

State of California  
FISH AND GAME COMMISSION

Mar.  
30

Minutes, Meeting of March 30, 1979

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State of California  
FISH AND GAME COMMISSION

Pursuant to the call of the President, the Fish and Game Commission met in the City Council Chambers, 1313 California Street, Redding, California, on March 30, 1979. The meeting was called to order at 9 a.m. by Commission President Sherman Chickering.

Persons Present:

FISH AND GAME COMMISSION

Sherman Chickering	President
Elizabeth L. Venrick, Ph.D.	Vice President
Berger C. Benson	Member
Abel C. Galletti	Member
Raymond F. Dasmann, Ph.D.	Member

COMMISSION STAFF

Leslie F. Edgerton	Executive Secretary
Harold C. Cribbs	Assistant Executive Secretary

ATTORNEY GENERAL'S OFFICE

Raymond H. Williamson	Deputy Attorney General
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DEPARTMENT OF FISH AND GAME

Charles E. Fullerton	Director
Ned Dollahite	Chief, Wildlife Protection Branch
Ed Greenwood	Chief, Marine Resources Branch
Eldridge Hunt	Chief, Wildlife Management Branch
Robert Kaneen	Manager, Marine Resources Region
Brian Hunter	Wildlife Management Branch
Harold Harper	Wildlife Management Branch
Paul Wertz	Information Officer, Region 1

Also present and heard:

Don Demscher	Mayor, City of Redding
Stan Giles	Sportsman
Harley Stokel	Northern California Rod and Gun Club
Rod Hine	Sportsmen of Klamath River
Sean Patterson	Supervisor, Tehama County
Frank Kimberling	Chairman, Lassen County Board of Supervisors
Bud Hemmon	Western Sierra Sportsmen's Club
Arch McKie	Tehama County Sportsmen's Association
Lester Woolf	Tehama Flyfishers
Gunard Bawl	Pacific Rod and Gun Club
Mike Ballew	Dye Creek Preserve
Vito Quartraro	Sportsman

Ralph Burton  
Dave Griffith  
Don Lee  
Leo Callighy  
Mark Dow  
Larry Cox  
Wayne Long  
Jim Welsh  
Ed Hague  
Doug Sayers  
Chester Walder  
Ralph Neff  
Gary Finlon  
Jerry Hendricks

Mr. Jamerson  
Delbert Craig

Jay Dow  
Jack Kennedy  
Brad Mews  
Les Lahr

Erv Astmann  
Henry Pickle  
Everett Warren

Albert Potter  
Ed Hall  
Mr. Methor  
Charles Bull

Joe Becker  
Mary Ann Twohey  
Gene Gurdies  
Ronald Monroe  
Les Sufferin  
John Wilson  
Still Bradmuse  
Gary Dealer  
James Smith  
Gary Penlon  
Keith Carly  
Spencer Thomas  
Chuck Ladean  
Hank Pritchard  
Mary Lee Pritchard  
Leonard Crow  
Bill Sweeney  
William James Claus  
Thomas W. Riley  
Mary M. Ward  
Maurice Swartz

Sportsman  
Sportsman  
Rancher  
Sportsman  
Sportsman  
Sportsman  
Dye Creek Preserve  
SCOPE  
Associated Sportsmen of California  
Organized Sportsmen of Lassen County  
Pit River Rod and Gun Club  
Lassen County Fin and Antler Club  
Sportsman  
Northern California Sportsmen's  
Association  
Sportsman  
Northeast Sportsmen Council, Modoc  
County  
Sportsman  
Lake County Rancher  
Konocti Rod and Gun Club  
Northern California Sportsmen's  
Association  
Siskiyou Sportsmen's Club  
Sportsman  
Weed Sportsmen's Club - Dunsmuir Rod  
and Gun Club  
Sierra County Fish and Game Committee  
Sierra Valley Sportsmen's Club  
Sportsman  
Northern California Sportsmen's  
Association  
Nor-Cal Bow Hunters  
Cal Bow Hunters  
Wildlife Management Consultant  
California Houndsmen for Conservation  
California Wool Growers Association  
Sportsman  
Sportsman  
Western Sierra Sportsmen's Club  
California Houndsmen for Conservation  
Sportsman  
California Trappers Association  
California Trappers Association  
Sportsman  
Trapper  
California Trappers Association  
California Trappers Association  
U.S. Fish and Wildlife Service  
California Waterfowl Association  
Pacific Gas and Electric Co.  
Landowner  
Audubon County Ranch

Dave Hellindaul  
Gary Page  
Frances Stewart  
Everett Sitorri  
David Hamilton  
Larry Robertson  
Steve Kuphal  
Bruce Tucker

Petaluma Outdoorsmen  
Pt. Reyes Bird Observatory  
Bolinas Lagoon Tech Group  
Petaluma Outdoorsman  
Private Citizen  
Commercial Abalone Diver  
Commercial Abalone Diver  
Commercial Abalone Diver

President Chickering introduced the members of the Commission, the Commission staff, Deputy Attorney General Ray Williamson, and Director Charles Fullerton. In introducing Commissioner Dasmann, Mr. Chickering noted that Dr. Dasmann had just returned from Toronto where he had received the prestigious Aldo Leopold Award for his efforts in conservation.

Mr. Chickering stated that on behalf of the Commission and the Department he wanted to express his appreciation for the past evening's outing on Lake Shasta and specifically wanted to thank John Reginato and the Shasta Cascade Wonderland Association for making it possible.

At this point, Mr. Don Demscher, Mayor of the City of Redding, came forward and welcomed the Commission to Redding and thanked them for holding their meeting in the city.

1. READING AND APPROVAL OF MINUTES OF FEBRUARY 2, 1979 MEETING.

Mr. Edgerton stated that the minutes of the February 2, 1979 meeting had been distributed to members of the Commission, and that the Commission staff knew of no errors or omissions therein. He suggested that they be approved in their present form. It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. VENRICK, THAT  
INASMUCH AS THE MINUTES OF THE FEBRUARY 2, 1979 MEETING  
HAD BEEN DISTRIBUTED TO MEMBERS OF THE COMMISSION AND THERE  
ARE NO KNOWN ERRORS OR OMISSIONS THEREIN, THE READING BE  
DISPENSED WITH AND THEY BE APPROVED AS DISTRIBUTED.

PASSED UNANIMOUSLY.

2. CONSIDERATION OF EMERGENCY ACTION TO LOWER STATEWIDE SPORT LIMIT ON SEA-RUN SALMON FROM THREE TO TWO FISH.

Mr. Edgerton stated that the Department was requesting that the Commission take emergency action to reduce the salmon bag limit in ocean waters and those streams that have anadromous fish from three to two fish and to provide for a closing of the sport season in ocean waters on October 14. He said the Commission office had received a letter from the Marin Rod and Gun Club in opposition to any reduction in the salmon limit for inland waters, and a phone call supportive of a prohibition on the take of salmon in inland waters.

Director Fullerton explained the proposal to the Commission, stating that he was asking that the Commission take emergency action regarding the take of salmon in the area three miles off the coast inland, except the reservoirs, to

provide for a reduction in the sport limit from three to two fish and to provide for a closure of the salmon fishing season in ocean waters west of the Carquinez Straits from October 15, 1979 through February 15, 1980. He said this action was commensurate with the action taken by the Pacific Fisheries Management Council for that area outside the three-mile limit. He said that the Department believed this action was necessary because they were beginning to feel the effects of the drought years and that there was a need to increase the spawning run by 15 - 20%. He said he believed the proposed regulations would aid in obtaining that increase.

Dr. Venrick asked the Director how long he expected this action would be necessary. He stated that, at present, the Department believed that this would only have to be in effect for one year; however, there would be a need to take a look at the situation at the end of that time.

Mr. Galletti asked the Director what effect the implementation of the regulation change would have in increasing the number of salmon coming upstream. The Director said the Department had been working with percentages rather than numbers and that they were seeking a 15 - 20% increase in the spawning runs.

Mr. Stan Giles, a sportsman, spoke on the need for a moratorium on the commercial salmon take. Mr. Fullerton responded that a bill had been introduced in the Legislature regarding a moratorium on permitting new boats into the salmon fishery for a period of two years.

In response to a question from the Commission, Mr. Edgerton stated that the emergency regulation would be filed on Friday, March 30, and would become effective at 12:01 a.m., Monday, April 2.

Mr. Harley Stokel, representing the Northern California Rod and Gun Club, spoke in support of the proposal, but also asked that the Department look at other matters involving habitat in its efforts to increase fish runs. He said there was a problem with the Red Bluff Diversion Dam and its effect upon salmon survival as well as the illegal take of salmon in the bays. He felt that the Department's efforts should be spent toward correcting these situations.

Mr. Rod Hine, representing the sportsmen of the Klamath River, asked what impact the proposed regulation would have on the illegal take of salmon by the Indians fishing commercially on the Klamath River. Director Fullerton responded that under the proposed federal regulations there would be no commercial fishing, but a continuation of subsistence-level fishing.

After additional discussion of the matter, it was:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY VESTED BY SECTION 307 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTION OF SAID CODE, BY EMERGENCY ACTION, ADDS SECTION 1.73 TO TITLE 14, CALIFORNIA ADMINISTRATIVE CODE, AS FOLLOWS:

(1) Section 1.73 is added to read:

1.73 Special Salmon Restrictions.

(a) Notwithstanding any other section in Chapters 3 and 4 of these regulations, it is unlawful to take or possess more than two salmon in ocean waters, or inland waters where sea-run salmon are present.

(b) Notwithstanding Section 27.80 of these regulations, the season to take salmon in San Francisco Bay, San Pablo Bay, and Richardson Bay between the Carquinez Bridge and the Golden Gate Bridge, and all ocean waters and other bays will close at 12:00 midnight on October 14, 1979.

This section shall remain in effect only through February 15, 1980.

PASSED UNANIMOUSLY.

It was also:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION AUTHORIZE ITS STAFF TO PUBLISH THE REQUIRED LEGAL NOTICE OF THE EMERGENCY ADOPTION OF SECTION 1.73, TITLE 14, CALIFORNIA ADMINISTRATIVE CODE.

PASSED UNANIMOUSLY.

3. ANNOUNCEMENT OF POSTPONEMENT OF TESTIMONY AND DECISION ON PROPOSED BAN ON TAKE OF NATIVE REPTILES AND AMPHIBIANS FOR COMMERCIAL PURPOSES UNTIL THE APRIL 27 MEETING IN SACRAMENTO.

Mr. Edgerton stated that at the Commission's March 2 meeting in Los Angeles it had listened to those who wished to speak at that time and could not attend a future meeting. He said the pet industry had asked for additional time to gather information to counter the Department's recommendations which they said would take six months to collect. He noted that the Commission had voted to postpone final action on the item until its April 27 meeting in Sacramento. Therefore, the action before the Commission was for it to officially move to hear this item in Sacramento, as legal notice had been published stating that action would be taken at the March 30 meeting. He also noted that if there were those in the audience who desired to speak on the matter as a result of seeing the legal notice, the Commission would be compelled to hear this testimony.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY MR. BENSON, THAT THE FISH AND GAME COMMISSION DELAY ACTION ON THE DEPARTMENT'S PROPOSAL TO BAN THE COMMERCIAL TAKE OF NATIVE REPTILES AND AMPHIBIANS UNTIL ITS APRIL 27 MEETING IN SACRAMENTO.

PASSED UNANIMOUSLY.

4. DISCUSSION OF PROPOSALS AND ANNOUNCEMENT OF TENTATIVE APPROVALS FOR THE 1979-80 MAMMAL REGULATIONS.

Mr. Edgerton explained that only the mammal regulations would be considered at this meeting and that the proposed changes in the bird regulations would be received at the Commission's June meeting. He further stated that the Fish and Game Code required that this meeting be held to provide for public discussion and presentation of objections to, or in support of, proposals originally presented to the Commission at its March 2 meeting in Los Angeles. He said that after considering testimony at this meeting the Commission would announce its tentative approvals of proposed regulations relating to mammals for the 1979-80 seasons. He said the staff would then prepare and distribute an announcement of these proposals, and at its third and final meeting in Sacramento on April 27, the Commission would consider objections to the proposals and adopt the 1979-80 mammal hunting and trapping regulations which generally become effective July 1, 1979.

Mr. Edgerton pointed out that under legislation effective January 1, 1979, the Commission's regulation adoption meetings would be held one month earlier. This, he said, would enable the Department and the Commission staff to prepare the adopted regulations for distribution to the public in an orderly fashion.

Mr. Edgerton stated that the Commissioners had before them the Department's environmental plans with respect to the proposals being presented as well as the Department's responses to those recommendations received from the public on March 2. He noted that correspondence received in the Commission office would be reported at the time a particular item was under discussion. He then reviewed the Department's list of recommendations for changes, and the following discussions took place.

With regard to Section 260.2, Hunting Restrictions on Lake Oroville State Recreational Area, Mr. Eldridge Hunt, Chief of the Department's Wildlife Management Branch, stated that the State Parks and Recreation Commission had taken action to provide for spring turkey hunting on the Lake Oroville State Recreational Area. To implement this provision in the Commission's regulations, Mr. Edgerton said that a motion was in order. It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. VENRICK, THAT  
SECTION 260.2 BE AMENDED TO PROVIDE FOR SPRING TURKEY  
HUNTING AT LAKE OROVILLE STATE RECREATION AREA.

PASSED UNANIMOUSLY.

With regard to Section 263, Prohibition Against Night Hunting, Mr. Bud Hemmon, representing the Western Sierra Sportsmen's Club, asked that the Commission continue to provide for a time lock in the regulation. It was his opinion that this matter should be looked at annually.

With regard to Section 307, Tree Squirrels, Mr. Edgerton reported that the Commission office had received one letter in support of closing the tree squirrel season on December 2 each year.

With regard to Section 350, Deer, Mr. Edgerton reported that the Commission office received the following correspondence: 61 form letters in support of

<u>Archery</u>		<u>Rifle</u>	
Zone A	7/7 - 8/5	Zone A	8/18 - 9/23
B1, B2	8/11 - 9/9	B1, B2	10/6 - 10/28
D1-10	8/11 - 9/9	D1	10/6 - 10/28
D15	8/11 - 9/9	D2	10/6 - 11/11
D11-14	9/1 - 9/30	D3-10	10/6 - 11/18
X	8/25 - 9/16	D11-14	10/27 - 12/9
		D15	10/6 - 11/18
		X1-5	10/13 - 10/28
		X6-8	10/13 - 10/28
		X9	10/6 - 10/28

Additionally, requesting that: (1) archery hunters applying to hunt the D zones be allowed to hunt any of the D zones without restriction; (2) rifle hunters may apply to hunt one of the D1-10 zones in the first half of the season and an additional D1-10 zone for the later half of the season; (3) request removal of portions of Section 465 of the 1978 mammal regulations that prohibits being in the field with certain firearms during deer season without the appropriate deer tags. They do not feel that legitimate recreational opportunity should be restricted to correct a law enforcement problem, if indeed one exists; and (4) request clearer boundary delineations to eliminate confusion.

One letter in support of allowing senior citizens to obtain two tags (one tag for the X deer districts, also one tag for the northern part of the state).

One letter in support of allowing senior citizens to hunt statewide.

Two letters in support of having a special rifle season.

A letter from the Tehama County Board of Supervisors in support of having the deer season in Tehama County run from September 22 to October 21.

Thirty-four letters, petitions with 71 signatures, and three cards in support of a later closing date for Zone D-2b to at least November 4.

A letter from the Tulelake-Butte Valley Sportsmen's Association, Tulelake, in support of: (1) maintaining the zone system; (2) having the following hunting season dates for Zone X rifle: 9/29 - 10/8; archery: 8/18 - 9/16; (3) no duplicate tags sold, and a termination of deer tag sales at midnight prior to the opening day of the coastal deer season; (4) an elimination of all trophy hunts in Zone X; (5) no depredation hunts on private lands closed to public hunting during the special deer season; and (6) mandatory tag returns.

One letter in support of a quota system for the Zone X area of eastern Lassen County.

One letter in opposition to the establishment of a quota hunt in Area X-5b.

One letter in opposition to the proposed exceptional opportunity hunt for Trinity County.

A letter with 12 signatures in support of: (1) having the late rifle season moved back two weeks into October and November; and (2) having special antlerless hunts where buck/doe ratios are high, such tags to be issued by a drawing with successful applicants receiving their tags along with their buck tags.

One letter in support of hunters having to chose between hunting with a rifle or with archery equipment.

One letter in support of allowing hunters to hunt both inland and coastal areas with a two deer bag limit. Tags to be issued at license agents throughout the state.

A letter from the Alpine County Board of Supervisors in support of having a ten-day deer season in Alpine County, District X-8, with a closing date to coincide with the adjoining counties on the western slope.

Letters from the Placer County Board of Supervisors and the Sierra Valley Fish and Game Club, Sierraville, in support of having the deer season in Zone X-7 run for ten days as in 1978.

A letter from the Tehama Fly Fishers, Red Bluff, in support of: (1) having the deer season in eastern Tehama County run from September 22 to October 21, one deer, forked horn or better on the west side, east and west sides opening and closing at the same time; and (2) in support of a muzzle-loading rifle deer season.

A petition with 9 signatures in support of a pre-season muzzle loading hunt in the Warner Mountain Refuge.

A letter in support of eliminating the deer zone concept, or some provision to permit a hunter to change zones.

