

CALIFORNIA 12-13

Waterfowl and Upland Game Hunting & Department Lands Public Use Regulations

Effective
July 1, 2012 - June 30, 2013
except as noted.

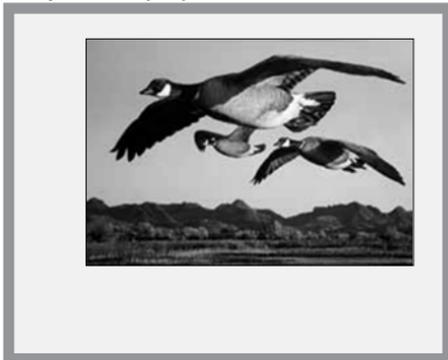
State of California
Governor Edmund G. Brown, Jr.

Natural Resources Agency
Secretary John Laird

Department of Fish and Game
Director Charlton H. Bonham

Fish and Game Commission
Mr. Jim Kellogg, President
Mr. Michael Sutton, Vice President
Mr. Jack Baylis, Member
Mr. Daniel W. Richards, Member
Mr. Richard B. Rogers, Member
Mr. Sonke Mastrup, Executive Director

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State of California
Fish and Game Commission
Initial Statement of
Reasons for Regulatory
Action
Public Use of Department
of Fish and Wildlife Lands
May 2013

Attachment 11
(see next page)

Below is an excerpt from pages 52-54 of the "Waterfowl and Upland Game Hunting and Public Use of Department Lands Regulations" (the booklet), published for the 2012-2013 hunting season. This excerpt is an example of italicized, non-regulatory "informational" text, followed by non-italicized regulatory text. Informational text below that has been underlined is proposed to be paraphrased and moved into proposed Section 551(x)(8), Title 14, CCR in order to regulate the number of visitors in "free-roam" hunting areas and hunting blinds. Proposed subsection 551(x)(8) also includes a rule from existing subsection 551(q)(62)(F) which is part of the regulatory text below. The entire booklet can be downloaded from the California Department of Fish and Wildlife website (www.wildlife.ca.gov).

(62) Los Banos Wildlife Area
Type A Area 6,130 acres

Location and Access: *Approximately four miles northeast of the town of Los Baños. From Highway 152 near the east edge of Los Baños, turn north on Highway 165; travel north three miles and then east (right) on Henry Miller Avenue for approximately ¾ mile. Area is open to upland game and waterfowl hunting, fishing, nature study and related activities. Mud Slough Unit: Approximately 5 miles east of Los Baños on the north side of Highway 152. Permits for hunting will be issued at the Los Baños checking station. **Reservations:** Available for the waterfowl, pheasant and dove seasons. **Checking Station:** Waterfowl and dove: During waterfowl season and for the opening day of the early dove season, the checking station will start issuing permits to reservation holders two hours before shooting time, except that on the opening day of waterfowl season, permits will be issued starting 2 ½ hours before shooting time. **Reservations must be presented at the checking station by one hour before shooting time. Reservations will expire at this time.** Hunters without reservations may register in person at the checking station between*

6:00 and 9:00 p.m. the evening before each hunt day for a lottery drawing to be held shortly after 9:00 p.m., to establish the order of issuance of permits to fill vacancies after reservation holders on the morning of the hunt. At this time lotteries will also be held for Volta WA and Merced NWR. Hunters may only sign up for a lottery draw on one of these areas. Each potential hunter including juniors (if accompanied by a responsible adult) must register in person to participate in the lottery.

A hunting partner does not have to be present for the registration, nor be a lottery participant. For "free roam" areas, each lottery number may allow entry of up to six persons including the person that was issued the valid lottery number. No more than two may be hunters who have adult licenses. In blind areas, each lottery number may allow entry of up to the capacity of the available blinds. If a person's name appears more than once in the drawing, he will be eliminated from the draw and will not be allowed to hunt that day. Persons arriving after the 9:00 p.m. lottery registration deadline will be added to the list on a first-come, first-served basis. Persons signing in on the first-come, first-served list must sign in as a party or as an individual. All hunters entering on the same reservation, lottery number or when signing in as a party on the first-come, first-served list must hunt the same hunting assignment.

