mitchell, Karen@Wildlife
Sent: Monday, April 04, 2016 2:18 PM
To: Yaun, Michael@FGC; Miller-Henson, Melissa@FGC; Fonbuena, Sherrie@FGC; Ashcraft, Susan@FGC
Cc: Barrow, Scott@Wildlife; Martz, Craig@Wildlife; Bloom, Roger@Wildlife
Subject: Klamath Pre-Adopt for April 18 Teleconference

Commission staff:

There are no changes to the Klamath ISOR and just one comment for no change to Blue Creek since the public notice. The Department's bag and possession limit recommendation is: fall-run Chinook salmon bag limit of two fish no more than one adult, and a possession limit of 6 fish no more than 3 adults. This recommendation will not change once the PFMC sets the final in-river quota due to low KRFC abundance.

The Department will provide the final PFMC in-river quota at the April 18 teleconference.

Thank you,

Karen

Karen Mitchell
Senior Environmental Scientist (Specialist)
California Department of Fish & Wildlife
Fisheries Branch
830 S Street
Sacramento, CA 95811
Office: (916) 445-0826
Fax: (916) 327-8854
Karen.Mitchell@wildlife.ca.gov

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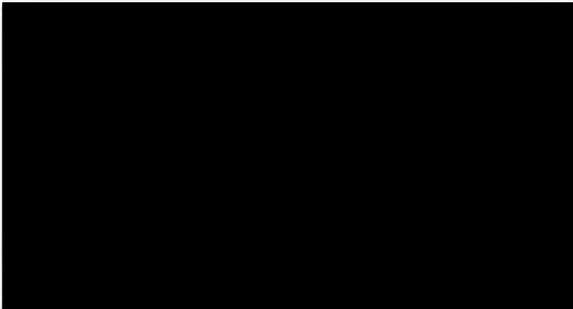
To whom it may concern:

I wanted to take time to address the Blue Creek closure on the Klamath River. I believe a 500 foot closure upstream and downstream is ethical. I believe a complete closure of the fishery is completely unwarranted. I will also add that I am a flight paramedic for REACH Air Medical Services and love fish on the Klamath river. I am not a fishing guide, and do not have any financial interest in the Blue Creek fishery. I do have several friends that are fishing guides on the Klamath and this closure does have a huge impact on them. It also has a significant financial impact on Del Norte County. This is extremely frustrating considering there has been no biological or scientific data to support such a closure.

In short, I believe every effort should be made to develop a plan that allows sport fishing to continue to be enjoyed by thousands of enthusiasts every year.

Thanks for your time,

Jonathan Weaver



RECEIVED
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FISH AND GAME
COMMISSION

2016 FEB - 5 PM 2:05

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RECEIVED
CALIFORNIA
FISH AND GAME
COMMISSION

2016 FEB -5 PM 2:04

MLS

RONNIE B. (BRITSCHGI)
CO-OWNER
RIVERS WEST LODGE
KLAMATH RIVER CA.

FEB 2 2016

Re Blue Creek Closure

DEAR Commissioners

I HAVE BEEN FISHING the KLAMATH and TRINITY RIVER since the MID 60's. FRIEND'S and FAMILY LOVED it so much we BOUGHT RIVERS WEST LODGE in 2006. Every year the LODGE BROKE EVEN every year, paying all the BILLS and TAXES.

Because of the BLUE CREEK CLOSURE in 2015 50 Percent of our clients canceled. Guides were canceled, local employees laid off, and RWL went into DEBT \$11,000-+.

Local RV Parks in Klamath and Klamath Glenn LOST 40-50 Percent of their Business.

I SPEND 8-10 weeks per year fishing the LOWER KLAMATH FROM the mouth to Johnson's and some. Every year is different. Water temperature, water flows, and when the fish ARRIVE and DEPART UPRIVER. WHERE they HOLD and when they move.

BLUE CREEK IS DEFINITELY a HOT SPOT.

I HAVE ALWAYS WONDERED IF THE SPORT FISHERMAN TAKE MORE FISH IN ONE SEASON OR THE YOYKS TAKE MORE FISH IN ONE DRIFT THRU BLUE CREEK?

IN ALL these years I HAVEN'T SEEN OR HEARD OF ANYONE DOING A SCIENTIFIC STUDY ON THE RIVER let alone BLUE CREEK.

THE YUKONS USE WORDS LIKE CONSERVATION, when they almost close the estuary with nets. They TAKE native steelhead, COHO SALMON and STURGEON. MANY a time in the MIDDLE of the night I HEAR motors on the RIVER and I think someone is messing with the Boats on our Docks BUT IT'S DRIFT NETTING.

They say SOBSSISTENCE BUT THEY SELL TO THE HIGHEST BIDDER WITH CASH.

They say COLTRORAL BUT THEY NOW HAVE monophillament ~~nets~~ nets with motor Boats.

THEY SAY ECONOMICS BUT THE BLUE CREEK CLOSURE PROBABLY COST THE MILLION OF DOLLARS OF TOURISM FROM FISHERMAN THAT DID NOT COME.

THEY TALK OF MINIMIZING WASTE BUT SPORTS FISHERMAN DO NOT WASTE.

"Lining/Flossing can BE FIXED BY A MAXIMUM LEADER length such as 48".

IF YOU DON'T OVERTURN THE BLUE CREEK CLOSURE THAN EVERYONE INCLUDING THE YUKONS SHOULD PLAY BY THE SAME RULES!!

See You at the meeting FEB 11th

THANK YOU

Rennie B P.W.L.



Friends of Del Norte *Committed to our environment since 1973*

A nonprofit, membership based conservation group, advocating sound environmental policies for our region.

PO Box 229, Gasquet, CA 95543

March 4, 2016

ATT: Fish and Game Commission, regarding Klamath- Blue Creek fishing regulations 2016

Hearing: Conference Room, 50 Ericson Court, Arcata, California; Adoption hearing April 18, 2016, at 8:30 a.m. Written comments submitted by 12:00 noon on April 13, 2016, by email to FGC@fgc.ca.gov

We are concerned that the compromise closure of Blue Creek is insufficient to protect the valuable and genetically unique coastal run at Blue Creek. The compromise, of reducing the closure from ½ mile down stream to only 500 feet downstream, leaves most of the thermal refugia open for fishing, or 68% of the measured thermal refugia being open to concentrated and harmful fishing practices.

Although we still advocate for actual measurement of the thermal refugia and full closure to protect this valuable run, please modify the compromise, or add a compromise alternative to provide closure for half of the thermal refugia, at 1000' closure below the mouth and 500' above.

The discussion hearing in February allowed for another alternative and for variability in the distances to be modified. An additional notice of adoption could be provided timely, for thirty days before the adoption hearing.

A 50/50 compromise would leave approximately 50% of the refugia closed. The purpose of the compromise is to leave some room for fishing, but also a reasonable amount of closure to protect this valuable fishery.

The Yuroks actually measured the refugia to extend ½ mile below the mouth. Although this can vary some, being more likely with overall warmer temperatures and longer summer dry periods predicted, the severely reduced closure will not be effective to the purpose of reducing take, and giving the fish a real refuge.

Each river mouth closure should be looked at individually, to provide the specific and necessary protection needed. One size does not fit all rivers.

Thank you,

Ted Souza and Bill Bowman and Eileen Cooper, FODN board and Fishery committee



YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548

April 5, 2016

California Fish and Game Commission
1416 Ninth St.
Room 1320
Sacramento CA, 95814

Re: Lower Klamath River fishing regulations

Dear Commissioners:

On behalf of the Yurok Tribe, I would like to reiterate the Yurok Tribal Council's concern with catch and release fishing in the thermal refuge area at the confluence of Blue Creek (river mile 17), within the exterior boundaries of the Yurok Reservation, while Klamath River water temperatures are excessively warm. I request that the Blue Creek conservation closure adopted by the Commission in 2015 be continued during the 2016 season. Due to the stress and mortality that is associated with catch and release fishing while water temperatures are warm, we request that the Commission maintain the conservation closure in the Blue Creek refuge from 500 ft. upstream of the Blue Creek confluence to ½ mile downstream of the confluence.

The Tribe has submitted letters and given testimony to the Commission regarding this issue on several occasions since 2014, as well as during 1996. Rather than repeat our previous correspondence regarding this issue, I have attached our most recent letter dated January 25, 2016. I would like to thank the Commission for the opportunity given to our staff and Council member Thomas Willson to present information to you regarding this issue during your February 11th Commission meeting.

I am aware that the Commission has received public input in opposition to the Blue Creek conservation area closure that was adopted during 2015 and that the Commission is considering reducing the size of the conservation closure from a ½ mile to 500 feet downstream of Blue Creek. We are concerned with this potential reduction in size of the conservation area, as it will provide far less protection for fish that are using the refuge area to escape inhospitable Klamath River water temperatures, for the following reasons:

- 1) During 2015, on a relatively cool day in August, we surveyed the extent of the thermal refuge to extend approximately ½ mile downstream (attached as Appendix A). We've also made numerous observations since the late 1990's of congregations of adult salmonids holding in the refuge throughout the approximate ½ mile reach of the thermal refuge.

- 2) If the configuration of the Klamath River near the Blue Creek confluence remains similar to recent years, the proposed 500' would do little to protect fish using the refuge. Most fishing during recent years has occurred below the 500' mark. However, it is worth noting that the channel configuration can change from year to year, causing a shift in where most fish reside and associated fishing occurs.

In summary, the Tribe requests that the Blue Creek conservation closure that was adopted by the Commission in 2015 be continued during the 2016 season. I would also like to re-invite the Commission to visit with the Yurok Tribal Council on the Yurok Reservation. Such a meeting would allow us to discuss issues of mutual concern in regard to the management and conservation of the Klamath River fishery and provide you an opportunity to visit the Lower Klamath River via a boat ride if your schedules allow. Please contact Dave Hillemeier (Fisheries Director) if you would like to try to coordinate such a meeting with our schedule.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. O'Rourke", with a stylized flourish at the end.