Mr. Chickering reported that he had also received a letter in support of a November 4 closing date for Zone D-2b.

With regard to Section 350, Deer, (a) Zone Hunts, Mr. Benson asked why the Department was again proposing an earlier closure for Zone D-2b. Mr. Brian Hunter, Big Game Coordinator for the Department, stated that the Trinity County people desired an earlier closure in the lower portion of the old Zone B-2, which he said the Department was now proposing as a separate zone - B-3. He said with the earlier closure in the B-3 area there was a concern that with the later season in D-2b there would be a shift of hunting pressure.

Mr. Benson asked what the traditional closing date for the deer season had been; Mr. Hunter replied about October 15. Mr. Hunter also stated that the Department believed that deer numbers were down in the Area of Zone D-2b and that fawn survival had been poor. This, he said, could be correlated with effects of the drought.

Mr. Sean Patterson, a supervisor from Tehama County, stated that the Board was concerned about deer herds on both sides of Tehama County and that they believed providing for a later season in Zone D-2b would result in a shift of hunting pressure to that area from the B-3 area. He asked for an October 28 closure in both zones B-3 and D-2b.

Mr. Arch McKie of the Tehama County Sportsmen's Association, Red Bluff, spoke in support of having an October 28 closing date for both Zones B-3 and D-2b. He said his group had supported this closure in the past and they felt it was in the best interests of management of the deer herd in that area.

Mr. Hunt spoke on the poor fawn survival in Zone D-2b, pointing out that the fall count was approximately 36 fawns per 100 does and the spring count was only 10 fawns per 100 does. In response to a question from Dr. Venrick, he noted that this poor fawn survival was believed to be an aftermath of the drought in that there was not the early "greenup" of the ranges within Zone D-2b.

Mr. Lester Woolf of the Tehama County Flyfishers, spoke in support of the October 28 closure of Zones B-3 and D-2b.

Mr. Gunard Bawl of Pacific Rod and Gun Club and Mr. Mike Ballew of the Dye Creek Preserve spoke in support of a November 4 closing date and for the same season as last year. However, he suggested that those hunting in the B zones not be permitted to hunt in the D-2 zones. Mr. Chickering asked Mr. Ballew about his views on fawn survival in the Dye Creek area. Mr. Ballew stated that he did not believe that a one-week extension of the season would have any appreciable effect on the fawn ratios.

Mr. Fullerton asked Mr. Ballew if providing for similar closing dates in Zones B-2 and B-3 and Zone D-2 would reduce hunting pressure. Mr. Ballew replied that he believed it would, but he noted that each unit should be managed as a unit irregardless of the actions of other units.

Mr. Vito Quartraro, a sportsman from Chico, spoke in support of the November 4 closing for Zone D-2b. It was his opinion that there had been too many deer on the range in previous years and that he had spoken to this build-up in the past. He said he would support similar seasons as held in 1978, but requiring that a hunter make a choice on whether or not he would hunt in the B zone or in Zone D-2b. He maintained that storms are necessary to move the deer to lower elevations in Zone D-2b and without these there would not be an appreciable harvest. He urged the Commission to provide for aggressive and progressive deer management in the state.

In response to a question from Mr. Benson, Mr. Hunter and Director Fullerton spoke on the impact of a longer season in Zone D-2b on buck/doe ratios. Mr. Fullerton noted that the Department was attempting to spread out the buck take over this year and next rather than to take drastic steps to reduce the buck take next year.

Mr. Ralph Burton, a sportsman, spoke in support of having the season close on October 28 in both Zones B-2, B-3 and Zone D-2b. He also urged the Department to provide habitat management programs in these areas.

There then followed a discussion on the Department's proposed habitat work in these areas.

Mr. Dave Griffith, a sportsman, spoke in support of the Department's proposal for an October 28 closure in Zones B-2, B-3 and D-2b. He also asked that the Department provide for more enforcement to cut down on the illegal take of animals.

Mr. Don Lee, a rancher, spoke in support of having the same boundaries and seasons for Zone D-2b as were in effect in 1978.

Mr. Leo Callighy, a sportsman from San Francisco, handed the Commission petitions with 1,100 signatures from the bay area in support of a November 4 closing date for Zone D-2b. He stated that deer did not move down into the lower elevations early in the season and therefore were not available. He called for an opportunity for the general public to have a chance to hunt these animals. Messrs. Mark Dow and Larry Cox also spoke in support of the later closing date of November 4 for Zone D-2b.

Mr. Chickering asked for a show of hands as to those in support of the later closure and those opposed to this date. Approximately two-thirds of those hands raised were in support of a later closing date, while one-third opposed the later closing.

Mr. Wayne Long, speaking for the Dye Creek Preserve, asked that the Commission require the hunter to make a specific choice whether he would hunt in Zone D-2b or Zones B2 or B3. He said this should be and either/or situation and that by taking away the hunter's option to hunt in both these areas, hunting pressure should be reduced.

Mr. Jim Welsh, representing SCOPE, spoke in support of the Department's proposal for an October 28 closure in Zones B3 and D-2b.

Mr. Ron Hine spoke in support of having a November 4 closing date for Zone D-2b. There followed a discussion on the impact of different closing dates on hunting pressure on Zone D-2b. It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT  
THE COMMISSION TENTATIVELY AMENDS SECTION 350(a), ZONE  
HUNTS TO PROVIDE FOR ZONES B-1, B-2 AND B-3.

PASSED UNANIMOUSLY.

It was then:

MOVED BY MR. BENSON, SECONDED BY DR. VENRICK, THAT  
THE COMMISSION TENTATIVELY AMENDS SECTION 350(a), ZONE  
HUNTS, TO PROVIDE FOR A SEPTEMBER 29, 1979 THROUGH  
NOVEMBER 4, 1979 SEASON IN ZONE D-2b.

PASSED UNANIMOUSLY.

Director Fullerton stated that in light of the Commission's action he would like to see Zone D-2b made the same as an X zone - one deer with a hunter not permitted to hunt in any other zone. He said he believed this was important if the Department was going to reduce hunting pressure in Zone D-2b.

Dr. Dasmann stated that he would eventually like to see some type of quota which would regulate hunting pressure. He said he did not want to see an increase in pressure in this area; however, he would like to see the same regulations as in effect last year for Zone D-2b.

After additional discussion, it was:

MOVED BY DR. VENRICK, SECONDED BY MR. BENSON, THAT  
THE FISH AND GAME COMMISSION TENTATIVELY AMENDS  
SECTION 350(a), ZONE HUNTS, TO PROHIBIT THOSE INDIVIDUALS  
HUNTING IN ZONE D-2b FROM HUNTING IN ANY OTHER ZONE.

AYES: COMMISSIONERS VENRICK, BENSON, CHICKERING  
NOES: COMMISSIONERS DASMANN AND GALLETTI

Mr. Ed Hague, representing the Associated Sportsmen of California, stated that his organization supported a two-week later opening and closing for the deer seasons in Zones D3 through D-10, a 30-day archery season with 17 days between the archery and rifle seasons and the opportunity for archery hunters to hunt in any of the Zones D-3 to D-10.

With regard to Section 350(b), the X Zone Hunts, Mr. Frank Timbering, Chairman of the Lassen County Board of Supervisors, and Mr. Doug Sayers, representing the Organized Sportsmen of Lassen County, spoke in support of a return to the 1975-76-77 X zone boundary with a season of September 29 through October 8 - one buck three points or better; a cutoff of deer tag sales at the end of the A zone season; no changes in these regulations for a three to five-year period and that there be no drawing for tags in Lassen County Zone X-5b.

He stated that his group was working with BLM to try to restrict hunter access, which he said was important, and he asked that the Commission consider the establishment of a refuge in the Lassen County area. He said his group had collected 1,987 signatures on petitions in support of this proposal.

Mr. Sayers also stated that the Board of Supervisors of Lassen County had adopted a resolution calling for a mandatory policing of hunter tag returns; a ten-day season including two weekends; no quota hunt for Zone X-5 east of Highway 395; a return to the old X area or District 1-3/4 zone; that all roads in the X-5 area east of Highway 395 be closed except main thoroughfares rather than providing for quotas to reduce hunting pressure; and that the bag limit be one three-point buck or better.

Mr. Hunt stated that with the old District 1-3/4 boundaries, hunting pressure had been high and that he believed that a return to the old system and boundaries would see a return of that pressure. He said that the Department was confident that the quota proposal for Zone X-5b would work.

Mr. Chickering stated that he didn't really see how the Department could determine the effects of the past season with just one year's test.

Mr. Fullerton stated that the ten-day season alone had not worked in reducing hunter pressure. He also stated that the Department believed that with the quota in X-5b hunting pressure could be better regulated.

Dr. Venrick stated she was glad to see that the Department was proposing that unsuccessful applicants for the Zone X-5b hunt would be given an opportunity to hunt in another zone. However, she wondered why the Department had not limited the second choice to an A, B or D area. Mr. Hunter replied that the Department's proposal gave local hunters an opportunity to hunt in the same general vicinity as they lived.

Mr. Chester Walder of the Pit River Rod and Gun Club, and Mr. Jerry Hendricks of the Northern Counties Wildlife Conservation Association, spoke in support of the same recommendations as submitted by the Lassen County Board of Supervisors and the Organized Sportsmen of Lassen County.

Mr. Henry Pickel spoke in opposition to the proposed quota system for Zone X-5b.

Mr. Ralph Neff of the Lassen County Fin and Antler Club, and Mr. Gary Fenton, a sportsman, spoke in support of the Department's proposed regulations for Zone X-5b.

In response to a question from Mr. Chickering, Mr. Williamson stated that he did not believe the Commission could bind future Commissioners to a proposal as suggested by the Organized Sportsmen of Lassen County.

Mr. Fullerton pointed out that with the mandatory tag return system, the Department had found that 4,600 individuals had not returned their Zone X tags. As a result of this, he said Monday morning the Department of Fish and Game wardens would cite these individuals, and they would be advised that they could not apply for Zone X hunts during the coming year.

Mr. Hendricks, as well as Messrs. Jack Kennedy, a Lake County rancher, and Mr. Brad Mews of the Konocti Rod and Gun Club asked that the season for Lake County (Zone A) run from August 4 through September 3 with one buck, forked horn or better. They maintained that the population of deer in Lake County was down significantly and felt that a shorter season was in order.

Director Fullerton stated that the Department had looked closely at this situation in Lake County and that indications were that the buck/doe ratio was good; however, total numbers of deer in that area were down. He believed that going to a one buck limit for the Lake County area would not help significantly, as few hunters took more than one deer.

Mr. Delbert Craig, representing the Northeastern Sportsmen's Council of Modoc County, and Mr. Stan Giles, representing the Intermountain Sportsmen of Shasta County, both spoke in support of the position taken by the Organized Sportsmen of Lassen County, and the Lassen County Board of Supervisors regarding hunts in Zone X.

Mr. Jay Dow spoke in support of the Department's proposal for Zone X-5 and further asked that the three-point law be abolished.

Mr. Erv Astmann, representing the Siskiyou County Sportsmen, spoke in support of having a 14-day deer season in Siskiyou County.

Mr. Everett Warren of the Dunsmuir Rod and Gun Club spoke in support of the Department's proposed season for Zone X-1. He also stated that he would not like to see the deer season in Zone D-2a overlap the bear season.

After additional discussion of the matter, it was:

MOVED BY DR. VENRICK THAT THE FISH AND GAME COMMISSION TENTATIVELY AMEND SECTION 350(b), X ZONE HUNTS, TO PROVIDE FOR A TEN-DAY SEASON IN THE X ZONES.

This motion died due to the lack of a second.

Mr. Albert Potter of the Sierra County Fish and Game Committee, and Mr. Ed Hall of the Sierra County Sportsmen's Club, and Mr. Methen spoke in support of having a ten-day season in Zone X-7.

Mr. Wayne Long stated that the season length was not the key to total deer numbers and therefore he supported the Department's proposal for a season of September 29, 1979 through October 14, 1979 in Zone X-7.

With regard to Section 350(d), Special Buck Hunts, Mr. Jerry Hendricks and Mr. Methen spoke in opposition to the proposed Shasta-Trinity XS-3 hunt, Shasta and Trinity counties. Mr. Charles Bull also opposed this hunt and challenged the Commission's action on a legal basis in that he believed that permitting this hunt would not lead to a protection of the resource which he said the Fish and Game Code required the Commission to do.

With regard to Section 350(e), Antlerless and Either Sex Hunts, Mr. Joe Becker, representing the Nor Cal Bowhunters and Ms. Mary Ann Twohey of the California Bowhunters and State Archery Association spoke in support of the proposed S-1 Gray Lodge either sex archery hunt, Butte and Sutter counties. Ms. Twohey asked that October 8 be included in the archery season dates for Zones D-11 - D-13 and the Gray Lodge either sex archery hunt.

Messrs. Jerry Hendricks and Charles Bull of the Northern California Sportsmen's Association spoke in opposition to the S-1 Gray Lodge antlerless and either sex hunt.

After additional discussion, it was:

MOVED BY DR. VENRICK, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION TENTATIVELY AMENDS SECTION 350(e) TO PROVIDE FOR A SEASON OF OCTOBER 6, 7, 8, 13 AND 14 FOR THE S-1 GRAY LODGE EITHER SEX ARCHERY HUNT.

PASSED UNANIMOUSLY.

Director Fullerton stated that the Department had reviewed the recommendations for a special muzzle-loading rifle season in the state and suggested that the Commission provide for a special muzzle-loading rifle season in Santa Barbara and Ventura counties for the season to run between November 15 and December 15 with a one-buck limit, forked horn or better, 250 permits to be

issued on a statewide drawing. He said successful applicants could not hunt in any other zone and the unsuccessful applicants would only be allowed to hunt in the A, B or D zones.

Mr. Jim Welsh of SCOPE stated that his organization felt that this type of hunt was justified and that he fully supported the Department's proposal.

It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION TENTATIVELY ADDS SUBSECTION (f) TO SECTION 350 TO PROVIDE FOR A SPECIAL MUZZLE-LOADING RIFLE SEASON IN SANTA BARBARA AND VENTURA COUNTIES TO RUN FROM NOVEMBER 15 THROUGH DECEMBER 15, ONE BUCK, FORKED HORN OR BETTER, WITH 250 PERMITS AND FURTHER THAT SUCCESSFUL APPLICANTS FOR THE HUNT BE LIMITED TO THAT ZONE WITH UNSUCCESSFUL APPLICANTS ONLY ABLE TO APPLY FOR AN A, B, OR D ZONE.

PASSED UNANIMOUSLY.

With regard to Section 351, Bear, Mr. Bud Hemmon of the Western Sierra Sportsmen's Club stated his organization supported a modification on the definition of bear cubs to include those bears weighing less than 75 pounds. He also asked that Los Angeles, Ventura and Santa Barbara counties be closed to bear hunting during the dog training season.

Mr. Hunter pointed out that the Department had looked at a modification of the weight definition for bear cubs and felt that with the 50-pound maximum an individual could definitely discern a cub bear; however, when the 75-pound figure was used, it was difficult.

Mr. Hunt stated that the Department had looked at both the definition of the bear cub issue and the season in Los Angeles, Ventura and Santa Barbara counties and believed that they should remain as proposed by the Department.

With regard to Section 355.5, Weapons Authorized for Taking Nongame Animals During the Open Deer Season, and Section 465, Methods of Taking Furbearers, Mr. Edgerton stated that both of these sections dealt with firearms and archery equipment during the deer season. He suggested that both matters be considered at the same time.

Mr. Edgerton reported that the Commission office had received the following correspondence:

A letter from Mr. Walter Powell, California Wildlife Federation, in opposition to Sections 355.5 and 465.

The following individuals spoke in opposition to the provisions of Section 355.5 and 465: Messrs. Jerry Hendricks, Jim Welsh, Jack Kennedy, Les Hahr, Joe Becker, John Wilson, Still Bradmuse, and Ms. Mary Ann Twohey. They stated that they believed it infringed on their right to bear arms, that it was not enforceable, and that it had a presumption of guilt attached.

Director Fullerton spoke in support of the proposal, stating that several citations had been issued and convictions obtained for violation of this section. He said he believed it was a good regulation and should be continued.

Ms. Twohey asked that at least there be a provision to continue the bow and arrow exemption.

Mr. Les Sufferin, representing the California Wool Growers' Association, asked if the proposals in Sections 355.5 and 465 would affect those individuals involved in predator control measures. The Director pointed out that it would not.

Mr. Gary Dealer of the Western Sierra Sportsmen's Club stated that he would like to see Section 355.5 amended to provide for the use of pistols or revolvers in taking big game. After considerable discussion of the matter, it was:

MOVED BY DR. DASMANN, SECONDED BY MR. BENSON, THAT  
THE FISH AND GAME COMMISSION TENTATIVELY DELETES SECTION  
355.5 AND THOSE PROVISIONS OF SECTION 465 RELATING TO  
THE POSSESSION OF SPECIFIED WEAPONS DURING THE DEER  
SEASON WITHOUT HAVING A VALID TAG IN POSSESSION.

PASSED UNANIMOUSLY.

With regard to Section 357.1, Use of Dogs in Pursuit of and/or Hunting Wildlife, Mr. Ronald Monroe of the California Houndsmen for Conservation, and Mr. Bud Hemmon of the Western Sierra Sportsmen's Club, asked that Santa Barbara, Ventura and Los Angeles counties be removed from the dog training closure in effect April 1 through August 3.

