

## Regulatory Language

### Subsection (b)(91.1) of Section 7.50:

(91.1) Anadromous Waters of the Klamath River ~~Below~~ 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 ~~from~~ of Iron Gate Dam, portions of the Trinity River system ~~above~~ upstream of Lewiston Dam, and the Shasta River and tributaries ~~above~~ upstream of Dwinneel 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)(5)).

#### (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. Definitions of Gap: For the purposes of this section, "gap" means the distance measured from the point of a hook to the shank.~~

~~3. Maximum Gaps and Gear Rigging.~~

~~a. No person shall use any single hook with a gap greater than 1 inch or any multiple hook with a gap greater than 3/4 inch.~~

~~b. It is unlawful to use any hook which is directly or indirectly attached closer than 18 inches to any weight exceeding 1/2 ounce.~~

~~c. It is unlawful to use any multiple hook or more than one single hook on non-buoyant lures exceeding one ounce.~~

~~d. It is unlawful to use any weight attached directly below a hook.~~

~~4. 2.~~ During closures to the take of adult salmon, anglers shall not remove any adult Chinook salmon from the water by any means, such as by dragging the fish on shore or using a net.

#### (B) General Area Closures.

1. No fishing is allowed within 750 feet of any Department of Fish and Game fish-counting weir.

2. No fishing is allowed from the Ishi Pishi Falls road bridge upstream to and including Ishi Pishi Falls from August 15 through December 31.

EXCEPTION: members of the Karuk Indian Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand-held dip nets.

3. No fishing is allowed from September 15 through December 31 in the Klamath River within 500 feet of the mouths of the Salmon, the Shasta and the Scott rivers.

#### (C) Klamath River Basin Possession Limits.

##### 1. Trout Possession Limits.

a. The brown trout possession limit is 10 brown trout.

b. The hatchery trout or hatchery steelhead possession limits are as follows:

(i) Klamath River - 1 hatchery trout or hatchery steelhead.

(ii) Trinity River - 4 hatchery trout or hatchery steelhead.

2. Chinook Salmon Possession Limits.

a. Klamath River from January 1 to August 14 and the Trinity River from January 1 to August 31.

(i) 2 Chinook salmon.

b. Klamath River from August 15 to December 31 and Trinity River from September 1 to December 31.

(i) 9 Chinook salmon. No more than 6 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 ~~coordinated~~ 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 ~~2008~~ 2009 Klamath River Basin quota is ~~22,500~~ 30,800 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~~ department status report on progress toward the quotas for the various river sections is updated weekly, and available at 1-800-564-6479.)

2. Sub Quota Percentages.

a. The sub quota for the Klamath River upstream of the Highway 96 ~~B~~bridge at Weitchpec and the Trinity River is 50% of the total Klamath River Basin quota.

(i) The sub quota for the Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec is 17% of the total Klamath River Basin quota.

(ii) The sub quota for the Trinity River main stem ~~from~~ downstream of the Old Lewiston ~~B~~bridge to the Highway 299 west bridge at Cedar Flat is 16.5% of the total Klamath River Basin quota

(iii) The sub quota for the Trinity River main stem ~~from~~ downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River is 16.5% of the total Klamath River Basin quota

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

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

(Note: This provision only applies if the department projects that the total Klamath River Basin quota will be met.)

(E) Klamath River Basin Open Seasons and Bag Limits.

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

<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.	0
2. Klamath River main stem from 3,500 feet downstream of Iron Gate Dam to 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 1 hatchery trout or hatchery steelhead**
	Fall Run Quota <u>5,236 Chinook Salmon</u> August 15 to December 31, <del>2008</del> <u>2009</u> .	3 Chinook salmon - only 2 fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length. 1 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. <u>Daily bag and possession limits specified for fall-run Chinook salmon apply during this exception.</u>	
b. Klamath River downstream of the Highway 96 bridge at Weitchpec.	January 1 to August 14.	2 Chinook salmon 1 hatchery trout or hatchery steelhead**
	Fall Run Quota <u>15,400 Chinook Salmon</u> August 15 to December 31, <del>2008</del> <u>2009</u> .	3 Chinook salmon - only 2 fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length. 1 hatchery trout or hatchery steelhead**
	Fall Run Quota Exception: Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth). This area will be closed to all fishing after <u>15% of the Lower Klamath River</u> the sub quota has been met.	