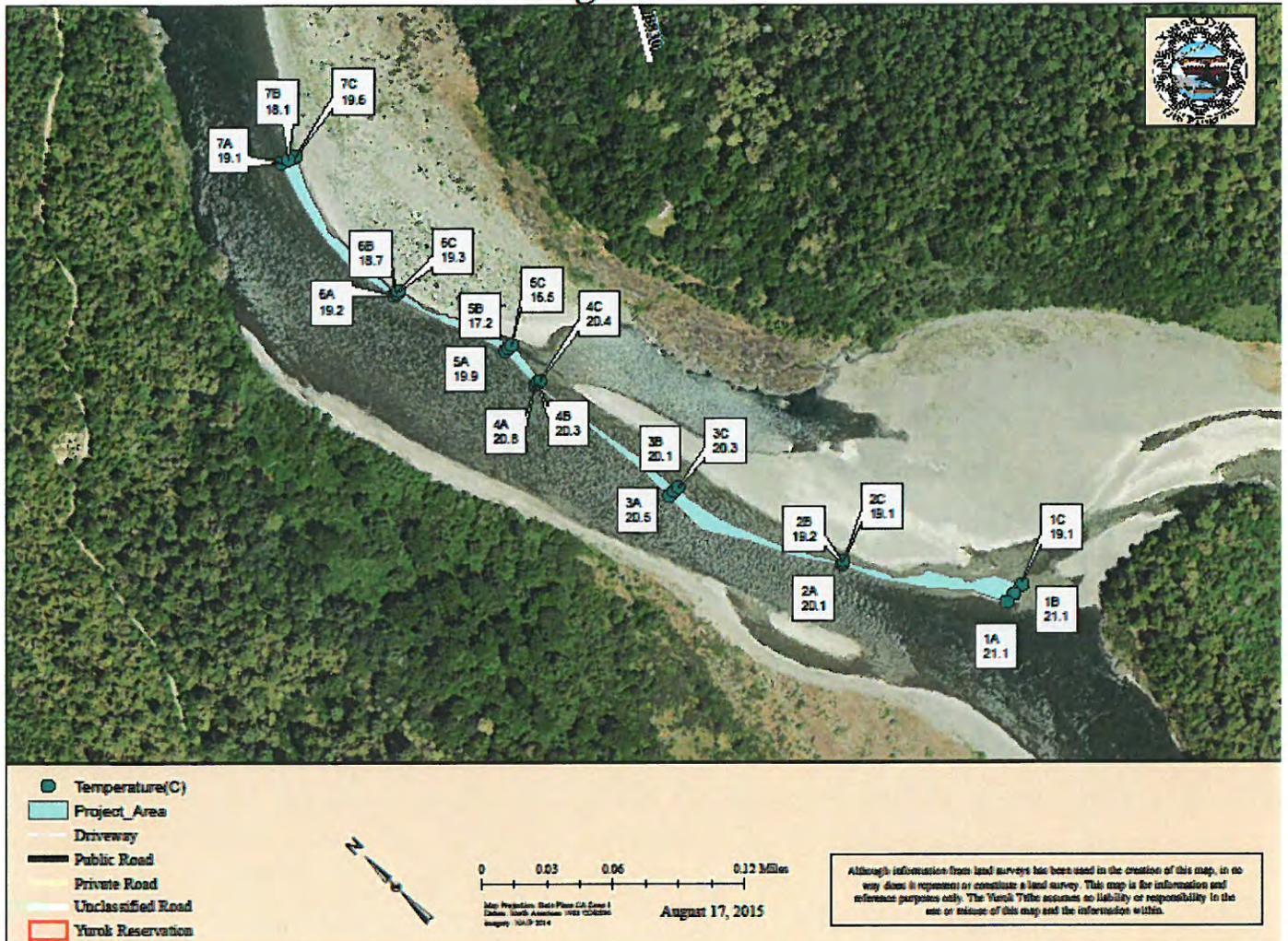
Thomas O'Rourke, Chairman

Cc: Chuck Bonham, CDFW Director

Stafford Lehr, CDFW Chief Fisheries Branch

Appendix A.

Thermal Refugia Measurements



Blue Creek Conservation Closure. We have also included within the text and in Appendix A data and/or findings from the literature that support our concerns in regard to excessive mortality associated with catch and release fishing when the river is excessively warm.

Rational for Blue Creek Conservation Closure

Thermal refugia

We continue to support the regulations that were adopted last year to protect migrating salmon (spring and fall-run Chinook) and steelhead that rely upon thermal refugia at the mouth of Blue Creek. The regulations adopted during 2015 state: “No fishing is allowed from June 15 through September 14 in the Klamath River from 500 feet above the mouth of Blue Creek to ½ mile downstream of the mouth of Blue Creek.”

During the summer months, especially during times of low flow, water temperatures in the mainstem Klamath River often reach 24°C (Figure 1– Yurok Tribal Environmental Program, <http://exchange.yuroktribe.nsn.us/lrgsclient/stations/stations.html>), well above the optimal migration range and near the acute lethal limit for adult Chinook salmon¹. Under such warm water conditions, adult salmon and steelhead will stop migrating and hold in the cold water effluent from the mouth of Blue Creek to approximately ½ mile downstream, including “Blue Hole” which is along the bedrock outcropping just downstream of the confluence (Figure 2). During many low flow years, this area holds several hundred, up to a couple thousand, adult salmonids (steelhead and Chinook), that are escaping the intolerably warm Klamath River, as can be seen at the following youtube link: <https://www.youtube.com/watch?v=jpX61CJZeuA>. These fish are basically on thermal life support.

¹ Bell, M.C. 1991. Fisheries Handbook of Engineering Requirements and Biological Criteria.

McCullough, D.A. 1999. A Review and synthesis of effects of alterations to water temperature regime on freshwater life stages of salmonids, with special reference to Chinook salmon. Prepared for the U.S. Environmental Protection Agency.

Strange, J.S. 2010. *Upper Thermal Limits to Migration in Adult Chinook Salmon: Evidence from the Klamath River Basin*. Transactions of the American Fisheries Society 139: 1091 – 1108.

Yurok Tribal Comments regarding Lower Klamath Sport Fishing Regulations, January 2016

Figure 1 Water temperatures in Blue Creek (somewhat representative of Blue Creek thermal refugia, however it is colder in some areas due to groundwater influence and warmer along the margins with the Klamath River) and the mainstem Klamath River near Terwer Creek (downstream of Blue Creek refugia) and the mainstem near Tully Creek (upstream of Blue Creek).

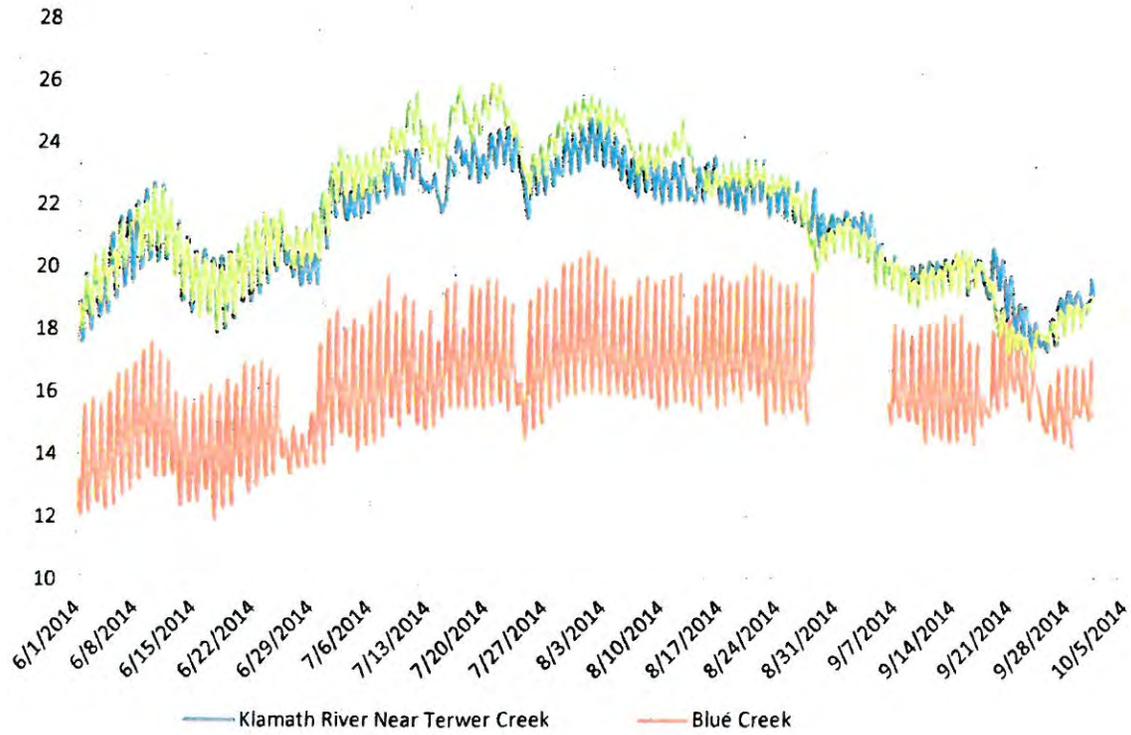
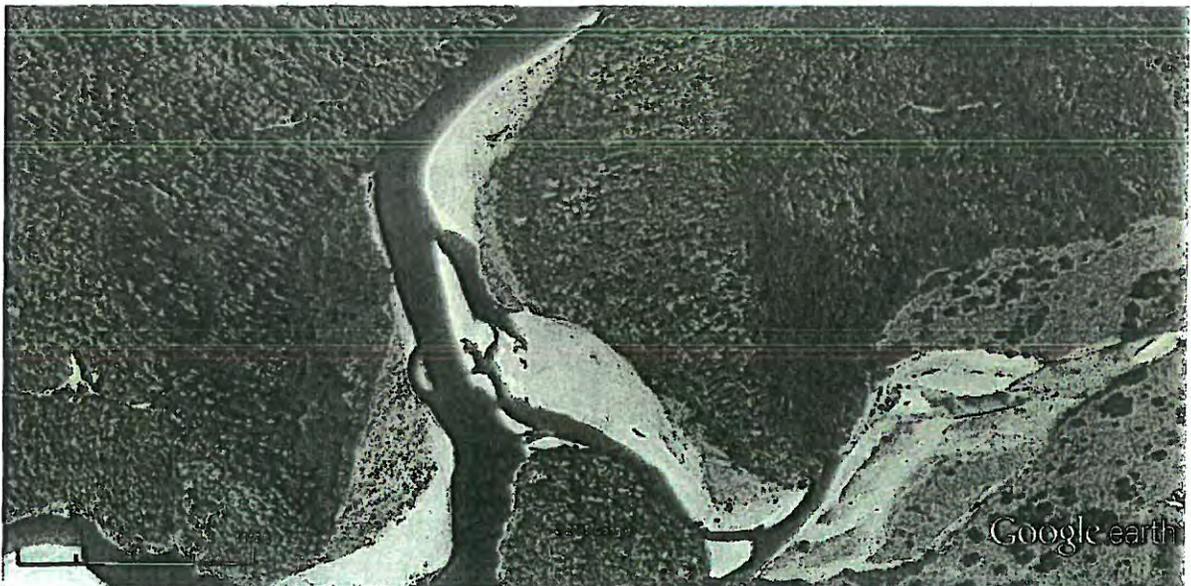