Mr. Hemmon also stated that his group was opposed to a shortening of the bear training season in the Sierras. He asked that the proposal be extended at least to provide for the same training season as last year. He said the dates for his proposal would be July 14 through September 8.

Mr. James Smith of the California Houndsmen for Conservation asked that the old coast bear season in effect in 1978 be continued as training season only.

Mr. Hunter pointed out that with all the various seasons that were in effect in California it was important that they be made to mesh; therefore, he said he recommended the season as proposed by the Department.

With regard to Section 358, Archery Deer Hunting, Mr. Delbert Craig of the Northeastern Sportsmen's Council, Modoc County, stated his organization would like to see the archery season run from August 18 through September 9. He said this would allow for a longer period of time between the archery and rifle seasons.

Mary Ann Twohey and Joe Becker asked that the archery season for Zones D-11 through D-13 run through October 8.

Director Fullerton pointed out that by extending the season through October 8, it would reduce the time between the rifle and archery seasons. He, therefore, could not support this.

Dr. Venrick stated she wondered why no one had discussed the archery only tag proposal which had drawn considerable discussion the previous year. It was her understanding that the archers were interested in such a system.

Director Fullerton stated that the Department was prepared to issue a special archery only tag, which would allow archery hunters to hunt in all zones if they were willing to give up their opportunity to hunt with a rifle.

After additional discussion of the matter, it was:

MOVED BY DR. VENRICK, SECONDED BY MR. BENSON, THAT THE FISH AND GAME COMMISSION TENTATIVELY AMENDS SECTION 358, ARCHERY DEER HUNTING, TO PROVIDE FOR A SPECIAL ARCHERY ONLY TAG WHICH WOULD PERMIT AN ARCHER TO HUNT IN ANY ZONE, BUT WOULD PRECLUDE HIM FROM HUNTING WITH A RIFLE DURING THE DEER SEASON.

PASSED UNANIMOUSLY.

With regard to Section 365, Failure to Return Deer Tags, Mr. Hunt asked that the section be modified to prohibit an individual from applying for a deer tag for the following license year if he failed to comply with the provisions of Section 364, or if he was convicted of a deer tag violation. He said the way the regulation presently was worded it precluded the issuance of a tag by the Department to such an individual.

It was then:

MOVED BY MR. BENSON, SECONDED BY DR. VENRICK, THAT THE FISH AND GAME COMMISSION TENTATIVELY AMENDS SECTION 365, PERTAINING TO THE FAILURE TO RETURN DEER TAGS, TO PROHIBIT AN INDIVIDUAL FROM APPLYING FOR A DEER TAG FOR THE FOLLOWING LICENSE YEAR IF THEY HAVE FAILED TO ABIDE BY THE PROVISIONS OF SECTION 364, OR IF THEY HAVE BEEN CONVICTED OF A DEER TAG VIOLATION.

PASSED UNANIMOUSLY.

With regard to Section 462, Muskrat, Mr. Hunt stated the Department was amending its earlier recommendation for a change in the muskrat season and asked that the Commission continue the season in effect in 1978-79. He said that the Department had found that a majority of the muskrat pelts were taken during the month of March and that this take was not detrimental to the resource.

With regard to Section 464, Raccoon, Mr. Hunt stated that the same situation existed with the raccoon and that the Department was recommending the same seasons as in effect in 1978-79 including the dog training season for raccoon.

Mr. Ronald Monroe of the California Houndsmen for Conservation, and Mr. Gary Dealer, Western Sierra Sportsmen's Club, requested that the Commission not shorten in any way the dog training seasons for raccoon.

With regard to Section 465.5, Use of Steel Leg-Hold or Conibear Type Traps, Mr. Hunt stated that the Department was recommending that Section 465.5(g) be amended to provide that steel leg-hold traps not be set or maintained within 40 feet of any exposed bait. He said the present wording, which prohibited the setting of bait which could be seen by a soaring bird within 40 feet of a trap, was difficult to enforce.

Mr. Spencer Thomas, California Trappers Association, stated his group would like to have the 40-foot figure reduced to 30 feet. Director Fullerton stated the Department would not object to this.

It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT THE COMMISSION TENTATIVELY AMENDS SECTION 465.5(g) TO PROHIBIT THE SETTING OR MAINTAINING OF STEEL LEG-HOLD OR CONIBEAR TYPE TRAPS WITHIN 30 FEET OF ANY EXPOSED BAIT.

PASSED UNANIMOUSLY.

With regard to Section 467, Trapping Reports, Mr. Hunt recommended that the date by which trapping reports must be submitted be changed from April 1 to July 1. He said that this would allow sufficient time for the trapping reports to come in after the close of the trapping season.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. VENRICK, THAT THE FISH AND GAME COMMISSION TENTATIVELY AMENDS SECTION 467 PERTAINING TO TRAPPING REPORTS TO PROVIDE THAT SUCH REPORTS BE SUBMITTED BY JULY 1 OF EACH YEAR.

PASSED UNANIMOUSLY.

With regard to Section 473, Bobcat, Mr. Hunt stated that the Department estimated that the bobcat population of California exceeded some 130,000 animals. He noted that the harvest in preceding years had been approximately 20,000 animals annually. He said the Department had evaluated the resource carefully and, therefore, was making a two-fold recommendation to the Commission. He said (1) the Department was recommending that the Commission take emergency action to permit the tagging of those pelts legally taken during the 1978-79 season, which were in excess of the 6,000 authorized to be tagged. He said permitting the tagging of these animals would avert a wasting of pelts and would preclude a carryover of them into the next season since the pelts would have to be sold by a specified date; and (2) the Department was recommending that the total take of bobcat in California be set at approximately 18,000 animals. To implement this limit he said the Department was requesting that the Director be given authority to close the bobcat season to all take when the bobcat pelt tag sales approached the 6,000 quota. Further, that the Commission delete three weeks from the beginning of the season and one month from the end of the season as in effect in 1978-79.

Dr. Venrick asked Mr. Hunt if the total take did not approach 18,000 was the Department recommending extending the season for the additional one-month period to allow the total take. Mr. Hunt replied that he believed the proposed season would permit the taking of the approximately 18,000 bobcat and that an extension of the season would not be necessary. In their request, the Department was also asking that those obtaining bobcat pelt export tags be required to submit the lower jaw of the bobcat and information on where and when the animal was taken when obtaining their tags.

Dr. Dasmann stated his support for the proposal of the Department.

Mr. Ronald Monroe of the California Houndsmen for Conservation stated his organization would like to see the same season for bobcat as in effect during 1978-79. Mr. Smith of that organization said he believed it was necessary to provide for a lengthening of the season to assure a total take of 18,000 bobcat. He said he believed the Director's discretion should also include the provision to lengthen or shorten the season. He said if it was necessary to shorten the season the trappers would like to see the time come off the end of the season.

Mr. Spencer Thomas, representing the California Trappers Association, recommended a shortening of the bobcat season to provide for a season of November 16 through January 31. He said it was important that the bobcat season open at the same time as for other furbearers. He also asked that the \$3 fee be dropped and urged the Commission to take emergency action to provide for additional tags for the remainder of the untagged bobcat pelts taken during the 1978-79 season.

Mr. Chuck Ladean suggested that the Commission require all bobcats taken to be tagged and that the total take be regulated by a shortening of the season. He also urged that the opening date for the bobcat season be the same as for other furbearers and that, if any time be taken off the season, it come from the end.

Mr. Bud Hemmon urged the Commission to provide for a maximum of three tags per person per season which would be issued prior to the opening of the season.

Mr. Hank Pritchert, a trapper, spoke in opposition to limiting individuals to a total of three bobcat export tags per season.

Dr. Dasmann stated that with the increase and the acknowledged value of the bobcat pelts he believed there would be a shift from the number of untagged pelts to the tagged pelt class which he said could eventually reduce the take to approximately the 6,000 figure.

Mr. Hunt pointed out that Department surveys indicated that their statistics were correct and they believed that the proposal would provide for the desired take. Mr. Fullerton noted that if there was any dramatic increase in the number of trapping licenses sold, then he believed the statements made by Dr. Dasmann might be true; however, he said he doubted that this would be the case.

Ms. Mary Jo Pritchert, representing the California Trappers Association, stated she objected to any reduction in the total take of bobcat.

After additional discussion of the matter, Mr. Fullerton stated that he would not object to leaving the bobcat season as it had been during 1978-79 if the Commission provided for a closing of the season when the number of bobcat pelt export tags issued approached the 6,000 tag quota.

Messrs. Keith Carly, and Leonard Kroll, representing the California Trappers Association, stated their opposition to any shortening of the season for bobcat. Mr. Carly pointed out that ESSA no longer required a quota on the number of tags issued for bobcat pelts. He believed that every pelt should be tagged and that the season should not be shortened.

It was then:

MOVED BY MR. BENSON, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION TENTATIVELY AMENDS SECTION 473 TO PROVIDE THAT THE BOBCAT SEASON SHALL RUN FROM NOVEMBER 16, 1979 THROUGH JANUARY 31, 1980 STATEWIDE, EXCEPT THAT WHEN IT IS DETERMINED BY THE DEPARTMENT THAT THE NUMBER OF BOBCAT PELT EXPORT TAGS ISSUED IS APPROACHING THE 6,000 TAG QUOTA, THE DIRECTOR SHALL CLOSE THE BOBCAT SEASON STATEWIDE.

PASSED UNANIMOUSLY.

With regard to Section 479, Bobcat Pelts, Mr. Edgerton stated that to implement the Department's request for providing additional bobcat pelt export tags to cover those pelts taken in excess of the 6,000 quota for 1978-79, emergency action by the Commission would be necessary.

It was then:

MOVED BY MR. BENSON, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTIONS 1050 AND 4150 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTIONS OF SAID CODE, BY EMERGENCY ACTION, ADDS SECTION 479.1 TO TITLE 14, CALIFORNIA ADMINISTRATIVE CODE, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL BOBCAT PELT EXPORT TAGS IN EXCESS OF THE 6,000 TAG QUOTA TO BE USED IN TAGGING BOBCAT PELTS LEGALLY TAKEN DURING THE 1978-79 SEASON.

(1) Section 479.1 is added to read:

479.1 Bobcat Pelts. Notwithstanding the quota provisions in Section 479, until June 30, 1979 bobcat pelts taken during the 1978-79 season and untagged as of March 31, 1979 can be tagged for export by the department. Tagging procedures will comply with the regulations established by the commission under Section 479 in effect during the 1978-79 trapping season.

PASSED UNANIMOUSLY.

It was then:

MOVED BY DR. VENRICK, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION AUTHORIZE ITS STAFF TO PREPARE AND DISTRIBUTE THE FOLLOWING ANNOUNCEMENT OF THE COMMISSION'S TENTATIVE APPROVALS FOR THE MAMMAL REGULATIONS, WHICH IT INTENDS TO ADOPT FOR THE 1979-80 SEASONS.

#### ANNOUNCEMENT OF TENTATIVE APPROVAL OF 1979-80 MAMMAL REGULATIONS

SHERMAN CHICKERING, PRESIDENT, FISH AND GAME COMMISSION, ANNOUNCES THE TENTATIVE APPROVAL OF THE COMMISSION WITH RESPECT TO CHANGES IN THE 1979-80 MAMMAL REGULATIONS TO BE ADOPTED ON APRIL 27, 1979, IN ACCORDANCE WITH SECTIONS 200-221 OF THE FISH AND GAME CODE, AFTER REVIEW AND CONSIDERATION BY THE COMMISSION OF ALL RECOMMENDATIONS SUBMITTED AT ITS MARCH 2, 1979 MEETING AND PUBLIC DISCUSSION THEREOF AT ITS MARCH 30, 1979 MEETING.

AT ITS APRIL 27, 1979 MEETING IN SACRAMENTO THE COMMISSION WILL HEAR AND CONSIDER ANY OBJECTIONS TO THESE PROPOSALS, AND WILL THEN ADOPT ITS REGULATIONS TO GOVERN THE 1979-80 MAMMAL SEASONS.

- (1) 256. Forked Horn Buck, Three Point Buck and Antlerless and Either Sex Deer Defined. (Add subsections (c) and (d) to define antlerless and either sex deer.)

(c) Antlerless Deer Defined. For the purpose of these regulations, antlerless deer are defined as female deer, fawns of either sex other than spotted fawns, and male deer with an unbranched antler on one or both sides which is not more than three inches in length.

(d) Either Sex Deer Defined. For the purpose of these regulations, either sex deer are defined as antlerless deer as described in Section 256(c), or legal bucks that have two or more points in the upper two-thirds of either antler. Spike bucks may not be taken.

- (2) 260.2 Hunting Restrictions on Lake Oroville State Recreation Area. (Amend section to permit spring turkey hunting on area.)

Game species may be taken on the Lake Oroville State Recreation Area only as follows:

(a) No hunting of any type is permitted between February 1 and September 14 except for wild turkeys only, during the spring turkey hunting season as provided in Section 306.5 of these regulations.

(b) No waterfowl or deer hunting is permitted at any time.

(c) Game species may be taken only during their respective open seasons or portions thereof falling within the period September 15 through January 31 and as provided in (a) above; and as otherwise provided by state Parks and Recreation area regulations (see area regulations).

(3) 260.4 Prohibition Against Taking Other than Waterfowl and Resident Small Game on Perris Reservoir State Recreation Area. (Technical title change.)

(4) 263. Prohibition Against Night Hunting. (Removes time lock.)

Notwithstanding any other provisions of these regulations, hunting wildlife from one-half hour after sunset to one-half hour before sunrise is prohibited in Monterey and San Benito counties east of Highway 101.

(5) 307. Tree Squirrels. (Amend subsections (a)(1) and (b)(1) to provide for Saturday openings.)

(a)(1) Season: September 15, 1979 through January 27, 1980.

(b)(1) Season: August 4, 1979 through January 27, 1980.

(6) 307.5 Archery and Falconry Tree Squirrels. (Amend subsection (a)(1) to provide for Saturday opening.)

(a)(1) Season: August 4, 1979 through September 3, 1979.

(7) 308. Brush, Cottontail and Pigmy Rabbits, and Varying Hare (Snowshoe). (Date change and provision for statewide season.)

(a) Season and Area: July 1, 1979 through January 27, 1980 statewide.

(b) Bag and Possession Limit: Five per day, five in possession in the aggregate of all species.

(8) 309. Jack Rabbits, Black-tailed and White-tailed. (Date change and provision for statewide season.)

(a) Season and Area: Open season statewide all year.

(b) Bag and Possession Limit: No limit.

(9) 309.5 Falconry Rabbits and Hares. (Date change to provide for Saturday opening.)

(a) Season and Area: January 28, 1980 through March 15, 1980, statewide.

(10) 350. Deer. Except as otherwise provided in this Title 14, deer may be taken only as follows:

(a) ZONE HUNTS.

(1) Zone A.

(A) Area: In the counties of Alameda, Contra Costa, Kings, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma and Ventura; that portion of Colusa County lying west of Interstate 5;

those portions of the counties of Fresno, Kern, Los Angeles, Madera, Merced, Sacramento, San Joaquin, Stanislaus, Tulare and Yolo lying west of the following line: Interstate 5 from its intersection with the Yolo-Colusa county line to Highway 99 in the City of Sacramento; Highway 99 south to Interstate 5 in Kern County; south on Interstate 5 to Highway 118; west on Highway 118 to the Ventura County line.

(B) Season: August 4, 1979 through September 16, 1979.

(C) Bag and Possession Limit: Two bucks, forked horn (See Section 256(a)) or better per season.

(2) Zone B-1.

(A) Area: In the counties of Del Norte and Humboldt and those portions of Siskiyou and Trinity counties lying west of the following line: Beginning at the point at which the Cook-Green Pass Road (Forest Service Road 48N20) intersects the California-Oregon state line; south on the Cook-Green Pass Road to Highway 96 near Seiad Valley; west and south along Highway 96 to Highway 299 at Willow Creek; southeast along Highway 299 to the South Fork of the Trinity River; southeast along the South Fork of the Trinity River to the boundary of the Yolla Bolly-Middle Eel Wilderness Area; north and east on the wilderness area boundary line to the Trinity-Tehama county line; south along the Trinity-Tehama county line to the Trinity-Mendocino county line; west on the Trinity-Mendocino county line to the Humboldt-Mendocino county line.

(B) Season: September 22, 1979 through October 21, 1979.

(C) Bag and Possession Limit: Two bucks, forked horn (See Section 256(a)) or better per season.

(3) Zone B-2.

(A) Area: In those portions of Shasta, Siskiyou, Tehama, and Trinity counties within a line beginning at the intersection of Interstate 5 and Highway 299 in Redding; west on Highway 299 to the Bully Choop Mountain Road at the Shasta-Trinity county line and Buckhorn Summit; south on the Bully Choop Mountain Road to a point where this road leaves the Shasta-Trinity county line at Mud Springs; southwest along the Shasta-Trinity county line to the Browns Creek-Harrison Gulch Road; south on the Browns Creek-Harrison Gulch Road to Highway 36; east on Highway 36 (200 yards) to Forest Service Arterial Road 41; south on Forest Service Arterial Road 41 to Stuart Gap at the Tehama-Trinity county line; south on the Tehama-Trinity county line to the north boundary of the Yolla Bolly-Middle Eel Wilderness Area; west and south on the Yolla Bolly-Middle Eel Wilderness boundary to the South Fork of the Trinity River; north and west along the South Fork of the Trinity River to Highway 299; west and north on Highway 299 to Highway 96 at

Willow Creek; north on Highway 96 to the Cecilville-Salmon River Road (Forest Service Road 93) at Somes Bar; east along the Cecilville-Salmon River Road to Highway 3 at Callahan; east along Highway 3 to the Gazelle-Callahan Road (Forest Service Road 1219); east along the Gazelle-Callahan Road to Highway 99; north along Highway 99 to Louie Road; east along Louie Road to Interstate 5; south along Interstate 5 to the point of beginning.