3. Salmon River main stem, main stem of North Fork downstream of Sawyer's Bar Bbridge, and main stem of South Fork downstream of the confluence of the East Fork of the South Fork.	November 1 through February 28.	0
4. Scott River main stem downstream <del>from</del> of the Fort Jones-Greenview Bbridge to the confluence with the Klamath River.	Fourth Saturday in May through February 28.	0
5. Shasta River main stem downstream <del>from</del> 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.	0
6. Trinity River and tributaries.		
a. Trinity River main stem <del>downstream</del> from 250 feet <del>below</del> <u>downstream of</u> Lewiston Dam to the Old Lewiston bridge.	April 1 through <del>August 31</del> <u>September 15</u> . Only artificial flies with barbless hooks may be used.	0
b. Trinity River main stem <del>downstream from</del> of the Old Lewiston Bbridge to the Highway 299 West Bbridge at Cedar Flat.	January 1 to August 31.	2 Chinook salmon 5 brown trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota <u>5,082 Chinook Salmon</u> September 1 through December 31, <del>2008</del> <u>2009</u> .	3 Chinook salmon - only 2 fish over 22 inches total length until sub quota 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 <u>the</u> Old Lewiston Bbridge 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. <u>Daily bag and possession limits specified for fall-run Chinook salmon apply during this exception.</u>	
c. Canyon Creek <del>above</del> <u>upstream of</u> the falls located about four miles <del>above</del> <u>north of</u> the wilderness area	Last Saturday in April through November 15.	2

boundary.		
d. Trinity River main stem downstream <del>from</del> <u>of</u> the Highway 299 West bridge at Cedar Flat to the <del>Hawkins Bar Bridge (Road to Denny) Denny Road bridge at Hawkins Bar.</del>	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.
e. New River main stem downstream <del>from</del> <u>of</u> the confluence of the East Fork to the confluence with the Trinity River.	September 15 through November 15. Only artificial lures with barbless hooks may be used.	0
f. Trinity River main stem downstream <del>from the Hawkins Bar Bridge (Road to Denny) of the Denny Road bridge at Hawkins Bar</del> to the mouth of the South Fork Trinity River.	January 1 to August 31.	2 Chinook salmon 5 brown trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota <u>5,082 Chinook Salmon</u> September 1 through December 31, <del>2008</del> <u>2009</u> . This is the <u>cumulative quota for subsections 6.f. and 6.g. of this table.</u>	3 Chinook salmon - only 2 fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length. 5 brown trout 2 hatchery trout or hatchery steelhead**
g. Trinity River main stem downstream <del>from</del> <u>of</u> the mouth of the South Fork Trinity River to the confluence with the Klamath River.	January 1 to August 31.	0 Chinook salmon 5 brown trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota <u>5,082 Chinook Salmon</u> September 1 <del>to</del> <u>through</u> December 31, <del>2008</del> <u>2009</u> . This is the <u>cumulative quota for subsections 6.f. and 6.g. of this table.</u>	3 Chinook salmon - only 2 fish over 22 inches total length until sub quota is met, then 0 fish over 22 inches total length. 5 brown trout 2 hatchery trout or hatchery steelhead**
h. Hayfork Creek main stem downstream <del>from</del> <u>of</u> the Highway 3 bridge in Hayfork to the confluence	November 1 through March 31. Only artificial lures with barbless	0

with the South Fork Trinity River.	hooks may be used.	
i. South Fork Trinity River downstream from 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**

\*\* Hatchery trout or steelhead 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.

NOTE:

Authority cited: Sections 200, 202, 205, 215, 220, 240, 315 and 316.5, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 215 and 316.5, Fish and Game Code.