Figure 2 Thermal refugia near the mouth of Blue Creek, Lower Klamath River, CA (Google Earth image, June 2013).



We believe fish that make it to the Blue Creek thermal refugia should be allowed respire. It is inappropriate to harass these fish, via catch and release fishing, at a time when they are physiologically vulnerable; such harassment during warm water temperatures can lead to extreme physiological stress and even death (see references with pertinent data presented in Appendix A).

Typical angling techniques at the mouth of Blue Creek during the summer months include hooking steelhead and/or salmon that are holding in the thermal refugia, and then playing them for an extended period of time in the ambient river that is several degrees warmer (sometimes at lethal levels) to be eventually released, unless they are a hatchery steelhead or Chinook salmon that is harvested. Such catch and release under these conditions negatively affects the fish by exposing them to dramatic changes in water temperature over a brief time period, and by subjecting them to extreme stress while they are exposed to near lethal water temperatures; both resulting in unnecessary stress and/or death at a time that these fish are already stressed.

Fish health recommendations are to not expose fish to a change in water temperature of more than 1° C per two minutes, or put them through an immediate thermal change of more than 2-3° C at a time (Post G. 1987²). While the thermal regime within the Blue Creek thermal refugia area is variable, partially due to groundwater seeps that flow into Blue Hole downstream of Blue Creek that create refugia that is even colder than the creek itself, the refugia area is commonly at least 4-6° C colder than ambient river temperatures (Figure 5) during the warmest times of the summer. Removing fish abruptly from this refugia and then playing and subsequently releasing them into the warm Klamath River can result in extreme stress.

Catch and releasing fish within the warm river temperatures such as those experienced in the Klamath River near Blue Creek (Figure 5) causes extreme stress and/or mortality. Few studies have been conducted with salmonids at such high river temperatures, partially because salmonids have evolved to avoid such temperatures; however there are ample studies available that indicate substantially increased catch and release mortality associated with water temperatures that are substantially cooler than those of the Lower Klamath River near Blue Creek during the summer months. An overview of some of these studies is presented in Appendix A.

Study at Blue Creek

It should be noted that short-term mortality from fish being caught and released under warm water conditions is a primary concern. Due to the bioenergetics cost associated with being severely stressed from angling under such warm water conditions, we are also concerned regarding the long-term success of these fish at spawning, as well as the fate of their progeny.

²Post, G. 1987. Text Book of Fish Health. Page 279.

Severe stress has been shown to affect reproduction, quality of gametes, and survival of progeny in fish³. We do not know whether the fish caught and released from the thermal refuge at Blue Creek experience stress levels near those in these cited studies. However, given that these fish are basically on thermal respite, in relatively crowded conditions (another stressor), we are concerned regarding the ultimate success of these fish at spawning and producing healthy progeny.

Another concern is that fish caught and released during times of warm water conditions have a suppressed immune response system. As noted in the literature, stress is known to effect the immune response of fish, making them more vulnerable to disease and eventual mortality⁴.

We are supportive of conducting a study to assess relatively short-term catch and release mortality impacts at the mouth of Blue Creek. While there are plenty of studies (Appendix A) that show salmonids experience excessive mortality when caught and released in warm water, the situation at Blue Creek is somewhat unique, given that there is thermal refuge nearby for fish recovery if they able to find it. However, it must be noted up-front that there are significant challenges and limitations associated with the assessment of catch and release impacts in warm water upon the spawning/reproductive success of fish, which is our ultimate goal. Assessing short-term mortality is feasible and we are willing to participate in such an effort. However, assessing long-term effects upon reproductive success from a bioenergetics perspective is much more challenging.

Contrary to the desires of some, it is not always possible to quantify biological responses for site specific management actions; instead managers are forced to turn to the literature to guide management decisions. It is our hope that the results of a catch and release mortality study at the mouth of Blue Creek will be used in conjunction with what is known from the literature to guide future management decisions to minimize negative effects upon the spawning success of fish utilizing the thermal refuge at Blue Creek.

Is there a problem?

Some have questioned whether the conservation closure is addressing a problem. We believe there is a conservation concern given the magnitude of fishing that occurs when this area is open to angling and the hostile water temperatures the fish are exposed to, especially during times of

³ Shreck et al. 2000. *Effects of stress on fish reproduction, gamete quality, and progeny*. Aquaculture 197 (2001) 3-24.

Campbell et al. 1992. *Stress reduces the quality of gametes produced by rainbow trout*. Biological Reproduction. 1992 December; 47(6): 1140-50.

Nadeau et al. 2010. *The effects of experimental energy depletion on the physiological condition and survival of adult sockeye salmon (Oncorhynchus nerka) during spawning migration*. Environ. Biol Fish (2010) 88:241-251.

⁴ Bonga, S.E.W. 1997. *The stress response in fish*. Physiological Reviews, Vol. 77, No. 3, July 1977. (pages 611-612).

dry hydrologic conditions. The magnitude of fishing in this area has been anecdotally characterized in a report⁵ drafted by a consulting firm (Fishery Foundation of California) that was conducting survey work for the Delta Mendota water district in the Lower Klamath River during 2014. They stated the following:

“At Blue Creek on August 13, 2014 angler density was high and visibility poor, therefore catch rate was used to roughly estimate fish density. Based on visual observations of 11 anglers catching approximately one steelhead per minute for a two hour period, we estimate 440 catches. One individual angler reported landing fifty steelhead that day. Several steelhead carcasses, likely the result of angling stress, were observed in the mainstem downstream of Blue Creek”.

We fully acknowledge this type of information is anecdotal at best, however it does indicate that catch rates in the Blue Creek thermal refuge area can be quite high and that some mortality may result. The cause of the mortalities observed in this study is speculation, however it does indicate that mortality is occurring from stressful conditions, whether it be the warm water temperatures, angling, a combination of the two, or something else.

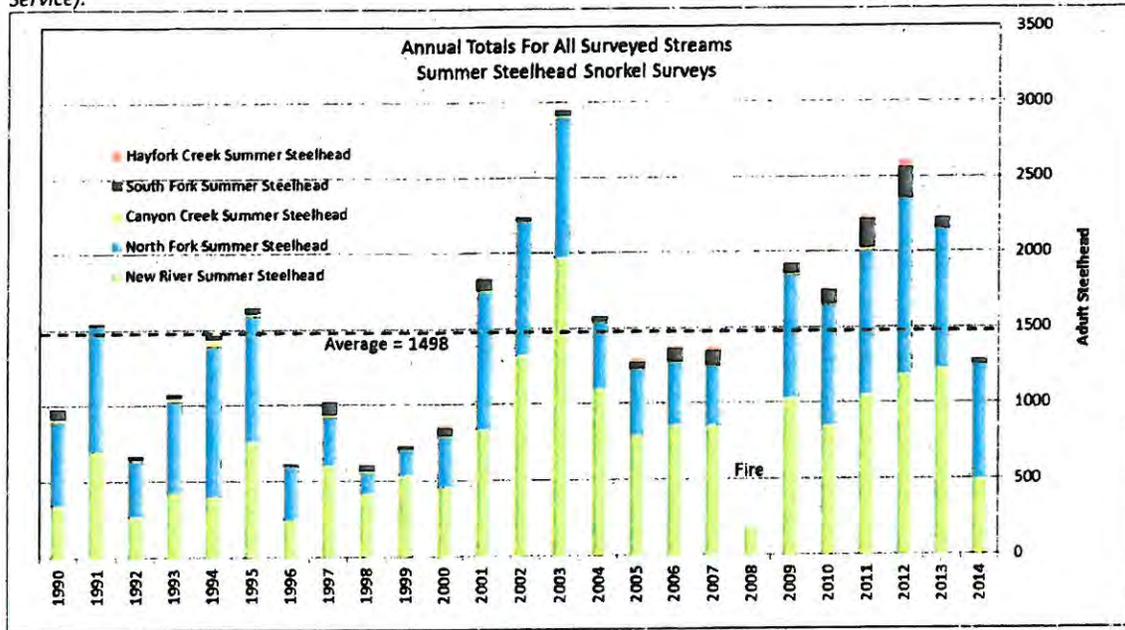
Status of the species

It has also been noted to the Commission previously that the fish caught in this fishery are not listed under the Endangered Species Act (ESA), so the purpose of the conservation closure is questioned. It is our hope that the co-managers of our resource will manage for healthy, robust populations for future generations, not just to prevent species from being listed under the ESA. We have repeatedly advocated for multi-species, ecosystem based management of the fisheries resources in the Klamath River.