(B) Season: September 22, 1979 through October 21, 1979.

(C) Bag and Possession Limit: Two bucks, forked horn (See Section 256(a)) or better per season.

(4) Zone B-3.

(A) Area: In those portions of Glenn, Shasta and Tehama counties within a line beginning at the intersection of Highway 299 and Interstate 5 in Redding; south on Interstate 5 to the Glenn-Colusa county line; west along the Glenn-Colusa county line to the Glenn-Lake county line; north and west along the Glenn-Lake county line to the Glenn-Mendocino county line; north along the Glenn-Mendocino county line to the Tehama-Mendocino county line; north along the Tehama-Mendocino county line to the Trinity-Tehama county line; along the Trinity-Tehama county line to the north boundary of the Yolla Bolly-Middle Eel Wilderness Area at the Tehama-Trinity county line; north on the Tehama-Trinity county line to Forest Service Arterial Road 41 at Stuart Gap; north on Forest Service Arterial Road 41 to Highway 36; west on Highway 36 (200 yards) to the Browns Creek-Harrison Gulch Road; north on the Browns Creek-Harrison Gulch Road to the Shasta-Trinity county line; northeast along the Shasta-Trinity county line to Mud Springs where the Bully Choop Mountain Road joins the Shasta-Trinity county line; north on the Bully Choop Mountain Road to Highway 299 at Buckhorn Summit and the Shasta-Trinity county line; east on Highway 299 to Interstate 5 in Redding.

(B) Season: September 22, 1979 through October 28, 1979.

(C) Bag and Possession Limit: Two bucks, forked horn (See Section 256(a)) or better per season.

(5) Zone D-1.

(A) Area: In that portion of Siskiyou County within a line beginning at the California-Oregon state line and its intersection with Interstate 5; south on Interstate 5 to Louie Road near Gazelle; west on Louie Road to Highway 99; south on Highway 99 to the Gazelle-Callahan Road at Gazelle; west on the Gazelle-Callahan Road to Highway 3; west on Highway 3 to the Cecilville-Salmon River Road (Forest Service Road 93) at Callahan; west on the Cecilville-Salmon River Road to Highway 96 at Somes Bar; north on Highway 96 to the Cook-Green Pass Road at Seiad Valley; north on the Cook-Green Pass Road to the California-Oregon state line; east along the California-Oregon state line to Interstate 5.

(B) Season: September 22, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(6) Zone D-2a.

(A) Area: In those portions of Shasta and Siskiyou counties within a line beginning at the junction of Interstate 5 and Highway 89 south of the town of Mt. Shasta; east on Highway 89 to the McArthur Road (Shasta County Al9); southeast on the McArthur Road to Highway 299 at McArthur; west on Highway 299 to Highway 89; south on Highway 89 to Highway 44 at Old Station; west on Highway 44 to Interstate 5 at Redding; north on Interstate 5 to Highway 89 at Mt. Shasta.

(B) Season: September 22, 1979 through October 28, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(7) Zone D-2b.

(A) Area: In those portions of Butte, Glenn, Lassen, Plumas, Shasta and Tehama counties within a line beginning at the junction of Interstate 5 and Highway 44 in Redding; east on Highway 44 to Highway 89 at the north entrance of Lassen Volcanic National Park; northeast on Highways 44 and 89 to Old Station; southeast on Highway 44 to Highway 36 west of Susanville; west on Highway 36 to Highway 147 near Westwood; south on Highway 147 to Highway 89; south on Highway 89 to Highway 70; southeast on Highway 70 to Highway 162 at Oroville; west on Highway 162 to Interstate 5; north on Interstate 5 to Highway 44.

(B) Season: September 22, 1979 through November 4, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(8) Zone D-3

(A) Area: In those portions of Butte, Colusa, Glenn, Nevada, Placer, Plumas, Sierra, Sutter and Yuba counties within a line beginning at the junction of Interstate 5 and Highway 162 in Willows; east on Highway 162 to Highway 70 at Oroville; northeast on Highway 70 to Highway 89; south on Highway 89 to the new Gold Lake Road (near Graeagle); south on the new Gold Lake Road to Highway 49 at Bassetts; east on Highway 49 to Yuba Pass; south on the Yuba Pass-Webber Lake Road (main haul road) through Bonta Saddle to the Jackson Meadows Highway (Fiberboard Road); west on the Jackson Meadows Highway for two miles to the Webber Lake-White Rock Lake Road; south on the Webber Lake-White Rock Lake Road to the White Rock Lake-Mt. Lola Trail (east of White Rock Lake); east on the White Rock Lake-Mt. Lola Trail to the

Sierra crest; south on the Sierra crest to Interstate 80 at Donner Summit; west on Interstate 80 to Highway 20; west on Highway 20 to the Bear River in Bear Valley; west along the Bear River to Highway 65 near Wheatland; north on Highway 65 to Highway 70; north on Highway 70 to Highway 20 in Marysville; west on Highway 20 to Interstate 5 at Williams; north on Interstate 5 to the point of beginning.

(B) Season: September 22, 1979 through November 4, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(9) Zone D-4.

(A) Area: In those portions of Colusa, Nevada, Placer, Sacramento, Sutter, Yolo and Yuba counties within a line beginning at the junction of Interstate 5 and Highway 20 at Williams; east on Highway 20 to Highway 70 in Marysville; south on Highway 70 to Highway 65; south on Highway 65 to the Bear River (south of Wheatland); east along the Bear River to Highway 20; east on Highway 20 to Interstate 80; east on Interstate 80 to Highway 89 at Truckee; south on Highway 89 through Tahoe City to the shore of Lake Tahoe; south along the shore of Lake Tahoe to a point opposite the McKinney-Rubicon Springs Road near Chambers Lodge; due west to the McKinney-Rubicon Springs Road; west along that road to Bellevue Avenue; south on Bellevue Avenue to Rubicon-Cascade Drive; west on Rubicon-Cascade Drive to the Miller Lake Road; west on Miller Lake Road to North Miller Creek; south along North Miller Creek to Miller Creek; west along Miller Creek to the Rubicon River; west along the Rubicon River through Hell Hole Reservoir to the Middle Fork of the American River; west along the Middle Fork of the American River to the American River; west along the American River to Interstate 5; north on Interstate 5 to the point of beginning.

(B) Season: September 22, 1979 through November 4, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(10) Zone D-5.

(A) Area: In the counties of Amador and Calaveras and those portions of Alpine, El Dorado, Sacramento, San Joaquin, and Stanislaus counties within a line beginning at the junction of Interstate 5 and the American River in Sacramento; east along the American River to the Middle Fork of the American River; northeast along the Middle Fork of the American River to the Rubicon River; east along the Rubicon River through Hell Hole Reservoir to Miller Creek; east along Miller Creek to North Miller Creek; northeast along North Miller Creek to Miller Lake Road; east on Miller Lake Road to Rubicon-Cascade Drive; east on

Rubicon-Cascade Drive to Bellevue Avenue; north on Bellevue Avenue to McKinney-Rubicon Springs Road; east on McKinney-Rubicon Springs Road to Highway 89; due east on a line across Highway 89 to the west shoreline of Lake Tahoe; south along the shore of Lake Tahoe to the California-Nevada state line; southeast along the California-Nevada state line to Highway 50; southwest on Highway 50 to the Sierra crest at Echo Summit; south along the Sierra crest to the township line between Townships 7 and 8 North near Wolf Creek Pass; due west on that township line to the road connecting Lower and Upper Highland Lakes at Lower Highland Lake; west along that road to Highland Creek; southwest along Highland Creek to the North Fork of the Stanislaus River; west along the North Fork of the Stanislaus River to the Stanislaus River; west along the Stanislaus River to Highway 99; north along Highway 99 to Interstate 80; west on Interstate 80 to Interstate 5; north on Interstate 5 to the point of beginning.

(B) Season: September 22, 1979 through November 4, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(11) Zone D-6.

(A) Area: In Tuolumne County and those portions of Alpine, Madera, Mariposa, Merced and Stanislaus counties within a line beginning at the intersection of Highway 99 and the Stanislaus River at Ripon; east along the Stanislaus River and following the North Fork of the Stanislaus River to Highland Creek; east up Highland Creek to the road connecting Lower and Upper Highland Lakes at Upper Highland Lake; east along that road to the township line between Townships 7 and 8 North; east on that township line to the Sierra crest near Wolf Creek Pass; south along the Sierra crest to the Yosemite National Park boundary near Rogers Peak; along the eastern Yosemite National Park boundary to Highway 41; south along Highway 41 to the Madera-Mariposa county line south of Westfall Station; along the Madera-Mariposa and the Madera-Merced county lines to Highway 99; north along Highway 99 to the point of beginning.

(B) Season: September 22, 1979 through November 4, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(12) Zone D-7.

(A) Area: In those portions of Fresno, Madera, Mariposa and Tulare counties within a line beginning at the intersection of Highway 99 and the Madera-Merced county line; northeast along the Madera-Merced and Madera-Mariposa county lines to Highway 41 south of Westfall station; north along Highway 41 to Yosemite National Park boundary; east along the park boundary to the Mono County line near Rogers Peak; south along the Mono County line and the Sierra crest to Red and White Mountain; south along the Sierra crest and the Inyo National Forest

boundary to Bishop Pass; west along the Dusy Basin Trail to the Middle Fork of the Kings River; southwest and downstream along the Middle Fork of the Kings River to the junction of the Middle Fork and South Fork of the Kings River; southwest along the Kings River through Pine Flat Reservoir, Piedra and Reedley to Highway 99; north along Highway 99 to the point of beginning.

(B) Season: September 22, 1979 through November 4, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(13) Zone D-8.

(A) Area: In those portions of Fresno, Kern and Tulare counties within a line beginning at the intersection of Highway 99 and the Kings River; upstream and northeast along the Kings River through Reedley, Piedra and Pine Flat Reservoir to the junction of the Middle and South Forks of the Kings River; northeast along the Middle Fork Kings River to the Dusy Basin Trail; east along this trail to Bishop Pass; south along the Fresno-Inyo and Tulare-Inyo county lines to the Kern County line; east along the Inyo-Kern county line to Highway 395; south along Highways 395 and 14 to the junction of Highways 14 and 178; west along Highway 178 to Highway 99 at Bakersfield; north along Highway 99 to the point of beginning.

(B) Season: September 22, 1979 through November 4, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(14) Zone D-9.

(A) Area: In that portion of Kern County within a line beginning at the intersection of Highways 99 and 178; northeast along Highway 178 along Lake Isabella and through Walker Pass to Highway 14; southwest along Highway 14 to Highway 58; northwest along Highway 58 to Highway 99; north along Highway 99 to the point of beginning.

(B) Season: September 22, 1979 through November 4, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(15) Zone D-10.

(A) Area: In those portions of Kern and Los Angeles counties within a line beginning at the intersection of Highways 99 and 58; southeast along Highway 58 to Highway 14; south along Highway 14 to Highway 138; west along Highway 138 to Interstate 5; north on Interstate 5 to Highway 99; north on Highway 99 to the point of beginning.

(B) Season: September 22, 1979 through November 4, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(16) Zone D-11.

(A) Area: In those portions of Kern, Riverside and San Bernardino counties within a line beginning at the intersection of Highway 395 and the Inyo-Kern county line; east along the Inyo-Kern county line and the Inyo-San Bernardino county line to the Nevada-California state line; southeast along the Nevada-California state line to the Arizona-California state line; south along the state line to Interstate 40 and Highway 66; west along Interstate 40 and Highway 66 to Highway 95; south on Highway 95 to Highway 62 at Vidal Junction; west on Highway 62 to Twentynine Palms; north on the Twentynine Palms-Amboy Road to Highway 66; west on Highway 66 to Highway 58 near Barstow; west along Highway 58 to Highway 14 in Mojave; north on Highway 14 to Highway 395; north along Highway 395 to the point of beginning.

(B) Season: October 13, 1979 through November 25, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(17) Zone D-12.

(A) Area: In those portions of Kern, Los Angeles, Riverside and San Bernardino counties within a line beginning at the intersection of Interstate 5 and Highway 138 near Gorman; east along Highway 138 to Highway 14; north along Highway 14 to Highway 58 in Mojave; east along Highway 58 to its intersection with Interstate 40 and Highway 66 near Barstow; east along Highway 66 to Amboy; south on the Amboy-Twentynine Palms Road to Highway 62 in Twentynine Palms; west and south on Highway 62 to Interstate 10; southeast on Interstate 10 to Highway 111 in Indio; west on Highway 111 to Highway 74 in Palm Desert; west on Highway 74 to Highway 371; southwest on Highway 371 to Highway 79 in Aguanga; west on Highway 79 to Interstate 15E south of Temecula; north on Interstate 15E to Interstate 10; west on Interstate 10 to Interstate 5; north on Interstate 5 to the point of beginning.

(B) Season: October 13 through November 25, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(18) Zone D-13.

(A) Area: All of Catalina Island and those portions of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego counties within a line beginning at the Los Angeles-Ventura county line and th

Pacific Ocean; northeast along the county line to Highway 118; east on Highway 118 to Interstate 5; south on Interstate 5 to Interstate 10; east on Interstate 10 to Interstate 15E; south on Interstate 15E to Highway 79 south of Temecula; east on Highway 79 to Highway 371; northeast on Highway 371 to Highway 74; east on Highway 74 to Highway 111 near Palm Desert; east and south on Highway 111 to the Mexican border; west along the U.S.-Mexican border to the Pacific Ocean; northwest along the Pacific coastline to the point of beginning.

(B) Season: October 13, 1979 through November 25, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(19) Zone D-14.

(A) Area: Those portions of Imperial, Riverside and San Bernardino counties within a line beginning at Highway 62 and the Twentynine Palms-Amboy Road in Twentynine Palms; east along Highway 62 to Highway 95 at Vidal Junction; north on Highway 95 to Highway 66; east on Highway 66 to the California-Arizona state line; south along this state line to the Mexican border; west along the Mexican border to Highway 111 in Calexico; north on Highway 111 to Interstate 10; north and west on Interstate 10 to Highway 62; north and east on Highway 62 to the point of beginning.

(B) Season: November 3, 1979 through November 25, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(b) X ZONE HUNTS.

(1) Zone X-1.

(A) Area: In those portions of Lassen, Modoc, Shasta and Siskiyou counties within a line beginning at the California-Oregon state line and its intersection with Highway 139; south on Highway 139 to the Lookout-Hackamore Road; south on the Lookout-Hackamore Road to Highway 299; west on Highway 299 to the Dana-McArthur Road (Shasta County A-19) at McArthur; west on the Dana-McArthur Road to Highway 89; northwest on Highway 89 to Interstate 5 at Mt. Shasta; north on Interstate 5 to the California-Oregon state line; east on California-Oregon state line to the point of beginning.

(B) Season: September 29, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, three points (see Section 256(b)) or better per season.

(2) Zone X-2.

(A) Area: In those portions of Modoc and Siskiyou counties within a line beginning at the intersection of Highway 139 and the California-Oregon state line near Tulelake; east along the California-Oregon state line to the eastern shoreline of Goose Lake; southwest along the eastern shoreline of Goose Lake to Westside Road (Modoc County 48); southeast along the Westside Road to Highway 395 in Davis Creek; south along Highway 395 to Highway 299 in Alturas; west along Highway 299 to Highway 139 near Canby; northwest along Highway 139 to the Oregon-California state line and the point of beginning.

(B) Season: September 29, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, three points (see Section 256(b)) or better per season.

(3) Zone X-3

(A) Area: In those portions of Lassen and Modoc counties within a line beginning at the east shoreline of Goose Lake and the California-Oregon state line; east along this state line to the California-Nevada state line; south along the California-Nevada state line to the Clarks Valley-Red Rock-Tuledad Road (Lassen County 512 and 510); west on the Clarks Valley-Red Rock-Tuledad Road to Highway 395 at Madeline; north along Highway 395 to the Ash Valley Road; west along the Ash Valley Road to Highway 299; southwest along Highway 299 to the Bieber-Lookout-Hackamore Road; north along the Bieber-Lookout-Hackamore Road to Highway 139; southeast along Highway 139 to Highway 299 near Canby; east along Highway 299 to Highway 395 in Alturas; north along Highway 395 to Westside Road (Modoc County 48) in Davis Creek; west and north along Westside Road to the south shoreline of Goose Lake; east and north along the south shoreline of Goose Lake to the point of beginning.

(B) Season: September 29, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, three points (See Section 256(b)) or better per season.

(4) Zone X-4.