*Pheasants: On non-waterfowl hunt days, quotas will be filled on a first-come, first-served basis. **Checking station** will start issuing permits at 7:00 AM.*

During the waterfowl and pheasant season, no permits will be issued after 3:00 p.m. Blinds: There are a maximum of 18 two-person general use blind sites, and 3 two-person junior blinds in Zone 6. There are also 5 sets of double barrel blinds that are not regulated. Two platform blinds are accessible to wheelchair users. These blinds are issued on a first-come, first-serve basis to

persons with verified disabilities. Persons who require these facilities should report to the checking station immediately upon arrival to the area. Blinds will be held for persons with disabilities until 2:00 p.m., at which time they will be open to general use. There are 10 two person blinds in the Mud Slough Unit junior area.

Daily Hunter Capacity: Los Baños Wildlife Area: Up to 150. Mud Slough Unit: Open for up to 12 parties, made up of junior hunters and their adult partners during waterfowl and pheasant season. At Los Baños during waterfowl season, 20 spaces are available for long term parking of trailers, by special draw. Limited space is available for overnight trailer parking. For information, phone (209) 826-0463.

(A) Method of Take Restrictions: Limited to shotguns and archery equipment. A hunter shall not possess more than 25 shot shells while in the field during the waterfowl season, except on days when only upland game may be taken, and on special "youth only" waterfowl hunt days when there shall be no restrictions on the number of shot shells taken into the field.

(B) Hunt Days: Waterfowl: Saturdays, Sundays, and Wednesdays during open seasons. Pheasants: Every day during the first nine days of the pheasant season and on Saturdays, Sundays, and Wednesdays during the remainder of the pheasant season and on the day following Thanksgiving. Other authorized species: Daily during open seasons during the periods July 1 through September 15, and from the beginning of waterfowl season through March 31, except that hunt days are limited to waterfowl and pheasant hunt days during the waterfowl and pheasant season. Raccoons may not be taken during the waterfowl or pheasant seasons. When the wildlife area is closed to general use, hunting will not be allowed.

(C) Day Use Permit Requirement of Public Access. In addition to a daily entry permit required for hunting during the waterfowl and pheasant season, a day use permit is required of all users. Users that possess a valid California sport fishing, hunting, or trapping license are exempt from the fee. Users that

are part of an organized school group are also exempt from the fee and must coordinate with the appropriate department office. To obtain a daily use permit, possession of an annual Department lands pass or a daily Department lands pass or a valid California sport fishing, hunting, or trapping license is required. Annual Department lands passes and daily lands passes may be issued through the Automated License Data System at Department license sales offices, license agents, or on the internet.

(D) Authorized Species: Waterfowl, snipe, coots, moorhens, pheasants, doves, raccoons, and rabbits.

(E) Camping and Trailers: Camping is allowed at the main office parking area only, and only during waterfowl and pheasant seasons and during organized events.

(F) Reservations: For Zone 6, each reservation assures entry of no more than two persons. For Zone 6J, and the Mud Slough Unit, each reservation assures entry of one adult and one junior hunter. Reservations for free roam hunting are good for up to all two adult hunters, who may be accompanied by up to two junior hunters or non-shooters. All person's entering on the same reservation will receive the same hunt assignment.

(G) Hunters may enter or exit only at designated locations. Stopping vehicles between designated parking areas to drop off passengers or hunting equipment is prohibited. (H) Special Restrictions: Closed to all public uses from September 15 until the opening of waterfowl season. During the waterfowl and pheasant hunt seasons, the wildlife area will be closed to all public use, except for controlled hunting. However, wildlife observation may be allowed in authorized locations on Mondays, Tuesdays, Thursdays, and Fridays during waterfowl season. Dogs are not allowed in the interpretive viewing area at any time. The wildlife area may be closed to all public uses for seven days following the close of the waterfowl hunt season to allow for post season maintenance. Dogs must be on a leash from April 1 through June 30. Dog training and trials are allowed in designated areas only. Special permits are required to hunt Zone 6 and the Mud Slough Unit during the waterfowl season. When assigned blind sites, hunters shall shoot only from their assigned sites, except to retrieve downed birds. Horses are not allowed on the area. The cutting of woody stemmed plants is prohibited. Blinds may not be constructed or covered with plant material gathered from outside the wildlife area.