Most the fish caught in this area are summer-run steelhead, however there are also spring Chinook and fall-run Chinook encountered. Counts from the Trinity Basin tributaries (Figure 3 - Klamath tributary counts not readily available at the time of this letter) have been relatively stable during recent years, averaging about 1,500 fish per year, however abundance has been far from robust. Wild spring-run Chinook populations have been at relatively low abundance during recent years, especially in the South Fork Trinity River, with abundance being less than 100 fish during 4 of the past 13 years; while this population is not listed under the ESA, we are concerned about its continued existence. Therefore, we ask that these populations be managed prudently by minimizing mortality associated with catch and release fishing.

⁵ Kennedy, T. 2014. *Investigation of water temperature, velocity, and habitat characteristics of adult salmonid holding habitat in the Lower Klamath River, August 12 – September 11, 2014*. Prepared for the San Luis and Delta Mendota Water Authority. 15pp. (page 10).

Figure 3 Adult counts of summer steelhead from tributaries of the Trinity River, 1990 – 2014 (data obtained from the U.S. Forest Service).



Protection of Blue Creek Late Fall-run Chinook

We also support the continued addition of Blue Creek to the list of tributaries that are closed at their confluence with the Klamath River to protect fish that are holding prior to migration up their natal tributary, the current regulation last year states:

“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 and Blue Creek.”

Our rationale for the fall conservation closure at the mouth of Blue Creek is to protect the genetically unique adult late-fall run Chinook salmon that return to spawn from mid-October through December. These fish are known to hold in the confluence pool in the Klamath River from late September until substantial rains stimulate their migration up Blue Creek. Blue Creek late-fall run Chinook are the stronghold of the Lower Klamath and likely the source population for other Lower Klamath tributaries. We request that fish holding in this area be given protection from harvest pressure similar to what is given to Chinook returning to the Salmon, Scott, and Shasta Rivers.

In summary, the Tribe requests that the Blue Creek conservation closure that was adopted by the Commission in 2015 be continued during the 2016 season. The Tribe would also like to reiterate our invitation to the Commission to visit us on the Yurok Reservation. We would welcome the Commission to the Yurok Reservation for a meeting with our Tribal Council. Such a meeting would allow us to discuss issues of mutual concern in regard to the management and conservation of the Klamath River fishery and provide you an opportunity to visit the Lower

Yurok Tribal Comments regarding Lower Klamath Sport Fishing Regulations, January 2016

Klamath River via a boat ride if your schedules allow. Please contact Dave Hillemeier (Fisheries Director) if you would like to try to coordinate such a meeting with our schedule.

Sincerely,

A handwritten signature in black ink, appearing to read "James Dunlap". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

James Dunlap, Chairman

Cc: Chuck Bonham, CDFW Director

Stafford Lehr, CDFW Chief Fisheries Branch

Appendix A - Overview of Salmonid Catch and Release Related Literature at Warm Water Temperatures and Associated Findings

Note: The following list some of the literature available regarding catch and release of salmonids under warm water conditions, along with the most pertinent findings from these articles. This does not represent an exhaustive literature search, but a list of what was readily available while drafting these comments. This overview is not intended to portray a specific mortality rate that is associated with catch and release fishing that occurs near the mouth of Blue Creek, but only intended to show documentation that mortality can be excessive at temperatures less than what is experienced in the mainstem Klamath River near Blue Creek during the summer months.

Topic : Physiological stress associated with Catch and Release Fishing Associated with Warm Water Temperature

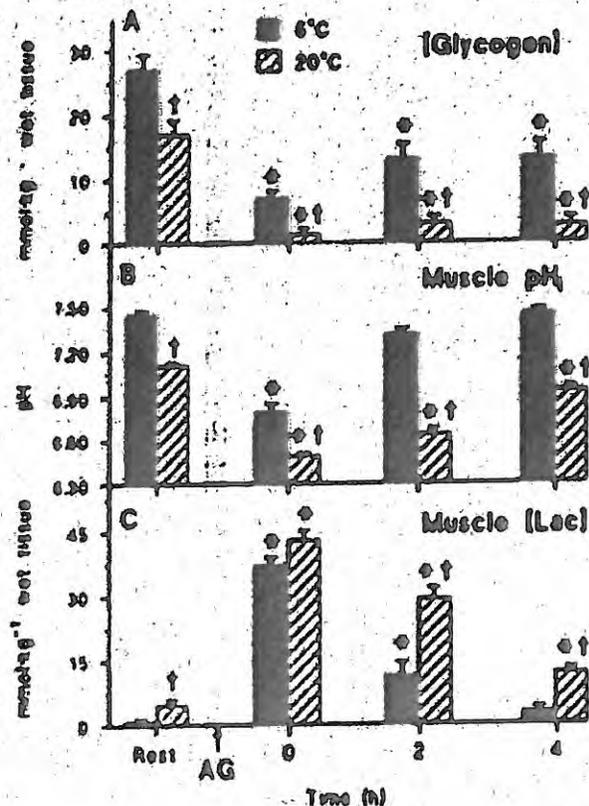
Wilkie et al. 1996. Physiology and Survival of Wild Atlantic Salmon Following Angling in Warm Summer Waters, Transaction of the American Fisheries Society, 125:572-580.

Tested physiological responses and mortality (n=10) of wild Atlantic Salmon angled at 22°C and compared to those angled at 6°C (Booth et al, 1994). Intramuscular glycogen stores were nearly depleted and there was marked increases in white muscle lactate and post-exercise metabolic proton load following angling at both temperatures. However, contrary to the 6°C trial, there was no glycogen re-synthesis during the 4-h recovery time and lactate elimination and proton correction were much slower in the fish caught under warm conditions. There was also significant delayed post-angling mortality (40%) of the fish caught at 22C and no mortality of the fish caught at the cooler temperature, however it should be noted this was a small sample size (n=10).

Physiological Response of Atlantic Salmon Angled at 20°C vs 6°C

Figure 5.—A comparison of the changes in white muscle (A) glycogen concentration, (B) intracellular pH (pH_i), and (C) lactate (Lac) concentration of Atlantic salmon that were angled during the fall at 6°C (solid bars) or during the summer at 20 ± 2°C (hatched bars). Note that for comparative purposes, concentrations are expressed as millimoles per kilogram of wet weight. An asterisk (*) indicates a significant difference from the resting value ($P < 0.05$) at each respective temperature. Daggers (†) indicate data that are significantly different from data generated for salmon angled at 6°C ($P < 0.05$). The 20°C data were generated in the present study, and the 6°C data were taken from Booth et al (1995).

Mortality = 40% at 20°C (n=10); 0% at 6°C (small sample size)



Topic: Recommendation for subjecting fish to substantial changes in water temperature over a short period of time.

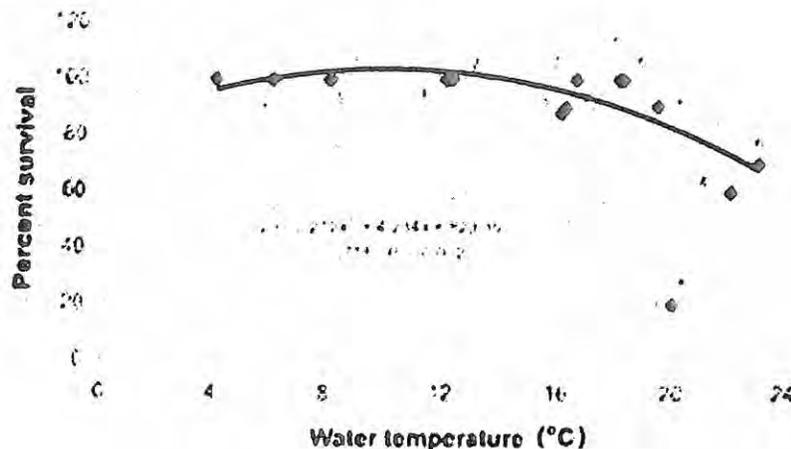
Post, G. 1987. Textbook of Fish Health. Page # 279.

"Thermal adaptation should be done slowly, usually no more rapidly than 1°C per two minutes. Slow adaptation will allow physiological functions to alter slowly, with a minimum of thermal stress. Also, fishes taken from one water temperature and placed into a higher or lower temperature usually should not be subjected to immediate changes of more than 2 to 3°C to reduce thermal stress."

Topic: Mortality Associated with Catch and Release Fishing under Warm Water Conditions

*Dempson et al., 2002. Effects of Catch and Release Angling on Atlantic Salmon, *Salmo salar* L., of the Conne River Newfoundland*

Survival Relative to Water Temperature for Several Studies on Atlantic Salmon



Taken from Dempson et al., 2002. Effects of Catch and Release Angling on Atlantic Salmon, *Salmo salar* L., of the Conne River, Newfoundland

Thorstad et al., 2003. *Effects of hook and release on Atlantic salmon in the river Alta, northern Norway. Fisheries Research 60 (2003) 293-307.*

NOTE: 4 of these 9 studies were also presented in Dempson 2002 above (which showed total of 7 studies).