(A) Area: In those portions of Lassen, Modoc and Shasta counties within a line beginning at the junction of Highways 89 and 44 at Old Station; north on Highway 89 to Highway 299; east on Highway 299 to the Ash Valley Road at Adin; east on the Ash Valley Road through Ash Valley to Highway 395 at Madeline; south on Highway 395 to the Termo-Grasshopper Road (Lassen County 513); west on the Termo-Grasshopper Road to Highway 139; south on Highway 139 to Cleghorn Road (Lassen County 521) at Grasshopper Fire Station; west on Cleghorn Road to the Dow Butte Road (Lassen County 519); south on the Dow Butte Road to the Champs Flat Road (Lassen County 105); southwest on the Champs Flat Road to Highway 44; west and north on Highway 44 to Highway 89, the point of beginning.

(B) Season: September 29, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, three points (See Section 256(b)) or better per season.

(5) Zone X-5a (Zone X-5b - See Section 350(c)).

(A) Area: That portion of Lassen County lying within the following line: Beginning at the junction of Highways 395 and 36 at Johnstonville; northwest on Highway 36 to Highway 44; northwest on Highway 44 to Champs Flat Road (Lassen County 105); north on Champs Flat Road to Dow Butte Road (Lassen County 519); north on Dow Butte Road to Cleghorn Road (Lassen County 521); east on Cleghorn Road to Highway 139 at Grasshopper Fire Station; north on Highway 139 to the Termo-Grasshopper Road (Lassen County 513); east on the Termo-Grasshopper Road to Highway 395 at Termo; south and west on Highway 395 to the point of beginning.

(B) Season: September 29, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, three points (See Section 256(b)) or better per season.

(6) Zone X-6.

(A) Area: In those portions of Lassen, Plumas and Sierra counties within a line beginning at the junction of Highway 395 and the California-Nevada state line at Bordertown; north on Highway 395 to Highway 70 at Hallelujah Junction; west on Highway 70 to Highway 89 at Blairsden, northwest on Highway 89 to Highway 147 at Canyon Dam; north on Highway 147 to Highway 36; east on Highway 36 to Highway 395 at Johnstonville; east on Highway 395 to the Wendel-Pyramid Lake Road east of Litchfield; east on the Wendel-Pyramid Lake Road to the Nevada-California state line; south on the Nevada-California state line to the point of beginning.

(B) Season: September 29, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(7) Zone X-7.

(A) Area: In those portions of Lassen, Nevada, Placer, Plumas and Sierra counties lying within a line beginning at the junction of Highway 395 and the California-Nevada state line at Bordertown; south along the state line to the shore of Lake Tahoe; west and south along the shore of the lake to Highway 89 at Tahoe City; north on Highway 89 to Interstate 80; west on Interstate 80 to Donner Summit; north along the Sierra crest to the White Rock Lake-Mt. Lola Trail; west on the White Rock Lake-Mt. Lola Trail to the Webber Lake-White Rock Lake Road east of White Rock Lake; north on the Webber Lake-White Rock Lake Road to the Jackson Meadows Highway (Fiberboard Road); east two miles on the Jackson Meadows Highway to the Yuba Pass Road at Webber Lake; north on

the Yuba Pass Road (main haul road) through Bonta Saddle to Highway 49 at Yuba Pass; west on Highway 49 to the Gold Lake Road at Bassetts; north on the Gold Lake Road to Highway 89 near Graeagle; north on Highway 89 to Highway 70; east on Highway 70 to Highway 395 at Hallelujah Junction; south on Highway 395 to the point of beginning.

(B) Season: September 29, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(8) Zone X-8.

(A) Area: In those portions of Alpine and El Dorado counties within a line beginning at the junction of the California-Nevada state line and Highway 50; southeast along the California-Nevada state line to the Alpine-Mono county line; southeast along the Alpine-Mono county line to the Sierra crest; northwest along the Sierra crest to Highway 50 at Echo Summit; northeast on Highway 50 to the point of beginning.

(B) Season: September 29, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(9) Zone X-9.

(A) Area: In those portions of Inyo and Mono counties east of the Sierra crest.

(B) Season: September 22, 1979 through October 14, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(c) ZONE HUNTS WITH LIMITED NUMBER OF PERMITS.

(1) Zone X-5b.

(A) Area: The following area is hereby removed from the general deer season: That portion of Lassen County lying within the following line: Beginning at the junction of Highway 395 and the Clarks Valley-Red Rock-Tuledad Road (Lassen County 510 and 512); east on the Clarks Valley-Red Rock-Tuledad Road to the California-Nevada state line; south on the California-Nevada state line to the Pyramid Lake Road (Lassen County 320); west on the Pyramid Lake Road to Highway 395; north on Highway 395 to the point of beginning.

(B) Season: August 25, 1979 through September 16, 1979 for use of archery equipment (as defined in Section 359) only. September 29, 1979 through October 14, 1979 for weapons as described in Section 355.

(C) Bag and Possession Limit: One buck, three points (See Section 256(b)) or better per season.

(D) Number of Permits: 500.

(E) Special Conditions:

1. Permits will be issued by statewide drawing.
2. Applicants must specify Zone X-1, X-2, X-4, X-6 or X-9 as an alternate if not drawn for this zone.

(d) SPECIAL BUCK HUNTS.

(1) Haiwee XS-1, Inyo County.

(A) Area: In that portion of Inyo County within a line beginning at the intersection of Nine-Mile Canyon Road and Highway 395 in south-west Inyo County; north along Highway 395 to Olancha; west along Olancha Creek to the Inyo-Tulare county line; southeast along said county line to Nine-Mile Canyon Road; east along Nine-Mile Canyon Road to the point of beginning.

(B) Season: December 1, 1979 through December 16, 1979.

(C) Bag and Possession Limit: One buck, three points (See Section 256(b)) or better per season.

(D) Number of Permits: 50.

(2) Goodale XS-2, Inyo County.

(A) Area: In that portion of Inyo County within a line beginning at the intersection of Highway 395 and Lone Pine Creek; north on Highway 395 to Taboose Creek; west along Taboose Creek to the Inyo-Fresno county line; south along the Inyo-Fresno and Inyo-Tulare county lines to Lone Pine Creek; east along Lone Pine Creek to the point of beginning.

(B) Season: December 1, 1979 through December 16, 1979.

(C) Bag and Possession Limit: One buck, three points (See Section 256(b)) or better per season.

(D) Number of Permits: 25.

(3) Shasta-Trinity XS-3, Shasta and Trinity Counties.

(A) Area: In those portions of Shasta and Trinity counties beginning at the junction of Highways 3 and 299 in Weaverville; north on Highway 3 to the Eastside Road at the north end of Trinity Lake; east on the Eastside Road to Dog Creek Road; east on Dog Creek Road to

Interstate 5 at Vollmers; south on Interstate 5 to Shasta Lake; south along the west shore of Shasta Lake to Shasta Dam; south from Shasta Dam along the Sacramento River to Keswick Dam Road; west on Keswick Dam Road to Rock Creek Road; south on Rock Creek Road to Highway 299; west on Highway 299 to the point of beginning.

(B) Season: December 1, 1979 through December 9, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(D) Number of Permits: 25.

(e) ANTLERLESS AND EITHER SEX HUNTS (See Section 256(c) and (d) for definition of antlerless and either sex deer.)

(1) S-1 Gray Lodge Either Sex Archery Hunt, Butte and Sutter Counties.

(A) Area: Those portions of Butte and Sutter counties within the exterior boundaries of the Gray Lodge State Wildlife Area.

(B) Season: October 6, 7, 8, 13 and 14, 1979.

(C) Bag and Possession Limit: One deer of either sex per season.

(D) Number of Permits: 20.

(2) S-2 Los Angeles Antlerless and Either Sex Archery Deer Hunt, Los Angeles County.

(A) Area: That portion of Los Angeles County, excluding Catalina Island, south of the following line: At the intersection of Highway 118 and the Los Angeles-Ventura county line; east along Highway 118 to Interstate 5; north on Interstate 5 to Highway 14; northeast on Highway 14 to Highway 138; east on Highway 138 to the Los Angeles-San Bernardino county line.

(B) Season: October 20, 1979 through November 25, 1979 for antlerless deer, and November 26, 1979 through January 31, 1980 for deer of either sex.

(C) Bag and Possession Limit: One antlerless deer from October 20, 1979 through November 25, 1979, or one deer of either sex from November 26, 1979 through January 31, 1980.

(D) Number of Permits: 1550.

(3) S-3 Santa Catalina Island Antlerless Deer Hunt, Los Angeles County.

(A) Area: (No change).

(B) Season: October 23 through November 9, 1979.

- (C) Bag and Possession Limit: One antlerless deer per season.
  - (D) Number of Permits: 100.
- (4) S-4 Fort Ord Either Sex Deer Hunt, Monterey County.
- (A) Area: (No change).
  - (B) Season: September 29 and 30, and October 6, 7, 8, 13 and 14, 1979.
  - (C) Bag and Possession Limit: One deer of either sex per season.
  - (D) Number of Permits: 100 (50 military and 50 general public).
  - (E) Special Conditions: only shotguns with solid slugs or archery equipment as specified in Section 359 may be used.
- (5) S-5 Fort Hunter Liggett Antlerless Deer Hunt, Monterey County.
- (A) Area: (No change).
  - (B) Season: September 29 and 30, and October 6, 7, 8, 13 and 14, 1979.
  - (C) Bag and Possession Limit: One antlerless deer per season.
  - (D) Number of Permits: 300 (150 military and 150 general public).
- (6) S-6 Los Padres National Forest Antlerless Deer Hunt, Monterey County.
- (A) Area: (No change).
  - (B) Season: September 1, 1979 through September 16, 1979.
  - (C) Bag and Possession Limit: One antlerless deer per season.
  - (D) Number of Permits: 400.
- (7) S-7 Monterey Archery Either Sex Deer Hunt, Monterey County.
- (A) Area: (No change).
  - (B) Season: October 13, 1979 through October 28, 1979.
  - (C) Bag and Possession Limit: One deer of either sex per season.
  - (D) Number of Permits: 600.

(8) S-8 Monterey Private Lands Antlerless Deer Hunt, Monterey County.

(A) Area: (No change).

(B) Season: September 1, 1979 through September 23, 1979.

(C) Bag and Possession Limit: One antlerless deer per season.

(D) Number of Permits: 450.

(9) S-9 Tenaja Antlerless Deer Hunt, Orange, Riverside, and San Diego Counties.

(A) Area: (No change).

(B) Season: October 13, 1979 through November 25, 1979.

(C) Bag and Possession Limit: One antlerless deer per season.

(D) Number of Permits: 350.

(10) S-10 Camp Pendleton Either Sex Deer Hunt, San Diego County.

(A) Area: (No change).

(B) Season: October 13, 14, 20, 21, 27 and 28, and November 3, 4, 10, 11, 17, 18, 24 and 25, 1979.

(C) Bag and Possession Limit: One deer of either sex per season.

(D) Number of Permits: 200 (100 military and 100 general public).

(E) Special Conditions: The permits for the public shall be issued for the following periods:

	Period	Permits
1.	October 20-21, 1979	20
2.	October 27-28, 1979	20
3.	November 3-4, 1979	20
4.	November 10-11, 1979	20
5.	November 17-18, 1979	20

Permits will be valid for the period designated except that all unsuccessful permittees may hunt on November 24 and 25, 1979.

(11) S-11 San Diego Antlerless Deer Hunt, San Diego County.

(A) Area: (No change).

(B) Season: October 20, 1979 through November 25, 1979.

(C) Bag and Possession Limit: One antlerless deer per season.

(D) Number of Permits: 200.

(12) S-12 San Diego Archery Either Sex Deer Hunt, San Diego County.

(A) Area: (No change).

(B) Season: December 1, 1979 through January 31, 1980.

(C) Bag and Possession Limit: One deer of either sex per season.

(D) Number of Permits: 750.

(13) S-13 Rana Creek Antlerless Deer Hunt, Monterey County.

(A) Area: Those portions of the Rana Creek Ranch in the Jamesburg area of northern Monterey County, owned and operated by Mr. Robert Marble.

(B) Season: October 20, 21, 22, 27, 28 and 29, and November 3, 4, 5, 10, 11 and 12, 1979.

(C) Bag and Possession Limit: One antlerless deer per season.

(D) Number of Permits: 100.

(14) S-14 Camp Roberts Antlerless Deer Hunt, Monterey and San Luis Obispo Counties.

(A) Area: That portion of Monterey and San Luis Obispo counties lying within the exterior boundaries of the Camp Roberts Military Reservation.

(B) Season: September 4, 1979 through September 9, 1979.

(C) Bag and Possession Limit: One antlerless deer per season.

(D) Number of Permits: 100 (50 military and 50 general public).

(15) S-15 Vandenberg Antlerless and Either Sex Deer Hunt, Santa Barbara County.

(A) Area: That portion of Santa Barbara County lying within the exterior boundaries of Vandenberg Air Force Base.

(B) Season: September 1, 1979 through September 16, 1979 for antlerless deer, and September 17, 1979 through November 15, 1979 for either sex deer.

(C) Bag and Possession Limit: One antlerless deer from September 1 through September 16, 1979 or one deer of either sex from September 17 through November 15, 1979.

(D) Number of Permits: 200 (military only).

Conditions for Antlerless and/or Either Sex Hunts:

(1) When hunting on military reservations or private lands, hunters shall have in their possession a written permit signed by the landowner, which may specify where and when the permittee may hunt.

(2) When required, permittees shall check in and check out of designated check stations.

(f) MUZZLE LOADING RIFLE HUNT.

(1) MLR-1, Muzzle Loading Rifle Hunt, Santa Barbara and Ventura Counties.

(A) Area: All of Santa Barbara and Ventura counties.

(B) Season: November 15, 1979 through December 15, 1979.

(C) Bag and Possession Limit: One buck, forked horn (See Section 256(a)) or better per season.

(D) Number of Permits: 250.

(E) Special Conditions: See Section 355(d) for authorized weapons.

(11) 351. Bear. Except as provided in Section 358.5, bear may be taken only as follows: (Date change and prohibits taking near bait.)

(a) Area: In the counties of Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Inyo, Kern, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Modoc, Mono, Napa, Nevada, Placer, Plumas, Sacramento, San Bernardino, Santa Barbara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo and Yuba; and that portion of Riverside County north of a line starting at the intersection of Interstate 10 with the north boundary of Riverside County; southeast along Interstate 10 to its intersection with Highway 62 approximately four miles southeast of the town of Whitewater; north on Highway 62 to its intersection with the north Riverside County line.

(b) Season: October 20, 1979 through December 16, 1979.

(c) Bag and Possession Limit: One adult bear per season. Cubs and females accompanied by cubs may not be taken. (Cubs are defined as bears less than one year of age or bears weighing less than 50 pounds.)

(d) No open season for bear in the balance of the state not included in subsection (a) above.

(e) Methods of Take: Bear may be taken only by weapons as specified in Section 355. No feed, bait or other materials capable of attracting a bear to a feeding area shall be placed for the purpose of taking a bear. No person may take a bear within a 400-yard radius of a garbage dump or bait.

- (12) 355. Weapons and Ammunition Authorized for the Taking of Big Game.  
(Add subsection (d) to define legal muzzle-loaders.)

(d) Muzzle loading rifles shall be all wheellock, matchlock, flintlock or percussion rifles using black or pyrodex powder and single ball or bullet loaded only from the muzzle, and with the barrel or barrels measuring 26 inches or more in length, at least .40 caliber in designation and equipped with iron sights only.

- (13) 355.5 Weapons Authorized for Taking Nongame Animals During the Open Deer Season. (Section will be repealed.)

- (14) 357.1 Use of Dogs in Pursuit of and/or Hunting Wildlife. (Date change.)

Notwithstanding the provisions of Sections 311, 357, 461, 464, 465, 465.1 and 473 of these regulations, the use of dogs for pursuit of and/or hunting of any wildlife species is prohibited as follows:

(a) From April 1 through August 3 in Lake, Santa Barbara and Ventura counties; Los Angeles County within the Los Padres and Angeles National Forests west of Interstate 5; Mendocino County east of Highway 101; Napa County north of Highway 128; and Sonoma County north and east of Highways 101 and 128.

(b) (No change.)

(c) The provisions of this section shall not apply to:

(1) The use of dogs in department authorized dog training and field trials, or the use of dogs on licensed pheasant clubs;

(2) The use of dogs in pursuing and/or taking depredating animals by federal and county animal damage control officers, or to the use of dogs by permittees authorized under a depredation permit issued by the department.

(3) Any person who is involved in breaking, training or practicing dogs on any wild mammals except fully protected, rare, endangered, or big game mammals other than bear, from September 29, 1979 through October 14, 1979 in the area described in (a) above and from July 14, 1979 through August 24, 1979, in the area described in (b) above pursuant to the following terms and conditions:

Conditions:

(A) No person shall kill, capture or injure any animal nor shall any person's dog be allowed to kill or injure any animal;

(B) No firearm, archery gear or other weapon or equipment capable of killing or capturing any animal may be possessed by any person while in pursuit of any animal.

- (15) 358. Archery Deer Hunting. (Date change and provides for a statewide archery only tag.)

Deer may be taken with bow and arrow during the general rifle seasons and as follows:

(a) Area and Season:

(1) Zone A.

(A) Area: As described in Section 350(a).

(B) Season: July 14, 1979 through July 29, 1979.

(2) Zones B-1, B-2, D 1-10, and X 1-5a, and X 6-9.

(A) Area: As described in Section 350(a) and (b).

(B) Season: August 25, 1979 through September 16, 1979.