Catch and Release Mortality of Atlantic Salmon Summarized from Several Studies

Taken from Thorstad et al., 2003 *Effect of Hook and Release on Atlantic Salmon in the River Alta, Northern Norway*

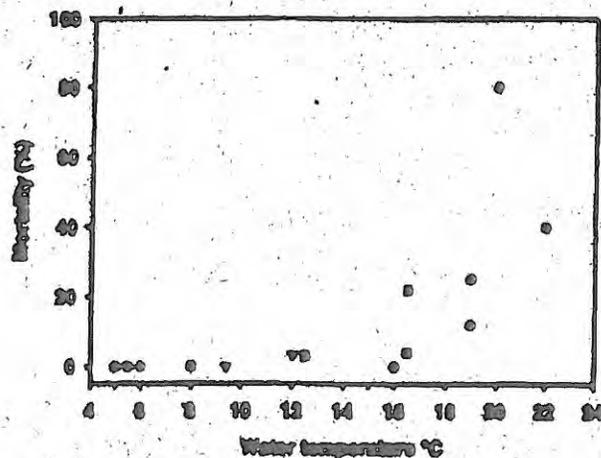


Fig. 3. Mortality after hook and release at different water temperatures (average, if given, or median) reported for Atlantic salmon (Vander, 1976; 1979; Waizer and Johnson, 1976; Booth et al., 1973; Davidson et al., 1974; Ertel et al., 1974; Wilda et al., 1994; Anderson et al., 1998; Mordam et al., 2000 and this study). Mortality was in most cases recorded for salmon kept in tanks or cages after hook and release (□) and (○). Only three of these studies included control groups, and these studies concerned landlocked Atlantic salmon (■). Only two studies measured mortality for free-ranging salmon in nature (▽).

Dotson, T. 1982. Mortalities in Trout Caused by Gear Type and Angler Induced Stress. North American Journal of Fisheries Management. 2: 60-65.

Relationship between Catch and Release Mortality and Temperature of Hatchery Rainbow Trout

Dotson, T. 1982. North American Journal of Fisheries Management, 2: 60-65.

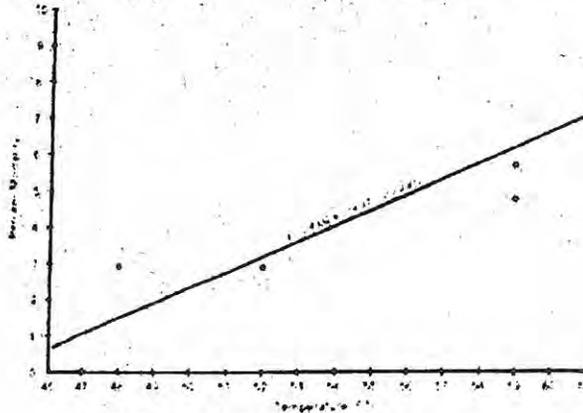


Figure 2. Regression of trout mortality on river water temperatures.

Schisler, G.P. and E.P. Bergerson. 1996. Post-release Hooking Mortality of Rainbow Trout Caught on Scented Artificial Baits. North American Journal of Fisheries Management.

Estimated Mortality Rate of a 380 mm Rainbow Trout Relative to Temperature and Bleeding Intensity

Schisler, G.P. and E.P. Bergerson. 1996. North American Journal of Fisheries Management, 16: 570-578

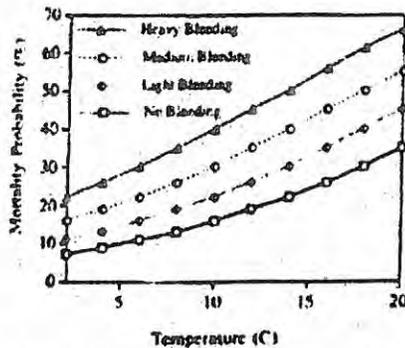


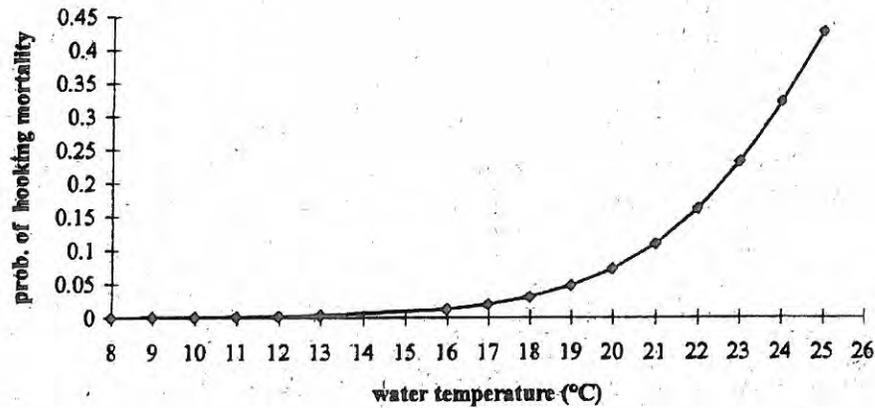
FIGURE 6.—Effect of water temperature (°C) and bleeding intensity on mortality probability of a 380-mm rainbow trout as calculated by the logistical-regression model. The fish was caught on synthetic baits fished passively, played for 60 s, held out of water for 30 s, and critically hooked with the leader not cut. Variables not shown are held constant.

Taylor, G. and R.A. Barnhart. *Mortality of Angler Caught and Released Summer Steelhead.*
Contract #FGS018 IF. Contract report to CDFG.

Probable Hooking Mortality of Adult Summer Steelhead vs. Water Temperature

Taylor, G. and R. A. Barnhart. *Mortality of Angler Caught and Released Summer Steelhead.* Contract #FGS018 IF. Contract report to CDFG.

Figure 5. Probability of hooking mortality of adult summer steelhead versus water temperature based on 126 summer steelhead angled from the Mad and North Fork Trinity rivers, California, 1995 and 1996.



recommend specific bag and possession limits to the Commission during a scheduled teleconference call on April 18, 2016.

The new regulations for the American, Feather, and Sacramento rivers may:

- (1) allow for additional harvest of salmon if low instream flow conditions persist due to the existing drought to reduce impacts to spawning habitat; and
- (2) increase or decrease the current salmon bag and possession limits based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season.

Proposed Regulations

Because the PFMC/NMFS recommendations are not known at this time, a range (shown in brackets in the text below) of bag and possession limits is indicated where it is desirable to continue salmon fishing in the American, Feather and Sacramento rivers. The open seasons and proposed range of bag and possession limits for Central Valley fall-run Chinook salmon stocks are as follows:

American River, subsection 7.50(b)(5)

- (A) From Nimbus Dam to the Hazel Avenue bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (B) From Hazel Avenue bridge to the USGS gauging station cable crossing near Nimbus Hatchery.

July 16 through August 15 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (C) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through December 31 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (D) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge.

July 16 through October 31 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (E) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

Feather River, subsection 7.50(b)(68)

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to the Live Oak boat ramp.

July 16 through October 15 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (E) From the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5)

- (C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (E) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (F) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

As set forth in Fish and Game Code Section 1700, it is “the policy of the state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant-water fisheries based in California in harmony with international law respecting fishing and the conservation of the living resources of the oceans and other waters under the jurisdiction and influence of the state. This policy shall include [as applicable to inland fisheries] all of the following objectives:

(a) The maintenance of sufficient populations of all species of aquatic organisms to insure their continued existence.

(c) The maintenance of a sufficient resource to support a reasonable sport use, where a species is the object of sport fishing, taking into consideration the necessity of regulating individual sport fishery bag limits to the quantity that is sufficient to provide a satisfying sport.

(e) The management, on a basis of adequate scientific information promptly promulgated for public scrutiny, of the fisheries under the state’s jurisdiction,

and the participation in the management of other fisheries in which California fishermen are engaged, with the objective of maximizing the sustained harvest.”

Adoption of scientifically-based Central Valley salmon 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 concurrence with federal law, sustainable management of Central Valley salmon resources, and promotion of businesses that rely on Central Valley salmon sport fishing.

(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, 206, 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: None.

(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:

Feather River Recommendations

The Department has received several recommendations from the public to allow fishing for fall-run Chinook salmon in the low-flow section of the lower Feather River (Fish Barrier Dam to the Afterbay Outfall), a section which is currently closed to all fishing all year. The Department has also received requests for the salmon season on the lower Feather River to begin on May 2 instead of July 16.

Department Response

Fishing was closed just above the Afterbay Outfall in 2009 during the Central Valley salmon stock collapse. Since then data have suggested that the low flow section (Fish Barrier Dam to the Afterbay Outfall) of the river is the primary holding habitat for listed spring-run Chinook salmon and for the spring-run broodstock at the Feather River Hatchery. Maintaining the closure in that section provides protection for these fish and is consistent with existing regulations on other river systems. The existing regulations provide for fishing opportunities from the Afterbay Outfall downstream starting in July. Data suggest early arriving

fall-run Chinook salmon tend to congregate in the Afterbay Outfall as there is a large input of water and it is a deep holding pool. Across most years the current open section of river and length of the season provide ample angling opportunities without taxing Feather River stocks. Although in some years the Department sees more fish returning to the hatchery than are required to meet production goals, highly variable smolt to adult survival and ocean harvest make this difficult to predict and adjust for in the fishing regulations. For these reasons, and to protect listed spring-run Chinook salmon, the Department rejects the recommendation to allow fishing for fall-run Chinook salmon in the low flow section of the lower Feather River, or to allow the salmon season to begin on May 2.

No Change Alternative:

The no change alternative would leave existing regulations in place.

(b) Consideration of Alternatives:

The Commission has rejected the no-change alternative because it is state policy to maintain consistency with federal and international law related to fisheries management, and the proposed regulations will allow the state to harmonize its bag and possession limits with NMFS' regulations.

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 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 Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The minor variations in the bag and possession limits as may be established in the regulations are, by themselves, unlikely to impact business.

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 non-monetary 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.

II. Economic Impact Assessment

- (a) Creation or Elimination of Jobs, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California

The Commission does not anticipate any substantial impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing

businesses, or the expansion of businesses in California, that provide services to inland sport fishermen from the proposed regulations. The proposed changes in subsections 7.50(b)(5), (b)(68), and (b)(156.5) affect the bag and possession limits for Chinook salmon in the American, Feather, and Sacramento rivers. These minor variations in the bag and possession limits as may be established in the regulations are, by themselves, unlikely to stimulate the creation of new businesses or cause the elimination of existing businesses. The number of fishing trips and the economic contributions from them are expected to remain more or less the same.

(b) Benefits of the Regulation

As set forth in Section 1700, Fish and Game Code, it is “the policy of the state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant-water fisheries based in California in harmony with international law respecting fishing and the conservation of the living resources of the oceans and other waters under the jurisdiction and influence of the state.”

In accordance with this policy, adoption of scientifically-based inland salmon seasons and bag and possession limits provides for the maintenance of sufficient populations of trout and salmon to ensure their continued existence.

(c) Health and Welfare of California Residents

The Commission anticipates benefits to the health and welfare of California residents. Salmon is a nutritious food source and providing inland sport fishery opportunities encourages consumption of this nutritious food. Sport fishing also contributes to increased mental health of its practitioners as fishing is a hobby and form of relaxation for many. Sport fishing also provides opportunities for multi-generational family activities and promotes respect for California’s environment by younger generations, the future stewards of California’s natural resources.

(d) Benefits to Worker Safety

The Commission does not anticipate any benefits to worker safety from the proposed regulations because inland sport fishing does not impact working conditions.

Informative Digest

Policy Statement Overview

The current, 2015, sport fishing regulations allow for salmon fishing in the American, Feather and Sacramento rivers. The Department of Fish and Wildlife (Department) is recommending new Chinook salmon bag and possession limits in the American, Feather, and Sacramento rivers for the 2016 season.

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 PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2016 meeting and develop the final PFMC regulatory recommendations for adoption by NMFS at its April 2016 meeting.

Based on the action taken by NMFS and the recommendation of the Department, the Commission will adopt bag and possession limits for the American, Feather, and Sacramento rivers which will:

- (1) allow for additional harvest of salmon if low instream flow conditions persist due to the existing drought to reduce impacts to spawning habitat; and
- (2) increase or decrease the current salmon bag and possession limits based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season.

Benefits of the regulations

As set forth in Fish and Game Code Section 1700 it is “the policy of the state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant-water fisheries based in California in harmony with international law respecting fishing and the conservation of the living resources of the oceans and other waters under the jurisdiction and influence of the state.

Adoption of scientifically-based Central Valley salmon 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 concurrence with Federal law, sustainable management of the Central Valley salmon resources, and promotion of businesses that rely on Central Valley salmon sport fishing.

Non-monetary benefits to the public

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

Consistency with State and Federal Regulations

Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate recreational fishing in waters of the state (Fish & Game Code, §§ 200, 202, 205). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to recreational fishing seasons, bag and possession limits. Further, the Commission has determined that the proposed regulations are neither incompatible nor inconsistent with existing federal regulations.

Regulatory Language

Section 7.50, Title 14, CCR is amended to read as follows:

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

... [No changes to subsections (a) through (b)(4)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(5) American River (Sacramento Co.)		
(A) From Nimbus Dam to the Hazel Avenue bridge piers.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
	July 16 through Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2[0-4] Chinook Salmon 4[0-8] Chinook salmon in possession

<p>(B) From Hazel Avenue bridge piers to the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site.</p>	<p>Jan. 1 through July 15. Only barbless hooks may be used.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession</p>
	<p>July 16 through Aug. 15. Only barbless hooks may be used.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2<u>[0-4]</u> Chinook salmon 4<u>[0-8]</u> Chinook salmon in possession</p>
<p>(C) From the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site to the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park.</p>	<p>Jan. 1 through July 15. Only barbless hooks may be used.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession</p>

	July 16 through Oct. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2[0-4] Chinook salmon 4[0-8] Chinook salmon in possession
(D) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park downstream to the Jibboom Street bridge.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
	July 16 through Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2[0-4] Chinook salmon 4[0-8] Chinook salmon in possession

(C) From the Jibboom Street bridge to the mouth.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2 <u>[0-4]</u> Chinook salmon 4 <u>[0-8]</u> Chinook salmon in possession
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession

... [No changes to subsections (b)(6) through (b)(67)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(68) Feather River below Fish Barrier Dam (Butte, Sutter and Yuba cos.).		
(A) From Fish Barrier Dam to Table Mountain bicycle bridge in Oroville.	Closed to all fishing all year	
(B) From Table Mountain bicycle bridge to Highway 70 bridge.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
(C) From Highway 70 bridge to the unimproved boat ramp above the Thermalito Afterbay Outfall.	All year.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession

<p>(D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.</p>	<p>Jan. 1 through July 15.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession</p>
	<p>July 16 through Oct. 15.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2[0-4] Chinook salmon 4[0-8] Chinook salmon in possession</p>
	<p>Oct. 16 through Dec. 31.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession</p>
<p>(E) From 200 yards above Live Oak boat ramp to the mouth. For purposes of this regulation, the lower boundary is defined as a straight line drawn from the peninsula point on the west bank to the Verona Marine boat ramp.</p>	<p>Jan. 1 through July 15.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession</p>

	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2[0-4] Chinook salmon 4[0-8] Chinook salmon in possession
	Dec. 17 to Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession

... [No changes to subsections (b)(68.1) through (b)(156)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(156.5) Sacramento River and tributaries below Keswick Dam (Butte, Colusa, Contra Costa, Glenn, Sacramento, Solano, Sutter, Tehama and Yolo cos.).	Also see Sierra District General Regulations (See Section 7.00(b)).	
(A) Sacramento River from Keswick Dam to 650 feet below Keswick Dam.	Closed to all fishing all year.	
(B) Sacramento River: 1. from 650 feet below Keswick Dam to the Highway 44 bridge.	Closed to all fishing from April 24 through July 31.	

	August 1 through December 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
2. from the Highway 44 bridge to the Deschutes Road bridge.	All year. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
(C) Sacramento River from the Deschutes Road bridge to 500 feet upstream from Red Bluff Diversion Dam.	Jan. 1 through July 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
	Aug. 1 through Dec. 16.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2[0-4] Chinook salmon 4[0-8] Chinook salmon in possession
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
(D) Sacramento River from 500 feet upstream from Red Bluff Diversion Dam to 150 feet below the Lower Red Bluff (Sycamore) Boat Ramp.	Closed to all fishing all year.	

<p>(E) Sacramento River from 150 feet below the Lower Red Bluff (Sycamore) Boat Ramp to the Hwy 113 bridge near Knights Landing. Note: It is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa and Tisdale Weirs.</p>	<p>Jan. 1 through July 15.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession</p>
	<p>July 16 through Dec. 16.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2[0-4] Chinook salmon 4[0-8] Chinook salmon in possession</p>
	<p>Dec. 17 through Dec. 31.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession</p>
<p>(F) Sacramento River from the Hwy 113 bridge near Knights Landing to the Carquinez Bridge (includes Suisun Bay, Grizzly Bay and all tributary sloughs west of Highway 160). Note: It is unlawful to take fish 0-250 feet downstream from the overflow side of the Fremont and Sacramento Weirs.</p>	<p>Jan. 1 through July 15.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession</p>

	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2[0-4] Chinook salmon 4[0-8] Chinook salmon in possession
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession

... [No changes subsections 7.50(b)(157) through (b)(212)]

* 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, 215 and 316.5, Fish and Game Code.

Memorandum

Date: April 5, 2016

To: Michael Yaun
Executive Director (A)
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: **Negative Declaration for Proposed Amendments to Central Valley Salmon Sport Fishing Regulations, Title 14, California Code of Regulations**

Attached please find the *Negative Declaration for Proposed Amendments to Central Valley Salmon Sport Fishing Regulations, Title 14, California Code of Regulations*.

As required by CEQA, the California Department of Fish and Wildlife (Department) provided Public Notice of the completion of an Initial Study/Negative Declaration for the proposed project. The public comment period ended March 29, 2016. One public comment was received.

If you have any questions or need additional information, please contact Roger Bloom, Chief (A), Fisheries Branch, at (916) 445-3777 or at Roger.Bloom@wildlife.ca.gov.

Attachment

cc: Stafford Lehr, Deputy Director (A)
Wildlife and Fisheries Division
Stafford.Lehr@wildlife.ca.gov

Roger Bloom, Chief (A)
Fisheries Branch
Roger.Bloom@wildlife.ca.gov

Karen Mitchell, Senior Environmental Scientist (Specialist)
Fisheries Branch
Karen.Mitchell@wildlife.ca.gov

**STATE OF CALIFORNIA
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
NEGATIVE DECLARATION
FOR
PROPOSED AMENDMENTS
TO
CENTRAL VALLEY SALMON SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS**

Prepared by:

**California Department of Fish and Wildlife
Fisheries Branch**

**This Report Has Been Prepared Pursuant to the
California Environmental Quality Act of 1970
State of California
Natural Resources Agency
Department of Fish and Wildlife**

State Clearinghouse #2016022082

**INITIAL STUDY AND NEGATIVE DECLARATION
FOR
PROPOSED AMENDMENTS
TO
CENTRAL VALLEY SALMON SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS**

The Project

The Department of Fish and Wildlife (Department) proposes to potentially amend the Central Valley salmon sport fishing regulations as set forth in Title 14 of the California Code of Regulations. The current 2015 sport fishing regulations, California Code of Regulations, Title 14, Section 7.50, allow for salmon fishing in the American, Feather and Sacramento rivers. Each year the Department recommends new Chinook salmon bag and possession limits for consideration by the Fish and Game Commission (Commission). The regulation change is necessary to align the 2016 fishing limits with up to date management goals.

The Findings

The project will have a less than significant impact on biological resources. The project will have no impact to aesthetics, agriculture and forest resources, air quality, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems.

Basis of the Findings

Based on the initial study, the Department finds that implementing the proposed project will have a less than significant to no impact on the environment. Therefore, a negative declaration is filed pursuant to the California Environmental Quality Act, Public Resource Code Section 21080 (c2).