(3) Zone D 11-13.

(A) Area: As described in Section 350(a).

(B) Season: September 15, 1979 through October 7, 1979.

(4) Zone D-14.

(A) Area: As described in Section 350(a).

(B) Season: October 6, 1979 through October 28, 1979.

(5) Zone X-5b - see Section 350(c).

(b) Special Archery Tag. The special archery only tag is valid statewide during the archery only season and the general deer season, except in Zone X-5b.

(c) Bag and Possession Limit: All bag and possession limits per zone are the same as described in Section 350(a) and (b). Archers other than those with an archery only tag may hunt only in the zone or zones for which they have tags.

- (16) 358.5 Archery Bear Season. (Date change and consolidation of early and late seasons.)

Bear may be taken with bow and arrow during the bear season as specified in subsection (a) of Section 351, and as follows:

(a) Season and Area: August 25, 1979 through September 16, 1979 in the area described in subsection (a) of Section 351.

(b) Bag and Possession Limit: One adult bear per season. Cubs and females accompanied by cubs may not be taken. (Cubs are defined as bears less than one year of age or bears weighing less than 50 pounds.)

(c) No open season for taking bear with bow and arrow in the balance of the state.

(17) 362. Application for Deer Tags and Permits. (Adds subsection (d) to explain the one and two deer tag applications.)

(d) Deer Tag Applications.

(1) One Deer Application.

(A) A person must use a one deer application to apply for a tag for Zone D-2b, or Zones X 1 - 9, a special buck hunt permit, a muzzle loading rifle hunt permit, or a special archery only deer tag.

(B) A person may use a one deer application to apply for a tag for any other deer zone.

(2) Two Deer Application.

(A) A person must use a two deer application to apply for an antlerless and/or either sex hunt permit.

(B) A person may use a two deer application to apply for a combination of an A, B, or D (except D-2b) zone tag and an A or B zone tag.

(18) 365. Failure to Return Deer Tags. (Shifts responsibility to applicant from Department.)

Deer tag holders who fail to comply with provisions of Section 364 or any person who is convicted of a deer tag violation shall not apply for a deer tag for the following license year.

(19) 403.5 Standard Procedures for Distribution of Permits for Quota Deer Hunts.  
(Provides procedure for drawing deer permits in quota areas.)

(a) The permits for antlerless and either sex deer hunts, muzzle loading rifle hunts, special buck hunts and zone deer hunts with a limited number of permits, shall be distributed by a public drawing unless otherwise authorized.

(b) Any authorized first-come, first-served sales shall be conducted on the date announced by the department, at the county seat of a county in the hunt area. Applicants obtaining a permit on a first-come, first-served sale shall relinquish their deer tag application. Unsold permits shall be issued at the public drawing.

(c) Applicants for the public drawing shall mail their tag application form to the designated office of the department in Sacramento. Applications must be received by the date announced by the department. A public drawing shall be held at a designated office of the department in Sacramento on the date announced by the department.

(1) Not more than four applications for antlerless and either sex hunts or zone deer hunts with limited numbers of permits may be filed jointly when mailed in one envelope for drawing purposes.

(2) Not more than two applications for special buck hunts or muzzle loading rifle hunts may be filed jointly when mailed in one envelope for drawing purposes.

(3) Applicants for antlerless and/or either sex hunt permits must specify A or B zone as an alternate.

(4) Applicants for special buck hunt permits or muzzle loading rifle hunt permits must specify an A, B, or D (except D-2b) zone, or Zone X-9 as an alternate. Applicants for these hunts must not have been issued a special buck hunt or muzzle loading permit during the last five years.

(d) For hunts which are divided into periods, permits will be drawn first for Period 1, next for Period 2, and so on until the quota for each period in the hunt has been filled. Permits shall be valid only in the period specified. Successful applicants shall be notified promptly by mail.

(e) Permits for any hunts that do not have sufficient applications to fill authorized quotas may be issued on a first-come, first-served basis at the closest designated office of the department.

(20) 465. Methods for Taking Furbearers. (Provides for hunting furbearers during deer season.)

Furbearing mammals may be taken only with a firearm, bow and arrow, poison under proper permit from the department, or with the use of dogs, or traps except that traps may not be used in the area described in Section 474(a) of these regulations. (Prohibition on the use of poison or saw-toothed or spiked-jawed traps: In accordance with Section 4003 of the Fish and Game Code, it is unlawful to use poison to take furbearers without a permit from the department; Section 4004 prohibits use of saw-toothed or spiked-jawed traps to take furbearers.)

The provisions of this section shall not apply to the owner or tenant of land devoted to the agricultural industry, nor to authorized county, state or federal predatory animal control agents operating under a written trapping agreement with the appropriate landowner while on such land and in connection with such agricultural industry.

(21) 465.5 Use of Steel Leg-Hold or Conibear Type Traps. (Amend subsection (g) to reduce from 30 to 40 feet the distance from steel leg-hold traps and exposed bait.)

(g) Steel leg-hold traps shall not be set or maintained within 30 feet of any exposed bait. In addition, any bait so placed shall be covered by artificial or natural material so as to make such bait hidden from view. As used in this subsection "bait" includes any bait composed of mammal, bird, or fish flesh, fur, hide, entrails or feathers.

(22) 467. Trapping Reports. (New section to require trapping reports.)

Pursuant to Section 4008 of the Fish and Game Code, no trapping license shall be issued to any applicant within one year following the expiration of any trapping license previously issued unless he has submitted to the department a sworn statement or report by July 1 of his annual take of fur for the preceding trapping season. Statement or report shall show the number of each kind of fur-bearing mammals and nongame mammals taken, number sold, county in which furs were taken and the names and addresses of the persons to whom furs were shipped or sold. The commission shall be notified of any suspension and, subsequently, may revoke or reinstate applicants' license renewal application after written notice is given to the applicant and after he has been afforded an opportunity to be heard.

(23) 473. Bobcat. (Shorten season and provide for a regulated take.)

(a) Season and Area: November 16 through January 31, statewide, except that when it is determined by the department that the number of bobcat pelt export tags issued is approaching the 6,000 tag quota, the director shall close the bobcat season statewide. (See Section 479 regarding the tagging requirement for bobcat pelts.)

(b) Bag and Possession Limit: No limit.

(c) In the course of breaking, training or practicing dogs, such dogs may be permitted to pursue bobcats during the period February 1 through November 15, providing that no bobcats are killed or injured.

(24) 479. Bobcat Pelts. (Provides tags for exportation of pelts.)

No person shall export from California any raw bobcat pelts, or parts thereof, which do not have a shipping tag attached. No person shall offer for out-of-state shipment by any common carrier any raw bobcat pelts, or parts thereof, nor shall any common carrier, or its agent, ship or accept for shipment such pelts, or parts thereof, without shipping tags attached as required by this section.

Shipping tags are available from the department and can be affixed only to bobcat pelts, or parts thereof, legally taken in California. Tags are non-transferrable and shall be affixed by authorized department personnel in the presence of the licensed trapper who took and wishes to sell raw bobcat pelts for export under provisions established by the commission.

Licensed trappers wishing to tag raw bobcat pelts, or parts thereof, shall be required to furnish the following:

- (a) Date of take;
- (b) County of take and nearest major geographical landmark;
- (c) Sex;
- (d) Lower jaw with both canine teeth; and
- (e) Method of take (trap, gun or hounds).

The provisions of this section shall not apply to raw bobcat pelts, or parts thereof, which were not taken in California, providing that such shipments are accompanied by a declaration specifying the number of raw pelts in the shipment, the state in which the bobcats were taken and attesting that they were legally taken.

The department shall issue bobcat tags for export of furs at designated department offices during the trapping season and for a two-week (14 days) period immediately following the trapping season.

The department shall not issue more than 6,000 bobcat shipping tags annually. An administrative fee of \$3.00 shall be charged for the issuance of each tag.

PASSED UNANIMOUSLY.

5. SETTING OF DATE FOR ANTELOPE HEARING AND ANNOUNCEMENT OF HEARING OFFICER.

Mr. Edgerton stated the Department was proposing an antelope hunt with 375 buck antelope permits for the season of August 25, 1979 through September 3, 1979. He said the Department's proposal, as well as its environmental plan, were before the Commissioners. He pointed out that the Fish and Game Code provides that the Commission hold a special hearing in the area involved in this hunt. The purpose of this item, he noted, was to set the hearing date and select a hearing officer. Mr. Edgerton stated that the hearing officer would report back to the full Commission at its May meeting on the testimony received at that hearing.

It was then:

MOVED BY MR. BENSON, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION AUTHORIZES ITS STAFF TO PUBLISH THE REQUIRED LEGAL NOTICE CONCERNING AN ANTELOPE HEARING AS PROVIDED IN SECTION 333 OF THE FISH AND GAME CODE, SUCH HEARING TO BE HELD IN THE CONFERENCE ROOM OF THE DIVISION OF FORESTRY, 8TH AND D STREETS, ALTURAS, ON MAY 15, AT 8 P.M. WITH COMMISSIONER CHICKERING AS THE HEARING OFFICER.  
PASSED UNANIMOUSLY.

6. CONSIDERATION OF REQUEST OF U.S. FISH AND WILDLIFE SERVICE FOR APPROVAL TO ACQUIRE CONSERVATION EASEMENT IN THE BUTTE SINK AND COLUSA BASIN.

Mr. Edgerton reminded the Commissioners that at their March 2 meeting in Los Angeles they had announced that they would consider, at the March 30 meeting, the request of the U.S. Fish and Wildlife Service for approval for it to acquire conservation easements in the Butte Sink and Colusa Basin. He reported that the boards of supervisors in the four affected counties had submitted letters to the Commission office indicating their approval of the U.S. Fish and Wildlife request. He pointed out that Section 10680 of the Fish and Game Code requires Commission approval before the federal government can purchase the required easements.

Mr. Bill Sweeney, Area Manager of the U.S. Fish and Wildlife Service, stated that as a part of the continuing effort to preserve important waterfowl wintering habitat in the central valley, the U.S. Fish and Wildlife Service was proposing to acquire conservation easements in two areas with the counties of Butte, Colusa, Glenn and Sutter. He said these were in the Butte Sink where the goal was to acquire easements on approximately 11,000 acres, and the Colusa Basin where the goal was approximately 8,000 acres. He noted that the purpose of the easements was to assure that these areas would continue to be managed for migratory waterfowl. He said that the marsh lands involved would continue to be held in private ownership and there would be no loss of hunting rights or other traditional uses. He said, however, the easements would preclude a conversion of the lands involved to alternative uses. He said that in addition to the proposed easements the proposed 520-acre "bean patch" within the Butte Sink be purchased in fee. He stated that the intent of this acquisition was to retain it as a sanctuary because of the important role it plays in aiding distribution of waterfowl in the central valley.

Mr. Sweeney concluded by stating that before the Migratory Bird Conservation Commission can consider the Butte Sink proposal, Commission endorsement was necessary.

Mr. Chickering asked Mr. Sweeney if the easement acquisitions would be on a willing seller basis. He said that this was correct.

Director Fullerton stated that the Department recommended approval in concept of the proposal of the U.S. Fish and Wildlife Service; however, this recommendation was contingent upon the fact that the state reserve rights to manage resident game and that hunting be permitted on the lands.

Mr. William James Claus, representing the California Waterfowl Association, spoke in support of the proposal in concept.

Mr. Thomas W. Riley of Pacific Gas and Electric Company stated that his company applauded the federal government to secure waterfowl habitat in California and also supported the program objectives. He said his company did have a single reservation with regard to the program which related to the relinquishment to the Office of the U.S. Secretary of the Interior existing statutory rights of the State of California to determine fundamental land use questions involving public necessity. He urged the Commission, in the course of granting consent to the program, to clearly specify that Commission approval was conditioned upon his reserving all present statutory rights of agencies of the state to determine future public need and necessity over such lands. It was his belief that officials of the State of California were far better able to determine public need and necessity over California lands than were unnamed and unknown civil servants in the Office of the Secretary of the Interior.

In response to a question from the Commission, Mr. Ray Williamson of the Attorney General's Office stated that he believed the Commission's jurisdiction with regard to this request was limited in scope to its authority in the matter. He further stated that he did not believe that the Commission could commit the state with regard to matters not under its jurisdiction.

Ms. Mary M. Ward, a landowner in the Butte Sink area, spoke in support of the proposal but asked that the Commission not include the stipulation proposed by Pacific Gas and Electric Company.

After additional discussion of the matter, it was:

MOVED BY DR. DASMANN, SECONDED BY MR. BENSON, THAT THE FISH AND GAME COMMISSION UNDER THE AUTHORITY OF SECTION 10680 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTION OF SAID CODE, APPROVES THE REQUEST OF THE U. S. FISH AND WILDLIFE SERVICE TO ACQUIRE CONSERVATION EASEMENTS IN THE BUTTE SINK AND COLUSA BASIN, SUBJECT TO THE COMMISSION RETAINING ITS RIGHT TO MANAGE RESIDENT GAME AND THAT IT NOT RESULT IN A LOSS OF HUNTING OPPORTUNITY.

PASSED UNANIMOUSLY.

7. CONSIDERATION OF APPROVAL OF 1979 TROUT PLANTS IN UNDERPRIVILEGED YOUTH CAMPS.

Mr. Edgerton stated that in compliance with Commission policy the Department had submitted a report on trout plantings in underprivileged youth camps during 1978, and its request for approval of proposed plants for 1979.

The Department made the following trout plants in the underprivileged youth camps indicated in 1978:

<u>Camp</u>	<u>Number of trout planted</u>
1. Camp Carlsburg, Modoc County	1,000
2. Camp Tehama, Tehama County	500
3. Elder Creek Camp, El Dorado County	401
4. Camp Sacramento Youth Camp, El Dorado County	1,140
5. Bear Valley Camp, Nevada County	648
6. San Francisco Boys Club Camp, Mendocino County	3,000
7. Camp Harmon, Santa Cruz County	2,750
8. Diabetic Youth Foundation Camp, Fresno County	590
9. R. M. Pyle Boys Camp, Tulare County	2,520
TOTAL	12,549

The foregoing nine camps were approved for stocking by the Commission at its March 3, 1978 meeting; however, there were actually 13 approved camps, but not all of them were stocked. Some variability can be expected from year to year because of adverse weather or water conditions or because camp directors, for a variety of reasons, may not request trout for that year.

It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. BENSON, THAT  
 THE FISH AND GAME COMMISSION AUTHORIZES THE DEPARTMENT  
 OF FISH AND GAME TO MAKE THE FOLLOWING TROUT PLANTS IN  
 UNDERPRIVILEGED YOUTH CAMPS:

<u>Camp</u>	<u>Number of trout to be planted</u>
1. Camp Carlsburg, Modoc County	2,000
2. Camp Tehama, Tehama County	500
3. Sugarloaf Camp, El Dorado County	250
4. Elder Creek Camp, El Dorado County	400
5. Camp Sacramento Youth Camp, El Dorado County	1,000
6. Bear Valley Camp, Nevada County	500
7. San Francisco Boys Club Camp, Mendocino County	2,500
8. Camp Harmon, Santa Cruz County	4,000
9. YMCA's Camp Campbell, Santa Cruz County	2,000
10. Salvation Army Camp, Santa Cruz County	1,000
11. Rancho El Chorro Camp, San Luis Obispo County	500
12. Diabetic Youth Foundation Camp, Fresno County	500
13. R. M. Pyle Boys Camp, Tulare County	<u>4,000</u>
TOTAL	19,150

PASSED UNANIMOUSLY.

8. CONSIDERATION OF REQUEST OF AUDUBON CANYON RANCH FOR AN EMERGENCY MORATORIUM OF THE COMMERCIAL TAKE OF MUD AND GHOST SHRIMP FROM BOLINAS LAGOON, MARIN COUNTY.
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Mr. Edgerton stated that the Commission office had received a request from the Board of Directors of the Audubon Canyon Ranch, Inc., Marin County, strongly urging that the Commission declare an emergency moratorium on the commercial taking of mud and ghost shrimp from Bolinas Lagoon until after the completion of pending studies by the U.S. Army Corps and the County of Marin, which would provide adequate data to concerned agencies to form a sound management plan.

Mr. Edgerton reported that the Commission office had received letters from the Marin Audubon Society; the Marin County Board of Supervisors; the California Coastal Commission, North Central Coast Region; Petaluma Outdoorsmen; the Environmental Action Committee of West Marin; the Marin Conservation League; Gordon Chan, Ph.D., Marine Biologist; Al Molina, Director, Bolinas Marine Station, Kentfield; the Golden Gate Audubon Society, Berkeley; and Mr. Richard Cuneo, Secretary, Sonoma County Fish and Wildlife Advisory Board, Santa Rosa; and a telegram supporting a moratorium on the commercial harvest of blue mud and ghost shrimp until a study has been carried out to determine the effect of this type of operation.

Director Fullerton stated that the Department had evaluated the request of the Audubon Canyon Ranch and could concur in its request to provide for a moratorium on the use of power-driven hydraulic units to commercially take blue mud and ghost shrimp from Bolinas Lagoon.

Mr. Maurice Swartz from the Audubon Canyon Ranch came forward and spoke at length in support of a prohibition on all commercial take of ghost shrimp from Bolinas Lagoon.

Mr. Dave Hillindaul, representing the Petaluma Outdoorsmen, spoke in support of a moratorium on the commercial take of mud shrimp from Bolinas Lagoon, Tomales Bay and Bodega Bay.