This proposed negative declaration consists of the following:

- Introduction – Project Description and Background Information on the Proposed Amendments to Central Valley Salmon Sport Fishing Regulations
- Initial Study Environmental Checklist Form
- Explanation of the Response to the Initial Study Environmental Checklist Form

**PROJECT DESCRIPTION AND BACKGROUND INFORMATION
FOR
PROPOSED AMENDMENTS
TO
CENTRAL VALLEY SALMON SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS**

Introduction

Annually, the Department of Fish and Wildlife (Department) recommends Central Valley salmon sport fishing regulations to the Fish and Game Commission (Commission). Both the Department and the Commission have the authority to regulate fisheries (Fish and Game Code, Section 1700) in addition to the Department's public trust responsibility to protect and conserve California's natural resources.

Project goals and objectives

The goal of this project is to potentially amend the Central Valley salmon sport fishing regulations in furtherance of the Department's mission to manage California's diverse fisheries resources for their ecological value, their use and for the public's enjoyment.

Fish and Game Code, Section 1700 declares the state's policy is to encourage the conservation, maintenance and utilization of California's aquatic resources. This section includes the following objectives:

1. Maintain sufficient populations of all aquatic species to ensure their continued existence.
2. Maintain sufficient resources to support a reasonable sport use.
3. Manage using best available science and public input.

Background

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 PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2016 meeting and develop the final PFMC regulatory recommendations for adoption by NMFS at its April 2016 meeting. Based on the regulations adopted by NMFS, the Department will recommend specific bag and possession limits to the Commission during a scheduled teleconference call on April 18, 2016.

The new regulations for the American, Feather, and Sacramento rivers may:

- (1) allow for additional harvest of salmon if low instream flow conditions persist due to the existing drought to reduce impacts to spawning habitat; and

- (2) increase or decrease the current salmon bag and possession limits based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season.

Project Location

Central Valley salmon sport fishing addressed by this environmental document occurs in the waters of the American, Feather, and Sacramento rivers in northern California, in the counties of Siskiyou, Shasta, Tehama, Colusa, Butte, Yuba, Sutter, Placer, El Dorado, Sacramento, Yolo, Solano, and Contra Costa.

Schedule

If adopted by the Commission and approved by the Office of Administrative Law, the proposed regulatory amendments described below will go into effect June 1, 2016.

Project Description

The proposed project includes a range of both bag and possession limits for the Central Valley fall-run Chinook salmon sport fishery. Because the PFMC/NMFS recommendations are not known at this time, a range (shown in brackets in the text below) of bag and possession limits is indicated where it is desirable to continue salmon fishing in the American, Feather and Sacramento rivers. The open seasons and proposed range of bag and possession limits for Central Valley fall-run Chinook salmon stocks are as follows:

American River, subsection 7.50(b)(5)

- (A) From Nimbus Dam to the Hazel Avenue bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (B) From Hazel Avenue bridge to the USGS gauging station cable crossing near Nimbus Hatchery.

July 16 through August 15 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (C) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through December 31 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

- (D) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge.

July 16 through October 31 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

(E) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

Feather River, subsection 7.50(b)(68)

(D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to the Live Oak boat ramp.

July 16 through October 15 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

(E) From the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5)

(C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

(E) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

(F) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook salmon and a possession limit of [0-8] Chinook salmon.

ENVIRONMENTAL CHECKLIST FORM

1. Project Title:
Proposed Amendments to Central Valley Salmon Sport Fishing Regulations, Title 14, California Code of Regulations
2. Lead Agency Name and Address:
California Department of Fish and Wildlife
Fisheries Branch
830 S Street
Sacramento, CA 95811
3. Contact Person and Phone Number:
Karen Mitchell, (916) 445-0826
4. Project Location:
The Sacramento, Feather, and American rivers.
5. Project Sponsor's Name and Address:
California Department of Fish and Wildlife
Fisheries Branch
830 S Street
Sacramento, CA 95811
6. General Plan designation:
N/A (statewide)
7. Zoning:
N/A (statewide)
8. Description of Project:
Potentially amend the daily bag and possession limits for the Central Valley salmon sport fishery to maintain consistency with the Department's mission to manage California's diverse fisheries resources for their ecological value, their use and for the public's enjoyment.
9. Surrounding land uses and setting:
N/A
10. Other Public Agencies Whose Approval Is Required:
None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

This project will not have a "Potential Significant Impact" on any of the environmental factors listed above; therefore, no boxes are checked.

DETERMINATION:

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation

measures that are imposed upon the proposed project, nothing further is required.


Dr. Bill Cox, Chief, Fisheries Branch (A)

2/24/16
Date

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. GREENHOUSE GAS EMISSIONS:				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
result of the failure of a levee or dam?				
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. NOISE: Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. POPULATION AND HOUSING:				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. PUBLIC SERVICES:				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. TRANSPORTATION/TRAFFIC:				
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXPLANATION OF RESPONSES TO INITIAL STUDY ENVIRONMENTAL CHECKLIST

I. AESTHETICS

- a) The project will not have an adverse effect on a scenic vista. Such an impact will not occur because the project will not involve any construction, land alternation, or modification of any buildings or structures.
- b) The project will not damage scenic resources such as trees, rock outcroppings, and historic buildings. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.
- c) The project will not substantially degrade the existing visual character or quality of the work sites and their surroundings. Such an impact will not occur because the project will not involve any construction, land alternation, or modification of any buildings or structures.
- d) The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

II. AGRICULTURE RESOURCES

- a) The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- b) The project will not conflict with existing zoning for agricultural use or a Williamson Act contract. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- c) The project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timber zoned Timberland Production. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- d) There will be no loss of forest land and the project will not result in the conversion of forest land to non-forest use. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- e) The project will not involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.

III. AIR QUALITY

- a) The project will not conflict with or obstruct implementation of the applicable air quality plan. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- b) The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- c) The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors). Such an impact will not occur because the project involves no ongoing sources of air pollution.
- d) The project will not expose sensitive receptors to substantial pollutant concentrations. Such an impact will not occur because the project will not increase pollutant concentrations.
- e) The project will not create objectionable odors affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES

- a) The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the CDFW, National Marine Fisheries Service (NMFS) or U. S. Fish and Wildlife Service (USFWS).

An increase in the daily bag and possession limit for Central Valley fall-run Chinook salmon would not directly or indirectly affect candidate, sensitive, or special-status species. Although listed fish species including Central Valley steelhead, Central Valley spring-run Chinook salmon, and winter-run Chinook salmon could be present in the lower American, Sacramento, or Feather rivers during the Central Valley fall-run Chinook salmon sport fishing season, existing sport fishing regulations prohibit take of these species.

- b) The project will not have an adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies and regulations, or by the CDFW or the USFWS. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- c) The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological

interruption, or other means. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

- d) The project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- e) The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Such an impact will not occur because the project will not result in any construction, land alteration, or land use changes.
- f) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

V. CULTURAL RESOURCES

- a) The project will not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. There is no ground disturbing work and thus no potential to affect historical resources.
- b) The project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. There is no ground disturbing work and thus no potential to affect archaeological resources.
- c) The project will not directly or indirectly destroy any unique paleontological resources or sites, or unique geologic features. There is no ground disturbing work and thus no potential to affect paleontological resources.
- c) The project will not disturb any human remains, including those interred outside of formal cemeteries. There is no ground disturbing work and thus no potential to affect human remains.

VI. GEOLOGY AND SOILS

- a i) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault. Such an impact will not occur because the project will not involve ground disturbing work.

- a ii) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Such an impact will not occur because the project will not involve ground disturbing work.
- a iii) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Such an impact will not occur because the project will not involve ground disturbing work.
- a iv) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Such an impact will not occur because the project will not involve ground disturbing work.
- b) The project will not result in substantial soil erosion or the loss of topsoil. Such an impact will not occur because the project will not involve ground disturbing work.
- c) The project will not be located on a geologic unit or soil that unstable, or that would become unstable and potentially result in on- or off- site landslides, lateral spreading, subsidence, liquefaction, or collapse. Such an impact will not occur because the project will not involve ground disturbing work.
- d) The project will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. Such an impact will not occur because the project will not involve ground disturbing work.
- e) The project will not create any sources of waste water requiring a septic system

VII. GREENHOUSE GAS EMISSIONS

- a. The project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The project will not involve any construction, land alternation, or land use changes.
- b. The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG. The impacts of GHG produced by the use of vehicles to and from the Sacramento River during the angling season will be negligible.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- a) The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project will not involve the transport, use, or disposal of hazardous materials.

- b) The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The project will not involve the transport, use, or disposal of hazardous materials.
- c) The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The project will not involve the transport, use, or disposal of hazardous materials.
- d) The project will not be located on any site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
- e) The project will not be located within an airport land use plan area.
- f) The project will not be located within the vicinity of a private airstrip.
- g) The project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The project will not involve any construction, land alteration, or land use changes.
- h) The project will not expose people or structures to a significant risk of loss, injury, or death involving wild land fires. The project will not involve any construction, land alteration, or land use changes.

IX. HYDROLOGY AND WATER QUALITY

- a) The project will not violate any water quality standards or waste discharge requirements. The project will not involve any construction, land alteration, water use, or water discharge.
- b) The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The project will not involve any construction, land alteration, or groundwater use.
- c) The project will not substantially alter the existing drainage pattern of the work sites in a manner that would result in substantial erosion or siltation on- or off-site because the project will not involve any construction or land alteration.
- d) The project will not substantially alter the existing drainage pattern of the work sites, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site because the project will not involve any construction or land alteration.
- e) The project will not create or contribute runoff water that would exceed the capacity of existing or planned storm-water drainage systems, or provide substantial

additional sources of polluted runoff because the project will not involve any construction or land alteration.