Mr. Gary Page from the Pt. Reyes Bird Observatory also spoke at length in support of the proposal. He said there was a real question as to the impact of this type of operation on the ecosystem and those animals found there. He said there was no limit on the commercial take of ghost shrimp nor the number of permits that could be issued. He said because of unregulated access the sport take of these organisms might also be detrimental to the ecosystem.

Mr. Fullerton pointed out that the sport take was greater than the commercial take of these organisms. He noted that in Tijuana Slough ghost shrimp had been harvested for the past 20 years and he could, therefore, see no reason to recommend a closure on all such operations.

Ms. Frances Stewart, representing the Bolinas Lagoon Technical Group, spoke in support of a ban on the commercial take of ghost shrimp utilizing the powered hydraulic equipment.

Mr. Everett Sitorri of the Petaluma Outdoorsmen asked that there be a limit on the number of ghost shrimp that could be taken commercially as well as the hours in which the commercial fishermen could take these organisms. In addition, he asked that the moratorium also include Tomales Bay, Bolinas Lagoon and Bodega Bay.

Director Fullerton stated that the Department would recommend that the Commission impose a ban on the use of high-powered hydraulic equipment to take ghost shrimp commercially in Tomales Bay, Bolinas Lagoon and Bodega Bay. However, he said he did not see a need for banning all the commercial take of these organisms.

It was then:

MOVED BY MR. BENSON, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTION 8500 OF THE FISH AND GAME CODE, BY EMERGENCY ACTION AMENDS SECTION 120.6, TITLE 14, CALIFORNIA ADMINISTRATIVE CODE, TO PROHIBIT THE USE OF POWERED HYDRAULIC EQUIPMENT TO TAKE GHOST SHRIMP FOR COMMERCIAL PURPOSES IN BOLINAS LAGOON, TOMALES BAY AND BODEGA BAY; AND FURTHER AUTHORIZES ITS STAFF TO PUBLISH NOTICE OF ITS INTENT TO CONFIRM THIS ACTION AT ITS MAY 25 MEETING.

(1) Subsection (d) of Section 120.6 is amended to read:

(d) Powered equipment may be used on intertidal areas, that is, between high water and lower water marks, when such areas are not covered by water except powered equipment shall not be used in Tomales Bay, Bodega Harbor or Bolinas Lagoon.

PASSED UNANIMOUSLY.

9. CONSIDERATION OF DEPARTMENT PROPOSAL TO HOLD "FISHOUT" TO REMOVE PREDATORS BELOW RED BLUFF DIVERSION DAM TO PROTECT JUVENILE SALMON AND STEELHEAD.

Mr. Edgerton stated that during 1977 and 1978 the Commission had permitted the Department to administer a predator fish control program in the Sacramento River area which is closed to fishing below the Red Bluff Diversion Dam. He noted that the Department had reported that these "fishouts" had resulted in the removal of substantial numbers of squawfish, and he believed that another "fishout" this year would help to reduce the loss of juvenile salmon to steelhead on their seaward migration. He pointed out that Section 5501 of the Fish and Game Code provided that the Department may take any fish which in its opinion are unduly preying upon other fish, under the terms and conditions as the Commission may prescribe in regard to the permit.

Mr. Edgerton concluded by stating that the Department was recommending that the effort at Red Bluff be during the days of May 26, June 2 and 9, 1979.

After further discussion of the matter, it was:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT UNDER THE AUTHORITY OF SECTION 5501 OF THE FISH AND GAME CODE, THE FISH AND GAME COMMISSION AUTHORIZES THE DEPARTMENT OF FISH AND GAME TO CONDUCT A "FISHOUT" IN THE SACRAMENTO RIVER IN THE AREA CLOSED BELOW THE RED BLUFF DIVERSION DAM ON THE DAYS OF MAY 26, JUNE 2 AND 9, 1979, UNDER THE TERMS AND CONDITIONS AS APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

10. CONSIDERATION OF REQUEST OF DAVID HAMILTON FOR AUTHORIZATION TO POSSESS A NEUTERED FEMALE FERRET.

Mr. Edgerton stated that the Commission office had received a request from Mr. David Hamilton for authorization for him to possess a female ferret. He reminded the Commissioners that they had a copy of Mr. Hamilton's letter before them.

Mr. Ned Dollahite, Chief of the Department's Wildlife Protection Branch, stated that they had reviewed Mr. Hamilton's request and, pursuant to the provisions of Section 671 of Title 14, CAC, were recommending denial of the request. He noted that while Section 671.2 provided for the importation of neutered males of prohibited species, it did not provide for a similar importation of neutered females. Dr. Dasmann stated that he could not see how a neutered male could be any more prolific than a neutered female. Director Fullerton stated that the difference was that it was impossible to tell a neutered female; whereas, a neutered male could be easily discerned and that individuals could switch animals once an importation permit was obtained.

Dr. Venrick asked if the Department would recommend approval if the animal were marked and a certification was obtained that the animal had been, in fact, spayed.

Mr. David Hamilton came forward and explained the circumstances surrounding his request. He agreed that he would do whatever was necessary to meet the concerns of the Department and the Commission. After additional discussion of the matter, it was:

MOVED BY DR. VENRICK, SECONDED BY MR. BENSON, THAT THE FISH AND GAME COMMISSION, UNDER THE AUTHORITY OF SECTIONS 2116-2133 OF THE FISH AND GAME CODE, APPROVES THE REQUEST OF DAVID HAMILTON TO POSSESS A NEUTERED FEMALE FERRET, AND AUTHORIZES THE DEPARTMENT OF FISH AND GAME TO ISSUE THE NECESSARY PERMIT, SUBJECT TO A CERTIFICATION THAT THE ANIMAL HAS, IN FACT, BEEN SPAYED, AND THAT IT WOULD BE MARKED IN A WAY THAT FUTURE IDENTIFICATION IS POSSIBLE, AND UNDER ADDITIONAL TERMS AS APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

11. CONSIDERATION OF REQUESTS FOR EXPERIMENTAL GEAR PERMITS.

Mr. Edgerton said that this item included a Department request for further authorization to issue permits in two categories, and for requests from individuals for experimental gear permits.

(1) Mr. Edgerton stated that the Department was requesting Commission authorization to issue experimental gear permits during the 1979-80 year for the use of set lines to take sharks in San Francisco Bay and for the use of slurp guns to take fish. He said this authorization would permit the Department to issue permits in these two categories and not require the applicants to appear before the Commission. He said that thus far the Department had issued 15 experimental gear permits for the use of set lines to take sharks in San Francisco Bay and that these permits would expire on April 7, 1979. He said that the Department was not aware of how many individuals would seek to have their permits renewed. He said the preliminary evaluation indicated that not all of the permittees had participated in the fishery; however, the Department felt that there was no biological reason for not renewing the permits. He said the Department also felt that it would like to see the fishery continue for at least one more year before it made a final evaluation.

With regard to permits for the use of slurp guns to take fish for aquarium purposes, he noted that the Department had planned to introduce legislation to provide the Commission with the authority to regulate the use of slurp guns; however, the Governor's office had requested that the number of bills introduced by the Department be reduced for this legislative session. Therefore, the slurp gun legislation had been deleted. The request before the Commission regarding the use of slurp guns would provide for a continuation of the use of this equipment until legislation could be enacted.

It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT UNDER THE AUTHORITY OF SECTION 8606 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID

SECTIONS OF SAID CODE, THE FISH AND GAME COMMISSION AUTHORIZES THE DEPARTMENT TO ISSUE PERMITS TO THOSE WHO APPLY TO USE SET LINES TO TAKE SHARK IN SAN FRANCISCO BAY AND FOR THE USE OF SLURP GUNS TO TAKE FISH, UNDER THE TERMS AGREED UPON BY THE COMMISSION.

PASSED UNANIMOUSLY.

(2) Clark D. Permar

Mr. Edgerton stated that Mr. Permar had submitted a request for renewal of his experimental gear permit to take demersal fish with a Danish seine. Mr. Permar's letter also asked for additional conditions for his permit: "Area of operation: District 10; Depth: 10 fathoms or deeper; Mesh Size: 4-1/2 inch, except 3-inch for golden croaker; 500-pound crab limit".

Mr. Ed Greenwood, Chief of the Department's Marine Resources Branch, stated that the Department recommended approval of Mr. Permar's request, subject to the following conditions:

- (1) This permit is only valid within Fish and Game District 10 between Point Reyes and Pigeon Point.
- (2) The use of the Danish seine shall be permitted inside three miles to take white croaker, (Genyonemus lineatus). However, the use of the Danish seine is not permitted in waters less than 10 fathoms in depth.
- (3) Length of net meshes shall not be less than three inches when fishing inside three miles to take white croaker.
- (4) When the permittee is fishing inside three miles, no Dungeness crab may be taken or possessed and not more than 500 pounds of fish, other than white croaker, may be taken or possessed.
- (5) The permittee must comply with existing regulations regarding the use of trawl nets when using the Danish seine outside three miles. This includes, but is not limited to, the length of net meshes which shall not be less than 4-1/2 inches, and not more than 500 pounds of Dungeness crab may be taken or possessed.
- (6) The permittee must notify Mr. Walter Dahlstrom, Marine Resources Region, 411 Burgess Drive, Menlo Park, California 94025, telephone (415) 326-0324, prior to undertaking fishing operations. An observer may be assigned to determine the effect of the fishing operations upon nontarget species.
- (7) The permittee shall complete an accurate log provided by the Department which shall be submitted to the Department of Fish and Game, Marine Resources Region, 411 Burgess Drive, Menlo Park, California 94025, on a daily basis. Logs shall be required for all fishing trips, even if the catch is zero. Failure to complete and submit logs as required by these regulations may result in revocation of this permit.

It was then:

MOVED BY MR. BENSON, SECONDED BY DR. VENRICK, THAT UNDER THE AUTHORITY OF SECTION 8606 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTION OF SAID CODE, THE FISH AND GAME COMMISSION AUTHORIZES THE DEPARTMENT TO RENEW THE EXPERIMENTAL GEAR PERMIT OF CLARK D. PERMAR FOR ONE YEAR, UNDER THE MODIFIED TERMS RECOMMENDED BY THE DEPARTMENT FOR THAT PERMIT.

PASSED UNANIMOUSLY.

(3) Joseph Cresci

Mr. Edgerton stated that Mr. Cresci had submitted a request for an experimental gear permit (Fish and Game Code Section 8606) to allow him to take rockfish with a set gill net in the area between Saunders Reef to Point Gorda.

Mr. Greenwood stated that the Department recommended approval of Mr. Cresci's request subject to the following conditions:

(1) The use of set gill nets shall be permitted between Saunders Reef and Punta Gorda except that the use of set gill nets shall not be permitted in waters lying less than three nautical miles from the nearest point of land on the mainland shore in the following areas: a) between lines running 250° magnetic from Point Delgado and Bear Landing; b) between lines running 250° magnetic from Laguna Point and Russian Gulch; c) between lines running 250° magnetic from Alder Creek to Arena Cove.

(2) No salmon may be taken or possessed.

(3) Length of net meshes shall not be less than five inches and shall not be constructed of twine larger than number 8 thread, except that the bottom 15 meshes may be constructed of twine not larger than number 15 thread.

(4) Each set gill net shall be marked with buoys. The buoys must be on the surface of the water and bear the permit number of the permittee in a color which contrasts with that of the buoys. The permit numbers shall be at least 1-1/2 inches in height and all markings shall be at least one-fourth inch in width.

(5) The permittee must notify either Mr. Steven Schultz, c/o Department of Parks and Recreation, Mendocino, California 95460, telephone (707) 937-0210, or Tom Riley (707) 964-9348, prior to undertaking fishing operations. An observer may be assigned to determine the effect of the fishing operations upon fishery resources.

(6) The permittee shall keep an accurate log provided by the Department, which shall be submitted to the Department of Fish and Game, c/o Department of Parks and Recreation, Mendocino, California 95460, on a daily basis. Logs shall be required for all fishing trips even if the catch is zero. Failure to keep and submit logs as required by these regulations may result in revocation of this permit.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. VENRICK, THAT THE FISH AND GAME COMMISSION, UNDER THE AUTHORITY OF SECTION 8606 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTION OF SAID CODE, AUTHORIZES THE DEPARTMENT TO ISSUE A PERMIT TO JOSEPH CRESCI TO USE A GILL NET TO TAKE ROCKFISH UNDER THE TERMS AND CONDITIONS AS RECOMMENDED BY THE DEPARTMENT AND APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

(4) Frank Akers

Mr. Edgerton stated that Mr. Akers had submitted a request for an experimental gear permit to allow him to use a set gill net to take rockfish including widows, canary, bocaccio, yellowtail, lingcod, etc. in the area between Gorda Buoy to Saunders Reef Buoy. He stated that he had also requested a permit to allow him to use a trammel net to take halibut and other species of flat fish in the same area.

Mr. Greenhood stated that the Department recommended approval of Mr. Akers' request for a permit to use set gill nets to take rockfish; however, he said that the following conditions be made a part of the permit:

(1) The use of set gill nets shall be permitted between Saunders Reef and Punta Gorda except that the use of set gill nets shall not be permitted in waters lying less than three nautical miles from the nearest point of land on the mainland shore in the following areas: a) between lines running 250° magnetic from Point Delgado and Bear Landing; (b) between lines 250° magnetic from Laguna Point and Russian Gulch; c) between lines running 250° magnetic from Alder Creek to Arena Cove.

(2) No salmon may be taken or possessed.

(3) Length of net meshes shall not be less than five inches and shall not be constructed of twine larger than number 8 thread, except that the bottom 15 meshes may be constructed of twine not larger than number 15 thread.

(4) Each set gill net shall be marked with buoys. The buoys must be on the surface of the water and bear the permit number of the permittee in a color which contrasts with that of the buoys. The permit numbers shall be at least 1-1/2 inches in height and all markings shall be at least one-fourth inch in width.

(5) The permittee must notify either Mr. Steven Schultz, c/o Department of Parks and Recreation, Mendocino, California 95460, telephone (707) 937-0210, or Tom Riley (707) 964-9348, prior to undertaking fishing operations. An observer may be assigned to determine the effect of the fishing operations upon fishery resources.

(6) The permittee shall keep an accurate log provided by the Department, which shall be submitted to the Department of Fish and Game, c/o Department of Parks and Recreation, Mendocino, California 95460, on a daily basis. Logs shall be required for all fishing trips, even if the catch is zero. Failure to keep and submit logs as required by these regulations may result in revocation of this permit.

It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT UNDER THE AUTHORITY OF SECTION 8606 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET, OR MAKE SPECIFIC SAID SECTION OF SAID CODE, THE FISH AND GAME COMMISSION AUTHORIZES THE DEPARTMENT OF FISH AND GAME TO ISSUE A PERMIT TO FRANK AKERS TO USE A SET GILL NET TO TAKE ROCKFISH UNDER THE TERMS AND CONDITIONS AS APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

(5) Roland Maxwell

Mr. Edgerton stated that Mr. Maxwell had submitted a request for an experimental gear permit (Fish and Game Code Section 8606) to allow him to use a helicopter to set and retrieve crab pots in commercial fishing districts 6 and 7 for the purpose of taking crab (Cancer magister).

Mr. Greenhood stated the Department recommended approval subject to the following conditions:

(1) Exposure time for crabs shall not exceed 30 minutes. That is, from the time the trap leaves the surface of the water until the time undersized and female crabs are returned to the surface of the water.

(2) All traps shall have a three-rope bridle so that the trap is carried in a horizontal position (level) to prevent injury to the crabs from crowding.

(3) All traps shall have at least two rigid circular openings of not less than 4-1/4 inches inside diameter; however, if traps exceed six feet on any one side, they shall have at least four rigid circular openings not less than 4-1/4 inches inside diameter. The openings shall be constructed on the side of the trap with not more than one opening located on the trap top.

(4) A container, such as a flat fish box, must be used to return undersized and female crabs to the water, in proximity to their place of capture. Fish carcasses must be carried in the container to prevent mortality from crabs fighting. The container must be tipped and the crabs released at sea level.

(5) All traps shall be marked with buoys. The buoys must be on the surface of the water and bear the permit number of the permittee in a color which contrasts with that of the buoys. The permit numbers shall be at least 1-1/2 inches in height and all markings shall be at least one-fourth inch in width.

(6) The permittee shall contact Mr. Jack Baxter, Department of Fish and Game, 411 Burgess Drive, Menlo Park, California 94025, telephone (415) 326-0324, prior to undertaking fishing operations. The designated landing site specified by the permittee is subject to Department approval. An observer may be assigned to determine the effect of the fishing operations upon the Dungeness crab resource.

(7) All individuals directly assisting the operations under the terms and conditions of this permit shall have a valid California commercial fishing license in their possession.

(8) The permittee shall keep an accurate log provided by the Department, which shall be submitted to the Department of Fish and Game, 411 Burgess Drive, Menlo Park, California 94025, on a daily basis. Logs shall be required for all fishing trips, even if the catch is zero. Failure to keep and submit logs as required by these regulations may result in revocation of this permit.

(9) The owner or operator of the helicopter used in the fishing operations shall obtain a Certificate of Boat Registration for the purpose of identification and registration. The registration shall be carried aboard the helicopter in a conspicuous place at all times when fishing.