- f) The project will not substantially degrade water quality. The project will not involve any construction or land alteration, and thus will not have any adverse impacts on water quality.
- g) The project will not place housing within a 100-year flood hazard area as mapped on any flood hazard delineation map. No housing will be created as part of this project.
- h) The project will not place within a 100-year flood hazard area structures which would significantly impede or redirect flood flows. No new structures will be associated with this project.
- i) The project will not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. The project will not involve any construction, land alteration, or land use changes.
- j) The project will not expose people or structures to a significant risk of inundation by seiche, tsunami, or mudflow. The project will not involve any construction, land alteration, or land use changes.

X. LAND USE AND PLANNING

- a) The project will not physically divide an established community. The project will not involve any construction, land alteration, or land use changes.
- b) The project does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. The project will not involve any construction, land alteration, or land use changes.
- d) The project will not conflict with any Habitat Conservation or Natural Community Conservation plan. The project will not involve any construction, land alteration, or land use changes.

XI. MINERAL RESOURCES

- a) The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

- b) The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

XII. NOISE

- a) The project will not result in exposure of persons to, or generation of noise levels in excess of, standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The project will not involve construction or physical alteration of land, and its implementation will not generate noise levels in excess of agency standards.
- b) The project will not result in exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels. The project will not involve construction or physical alteration of land.
- c) The project will not result in a substantial permanent increase in ambient noise levels in the project vicinity. The project will not involve construction or physical alteration of land, or the creation of any permanent noise sources.
- e) The project will not result in a substantial temporary, or periodic, increase in ambient noise levels in the project vicinity above levels existing without the project. The project will not involve construction or physical alteration of land.
- e) The project will not be located within an airport use plan or within two miles of a public airport or public use airport.
- f) The project will not be located within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING

- a) The project will not induce substantial population growth in an area, either directly or indirectly. Such an impact will not occur because the project will not construct any new homes, businesses, roads, or other human infrastructure.
- b) The project will not displace any existing housing and will not necessitate the construction of replacement housing elsewhere.
- c) The project will not displace any people and will not necessitate the construction of replacement housing elsewhere.

XIV. PUBLIC SERVICES

- a) The project will not have any significant environmental impacts associated with new or physically altered governmental facilities. The project will not involve any construction, land alteration, or land use changes.

XV. RECREATION

- a) The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- b) The project will not involve any construction, land alteration, or land use changes. There will be no construction or expansion of recreational facilities.

XVI. TRANSPORTATION/TRAFFIC

- a) The project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- b) The project will not conflict, either individually or cumulatively, with any applicable congestion program established by the county congestion management agency for designated roads or highways.
- c) The project will not result in any change in air traffic patterns.
- d) The project will not alter terrestrial features or is incompatible with uses of equipment.
- e) The project will not result in inadequate emergency access. The project does not involve construction.
- f) The project will not significantly affect parking capacity or demand for parking.

XVII. UTILITIES AND SERVICE SYSTEMS

- a) The project will not produce wastewater.
- b) The project will not require, or result in the construction of, new water or wastewater treatment facilities or expansion of existing facilities. Such an impact will not occur because the project will not produce wastewater.

- c) The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities.
- d) The project will have sufficient water supplies available to serve the project from existing entitlements and resources.
- e) The project will not produce wastewater.
- f) The project will not generate solid waste requiring disposal in a landfill.
- g) The project will not create solid waste. Thus, the project will be in compliance with federal, state, and local statutes related to solid waste.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The project is consistent with the Department's mission to manage California's diverse fisheries resources for their ecological value, their use and for the public's enjoyment.
- b) The project does not have adverse impacts that are individually limited, but cumulatively considerable. Cumulative adverse impacts will not occur because there are no potential adverse impacts due to project implementation.
- c) The project does not have environmental effects that will cause substantial adverse effects on humans, either directly or indirectly. The project will not involve any construction, land alteration, or the creation of new infrastructure.

PERPETUAL TIMETABLE FOR CALIFORNIA FISH AND GAME COMMISSION ANTICIPATED REGULATORY ACTIONS

Updated: 04/07/16

ITEMS PROPOSED FOR CHANGE ARE SHOWN IN BLUE

For FGC Staff use.				2016												2017										
QTRLY EFFECTIVE	DFW RU ANALYST	FGC ANALYST	LEAD	REGULATORY CHANGE CATEGORY	ACTION DATE, TYPE AND LOCATION	APR 12	APR 13	APR 14	APR 18	MAY 18	JUN 21	JUN 22	JUN 23	JUL 21	AUG 24	SEP 25	SEP 21	OCT 19	OCT 20	NOV 17	DEC 7	DEC 8	JAN ?	FEB ?	MAR ?	MAR ?
						TRIBAL COMMITTEE GEYSERSVILLE	FGC SANTA ROSA	TELECONFERENCE	WRC WEST SACRAMENTO	TRIBAL COMMITTEE BAKERSFIELD	FGC BAKERSFIELD	MRC PETALUMA	FGC FOLSOM	WRC WOODLAND	FGC TBD	MRC IRVINE	FGC SAN DIEGO	WRC TBD	FGC TBD	TELECONFERENCE	MRC TBD					
					File Notice w/OAL by Notice Published		2/16/16	2/23/16			4/26/16		6/28/16		8/1/15		10/13/15		10/23/15							
					Title 14 Section(s)		2/26/16	3/4/16			5/6/16		7/8/16		8/21/15		10/23/15									
	SB	JS	FB	SPORT FISH	1.05 et al.				R						N			D			A					E 3/1
	SB	SF	MR	PACIFIC HALIBUT SPORT FISHING	28.20		A		E 5/1											N				D		
	SB	SF	MR	OCEAN SALMON SPORT FISHING (PHASE I)	27.80(c)	E 4/1																		D		A
	SB	SF	MR	OCEAN SALMON SPORT FISHING (PHASE II)	27.80(d)			A	E 5/1											N				D		
	SB	SF	FB	KLAMATH RIVER SPORT FISHING	7.50(b)(91.1)			A	V						E 8/1						N			D		
*		ST	OGC	CLEAR LAKE HITCH	670.5	E 4/1																				
*		ST	OGC	TRICOLORED BLACKBIRD - 2084 EMERGENCY	749								180 Days Expires 8/9/16													
	SB	ST	FB	UPPER SACRAMENTO RIVER EMERGENCY	7.50(b)(156.5)							180 Days Expires 8/9/16														
	MR	JS	FB	CENTRAL VALLEY SALMON SPORT FISHING	7.50(b)			A							E 8/1							N			D	
	MR	JS	WLB	MAMMAL HUNTING 2016-2017	265 et al.		A		V					E 7/1								N			D	
	SB	JS	FB	FISHERIES AT RISK EM 1ST 90 DAY EXTENSION	8.01																					
	SB	JS	FB	FISHERIES AT RISK EM 2ND 90 DAY EXTENSION	8.01								90 Day Ext. Expires 6/29													
				FISHERIES AT RISK REGULAR RULEMAKING	8.01		A						Effective NLT 6/28/2016													
	MR	JS	WLB	WATERFOWL	502		D/A							E 7/1								N			D	
*	MR	CW	MR	ELECTRONIC REPORT OF MARINE LOGBOOKS	190		D/A							E 7/1												
*	MR	ST	MR	COMMERCIAL SEA URCHIN (PHASE I)	120.7		D/A							E 7/1												
*	MR	SF	FGC	COMMISSION MEETING PROCEDURES	665			D				A				E 10/1										
*	SB	ST	MR	SPINY LOBSTER, SPORT AND COMMERCIAL	29.80 et al.		D					A				E 10/1										
*	SB	CW	WLB	NONLEAD AMMUNITION COUPON PROGRAM	250.2			N				D/A				E 10/1										
	SB	JS	LED	TIDAL WATERS SF/SAN PABLO BAY	1.53 27.00 28.65(a)			N				D			A										E 1/1	
	SB	CW	WLB	DFW LANDS PASS	550 et al.			N				D			A										E 1/1	
*	MR	CW	OGC	CONFLICT OF INTEREST CODE	782		N					N			D/A				D/A							E 1/1
	MR	CW	WLB	UPLAND (RESIDENT) GAME BIRD	300, 311, 745.5			N				D			A	E 9/1, V									R	
*	MR	JS	WLB	FALCONRY CLEAN-UP	670		N					DN			AD											E 1/1
*	MR	CW	WLB	NONGAME ANIMALS - GENERAL PROVISIONS	472							N			D/A											E 1/1
*	SB	SF	MR	COMMERCIAL HAGFISH BARREL TRAPS	180.6(b)							N			D/A											E 1/1
*	MR	CW	LED	UPLAND GAME BIRD SPECIAL HUNT DRAWING	TBD (new)							N			D											E 1/1
	MR	SF	MR	RECREATIONAL GROUND FISH	27.20 et al.										N											E 1/1
*	SB	CW	LED	ENHANCE PENALTIES FOR GAME ILLEGAL TAKE	715 (new)					V					N											E 1/1
	MR	JS	WLB	BIG GAME TAG QUOTA REPORTING PROCESS	360, 361, 362, 363, 364										N											E 4/1
*			MR	KELP AND ALGAE HARVEST MANAGEMENT	165, 165.5, 704									V												
*	MR	SF	MR	PACIFIC HALIBUT SPORT CONFORM PROCESS [2016]	28.20																					
*			MR	COMMERCIAL SEA CUCUMBER [2016]	128																					
*		ST	MR	COMMERCIAL SEA URCHIN (PHASE II) [TBD]	120.7																					
*				POSSESS GAME / PROCESS INTO FOOD [TBD]	TBD																					
*			OGC	AZA/ZAA [TBD]	671.1																					

EM = Emergency, E = Anticipated Effective Date (RED = expedited review), N = Notice Hearing, D = Discussion Hearing, A = Adoption Hearing, V = Vetting, R = Committee Recommendation, WRC = Wildlife Resources Committee, MRC = Marine Resources Committee