(10) The permittee shall comply with all appropriate Fish and Game Code sections relating to protected species, minimum size limits, and areas closed to fishing.

(11) The permittee shall cooperate with the Department of Fish and Game by allowing personnel designated by the Department to board any fishing vessel or other mechanical device operated by the permittee under this permit, to observe or inspect equipment, procedures, or fish taken.

(12) This permit may be suspended temporarily by the Department of Fish and Game for a breach or violation of the terms of the permit by the permittee. In addition, the permit may be temporarily suspended by the Department if it is determined that the experimental gear is detrimental to any of the ocean's living marine resources. The Fish and Game Commission shall be notified of any such suspension and, subsequently, may permanently revoke or reinstate the permit or fix the period of its suspension after written notice to the permittee and after he has been afforded an opportunity to be heard.

It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION, UNDER THE AUTHORITY OF SECTION 8606 OF THE FISH AND GAME CODE, AUTHORIZES THE DEPARTMENT OF FISH AND GAME TO ISSUE A PERMIT TO ROLAND MAXWELL TO USE A HELICOPTER TO SET AND RETRIEVE CRAB POTS, UNDER THE TERMS AND CONDITIONS AS APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

12. CONSIDERATION OF REVOCATION OF HUNTING PRIVILEGES OF JOHNNY CABIGAS.

Mr. Edgerton stated that pursuant to provisions of Section 12155 of the Fish and Game Code the Department was recommending that the hunting privileges of Johnny James Cabigas be revoked for a period of time to be determined by the Commission. He stated that a certified letter had been sent to Mr. Cabigas notifying him of the possible action to be taken by the Commission.

Mr. Cabigas was arrested as follows:

1. August 18, 1976 for violation of Section 2016, Fish and Game Code, for trespassing for the purpose of hunting. He was convicted on September 20, 1976 in the San Luis Obispo Municipal Court and fined \$65.

2. August 13, 1978 for violation of Section 2016, Fish and Game Code, for trespassing for the purpose of hunting. He was convicted on November 1, 1978 in the San Luis Obispo Municipal Court and fined \$200 plus \$50 penalty assessment and ten days in jail.

3. On September 2, 1978 for violation of Section 2016, Fish and Game Code, for trespassing for the purpose of hunting. He was convicted on November 15, 1978 in the San Luis Obispo Municipal Court and fined \$200 plus \$50 penalty assessment.

Mr. Edgerton asked if Mr. Cabigas was present; there was no response. It was then:

MOVED BY DR. VENRICK, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION FINDS THAT JOHNNY JAMES CABIGAS HAS BEEN CONVICTED OF THREE VIOLATIONS OF THE CALIFORNIA HUNTING LAWS AND REGULATIONS WITHIN A FIVE-YEAR PERIOD AND HAS BEEN INVITED TO APPEAR BEFORE THIS COMMISSION TO SHOW CAUSE WHY HIS HUNTING PRIVILEGES SHOULD NOT BE REVOKED. BASED UPON ITS FINDINGS, IT NOW DECLARES THAT PURSUANT TO SECTION 12155 OF THE FISH AND GAME CODE, THE HUNTING PRIVILEGES OF JOHNNY JAMES CABIGAS ARE REVOKED, AND ANY HUNTING LICENSE PREVIOUSLY ISSUED TO HIM SHALL BE HEREBY REVOKED AND CANCELLED AND NO NEW HUNTING LICENSE SHALL BE ISSUED TO HIM UNTIL NOVEMBER 15, 1981.

AYES: COMMISSIONERS CHICKERING, DASMANN AND VENRICK.

NOES: COMMISSIONERS BENSON AND GALLETTI.

13. CONSIDERATION OF REVOCATION OF ANGLING PRIVILEGES OF LOUIS DUNCAN.

Mr. Edgerton stated that pursuant to the provisions of Section 12154 of the Fish and Game Code the Department was recommending that the angling privileges of Louis G. Duncan be revoked for a period of time to be determined by the Commission. He said a certified letter had been sent to Mr. Duncan notifying him of the possible action to be taken by the Commission. He noted that the letter had been returned stating that Mr. Duncan "was not at the address".

Louis Duncan was arrested as follows:

1. On November 12, 1976 for violation of Sections 700 and 2.05, Title 14, CAC, for angling with no valid license and attempting to take fish by means other than angling. He pled guilty in the Arcata Justice Court on November 24, 1976 and was fined \$100 plus \$25 penalty assessment.

2. On April 23, 1978 for violation of Section 700, Title 14, CAC, for angling with no valid license. He pled guilty in the Arcata Justice Court on May 10, 1978 and was fined \$15 plus \$5 penalty assessment.

3. On October 17, 1978 for violation of Sections 2.05 and 2.60(c), Title 14, CAC, for attempting to snag salmon and using a hook with more than

one point. He pled guilty in the Arcata Justice Court on December 7, 1978 and was fined \$100 plus \$25 penalty assessment and placed on probation for 18 months.

Mr. Edgerton asked if Mr. Duncan was present; there was no response. It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. BENSON, THAT THE FISH AND GAME COMMISSION FINDS THAT LOUIS G. DUNCAN HAS BEEN CONVICTED OF THREE VIOLATIONS OF THE CALIFORNIA FISHING LAWS AND REGULATIONS WITHIN A FIVE-YEAR PERIOD AND HAS BEEN INVITED TO APPEAR BEFORE THIS COMMISSION TO SHOW CAUSE WHY HIS FISHING PRIVILEGES SHOULD NOT BE REVOKED. BASED UPON ITS FINDINGS, IT NOW DECLARES THAT PURSUANT TO SECTION 12154 OF THE FISH AND GAME CODE, THE FISHING PRIVILEGES OF LOUIS G. DUNCAN ARE REVOKED, WITHOUT PREJUDICE, AND ANY FISHING LICENSE PREVIOUSLY ISSUED TO HIM SHALL BE HEREBY REVOKED AND CANCELLED AND NO NEW FISHING LICENSE SHALL BE ISSUED TO HIM UNTIL DECEMBER 7, 1981.

PASSED UNANIMOUSLY.

14. CONSIDERATION OF REQUEST TO PUBLISH NOTICE TO AMEND SECTION 677(c)(1), TITLE 14, CAC, RE METHODS OF RELEASING DOMESTICALLY REARED BIRDS FOR DOG TRAINING PURPOSES.
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Mr. Edgerton stated that the Department was requesting the Commission authorize its staff to publish notice of its intent to amend Section 677(c)(1), Title 14, CAC, regarding methods of releasing domestically reared birds for dog training purposes.

He said the Commissioners had a copy of the proposed regulations before them, which read as follows:

(c) Release of birds. (1) All domestically reared game birds used for dog training or field trial purposes shall be released ~~only-by placing-each-bird-individually-by-hand-in-suitable-cover-after-such bird-has-been-dizzied-or-rocked-sufficiently-to-cause-the-bird-to-remain in-place-until-flushed-by-a-dog-or-dog-handler~~ by hand, mechanical releases or humanely restrained in order to cause the bird to remain in place until flushed by a person or retrieved by a dog.

Mr. Edgerton concluded by stating that this section had caused problems for dog handlers at retriever trials for a number of years and that the Department concurred that the matter should be resolved and therefore recommended the above amendments.

It was then:

MOVED BY DR. DASMAN, SECONDED BY DR. VENRICK, THAT THE FISH AND GAME COMMISSION, UNDER THE AUTHORITY OF SECTION 3510 OF THE FISH AND GAME CODE, AUTHORIZES ITS STAFF TO PUBLISH NOTICE OF ITS INTENT TO CONSIDER, AT ITS MAY 25 MEETING, AN AMENDMENT TO SECTION 677(c)(1),

TITLE 14, CALIFORNIA ADMINISTRATIVE CODE, TO PROVIDE FOR METHODS OF RELEASE OF BIRDS FOR DOG TRAINING AND FIELD TRIAL PURPOSES.

PASSED UNANIMOUSLY.

15. CONFIRMATION OF EXTENSION OF CALTRANS EXPLOSIVES PERMIT FROM MARCH 1 TO MARCH 15, RE REMOVAL OF ANTIOCH BRIDGE.

Mr. Edgerton stated that Commissioners Chickering, Benson and Galletti had given telephonic approval to the Department to extend the explosives permit of the Department of Transportation from March 1 through March 15. He said this was a permit that was required for the demolition of the Antioch Bridge on State Route 83 over the San Joaquin River. He noted that the Commissioners had given this approval on the recommendation of the Department and no adverse affects were expected. If there was a kill of fish, the explosives company doing the demolition work would be required to pay for such losses.

It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. VENRICK, THAT THE FISH AND GAME COMMISSION CONFIRMS ITS AUTHORIZATION TO THE DEPARTMENT OF FISH AND GAME TO EXTEND THE STATE DEPARTMENT OF TRANSPORTATION'S EXPLOSIVES PERMIT NO. B-3-78 FROM MARCH 1 THROUGH MARCH 15, 1979.

PASSED UNANIMOUSLY.

16. CONSIDERATION OF AMENDMENT OF UNIVERSITY OF CALIFORNIA, SANTA BARBARA, SEISMIC PERMIT, RE ONE ADDITIONAL SHOT.

Mr. Edgerton stated that the Commission office had received a letter from the University of California, Santa Barbara, requesting that the terms of their explosives permit No. B-7-77 be modified to allow them to make an additional shot in May 1979 during the Santa Barbara Channel refraction experiment.

The Director stated that the Department recommended approval of this request. It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION, UNDER THE AUTHORITY OF SECTION 5500 OF THE FISH AND GAME CODE, AUTHORIZES THE DEPARTMENT OF FISH AND GAME TO AMEND EXPLOSIVES PERMIT NO. B-7-77 ISSUED TO THE UNIVERSITY OF CALIFORNIA, SANTA BARBARA, TO INCLUDE ONE ADDITIONAL SHOT OF 300 POUNDS OF TOPEX OR COMPARATIVE EXPLOSIVES AT A PRE-ARRANGED LOCATION.

PASSED UNANIMOUSLY.

17. CONSIDERATION OF REQUEST TO PUBLISH NOTICE TO ADD PLANT SPECIES TO LIST OF ENDANGERED OR RARE PLANTS.

Mr. Edgerton stated that the Department was requesting that the Commission authorize its staff to publish notice of its intent to consider, at its May 25 meeting, the addition of 15 species to the endangered plant list and four to the list of rare species. He said the Department had completed the required environmental statements regarding this request and they were available to the public. It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION, UNDER THE AUTHORITY OF SECTIONS 1900-1904 OF THE FISH AND GAME CODE, AUTHORIZES ITS STAFF TO PUBLISH NOTICE OF ITS INTENT TO CONSIDER, AT ITS MAY 25 MEETING IN EL CENTRO, THE ADDITION OF 15 PLANT SPECIES TO THE ENDANGERED LIST AND FOUR PLANT SPECIES TO THE RARE LIST AS PRESENTLY CONTAINED IN SECTION 670.2, TITLE 14, CALIFORNIA ADMINISTRATIVE CODE.

PASSED UNANIMOUSLY.

18. ANNOUNCEMENT OF FUTURE MEETINGS.

April 27, 1979

Auditorium, Resources Building,  
1416 Ninth Street, Sacramento

May 25, 1979

Supervisors' Chambers, Main Floor,  
County Courthouse, 939 Main Street,  
El Centro.

Mr. Edgerton asked that the Commission suspend its rules to hear additional agenda items. It was then:

MOVED BY MR. GALLETTI, SECONDED BY DR. VENRICK, THAT THE COMMISSION SUSPEND ITS RULES TO UNDER UNSCHEDULED AGENDA ITEMS.

PASSED UNANIMOUSLY.

18a. CONSIDERATION OF REQUEST OF AB LAB, PORT HUENEME, FOR AUTHORIZATION TO TRANSPLANT ABALONE TO THE OCEAN WATERS WITHIN THE ANACAPA ISLAND ECOLOGICAL RESERVE, VENTURA COUNTY.

Mr. Edgerton said this work would be carried out under a contract with Ventura County.

Director Fullerton stated that the Department concurred in this request. It was then:

MOVED BY DR. VENRICK, SECONDED BY MR. GALLETTI, THAT THE FISH AND GAME COMMISSION AUTHORIZES THE DEPARTMENT OF FISH AND GAME TO ISSUE A PERMIT TO AB LAB, PORT HUENEME,

TO ALLOW THEM TO TRANSPLANT ABALONE INTO THE OCEAN WATERS  
WITHIN THE ANACAPA ISLAND ECOLOGICAL RESERVE UNDER THE  
TERMS APPROVED BY THE COMMISSION.

PASSED UNANIMOUSLY.

18b. CONSIDERATION OF REQUEST OF MESSRS. LARRY ROBERTSON, DAVE KUPHAL AND  
BRUCE TUCKER FOR A WAIVER OF THE COMMERCIAL ABALONE LANDING REQUIREMENT  
FOR THE 1978-79 SEASON.

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Mr. Edgerton stated that Messrs. Robertson, Kuphal and Tucker requested an opportunity to appear before the Commission to show cause why the Commission should waive, in their behalf, the requirement for minimum commercial abalone landings for the 1978-79 season.

Mr. Robertson came forward and stated that he and Mr. Kuphal had been partners in the construction of a commercial abalone diving boat. This, he said, was to replace a vessel which had sunk previously. He said they obtained a \$57,000 loan from the Small Business Administration to complete this work and that they had worked on it during the majority of 1978, completing the boat in January 1979. He said that this left them only 31 days in which to make the required abalone landings. They had made one trip to the islands and had obtained abalone at that time. However, they had failed to make the required total number of 20 landings. He pointed out that they had fished for sea urchins during 16 days of that 31-day period because there was high demand for them.

Mr. Robertson maintained that Mr. Tucker had also assisted in completing construction of the vessel; however, he was not a partner in the venture. He noted that Mr. Tucker had also been diving with them in the past.

In response to a question from Mr. Galletti, Mr. Robertson stated that the reason they had not sought another vessel to dive from was that there were few of these vessels available and that they had spent their entire time working on their vessel to get it completed.

After a lengthy discussion of the issues involved, it was:

MOVED BY DR. VENRICK, SECONDED BY DR. DASMANN, THAT  
THE FISH AND GAME COMMISSION WAIVES THE COMMERCIAL ABALONE  
LANDING REQUIREMENT FOR THE 1978-79 SEASON FOR MESSRS. LARRY  
ROBERTSON, AND STEVE KUPHAL, UNDER THE PROVISION THAT THEY  
PROVIDE DOCUMENTATION TO THE DEPARTMENT REGARDING STATEMENTS  
MADE BY THEM.

AYES: COMMISSIONERS DASMANN, BENSON AND VENRICK.

NOES: COMMISSIONER GALLETTI.

Mr. Tucker stated that he had not been working full time on construction of the vessel and that he wished to work with both Robertson and Kuphal in the future and, therefore, had not sought another diving vessel. In response to a question from Mr. Galletti, Mr. Tucker stated that he had been involved in another job and had worked in his off hours assisting the other two gentlemen. He noted that he had been diving since 1973.

After a lengthy discussion, it was:

MOVED BY DR. VENRICK, SECONDED BY DR. DASMANN, THAT THE FISH AND GAME COMMISSION HEREBY WAIVES THE COMMERCIAL ABALONE LANDING REQUIREMENT FOR THE 1978-79 SEASON FOR MR. BRUCE TUCKER, SUBJECT TO MR. TUCKER PROVIDING THE DEPARTMENT WITH SUITABLE DOCUMENTATION OF STATEMENTS MADE TO THE COMMISSION.

AYES: COMMISSIONERS VENRICK, DASMANN AND CHICKERING.

NOES: COMMISSIONERS GALLETTI AND BENSON.

18c. CONSIDERATION OF DEPARTMENT REQUEST FOR EMERGENCY ACTION TO AMEND SECTION 630(b)(31)(E), TITLE 14, CAC, TO PROVIDE ADDITIONAL PROTECTION TO NESTING BROWN PELICANS.

Mr. Edgerton stated that the Department was requesting that the Commission take emergency action to amend Section 630(b)(31)(E), Title 14, CAC, to provide an additional 4,000 foot closure during the period March 1 to May 31 on the north side of West Anacapa Island to provide additional protection to the brown pelicans nesting there.

He noted that the present regulations provide for approximately a 7,000 foot closure to protect these nesting birds; however, the birds had nested outside of the closed area and additional protection was necessary.

After additional discussion of the matter, it was:

MOVED BY DR. DASMANN, SECONDED BY DR. VENRICK, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY VESTED BY SECTIONS 1580-1584 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTIONS OF SAID CODE, BY EMERGENCY ACTION, AMENDS SECTION 630(b)(31)(E), TITLE 14, CALIFORNIA ADMINISTRATIVE CODE, TO PROVIDE AN ADDITIONAL 4,000 FOOT CLOSURE TO PROTECT NESTING BROWN PELICANS DURING THE PERIOD MARCH 1 THROUGH MAY 31.

(1) Subsection (b)(31)(E) of Section 630 is amended to read:

(E) A brown pelican fledging area is designated from the mean high tide mark seaward to a water depth of 20 fathoms (120 feet) on the north side of West Anacapa Island between a line extending 345° magnetic off the westernmost point of a line extending 345° off the western edge of Frenchy's Cove, a distance of approximately 11,000 feet. No person except as provided in subsection (a)(1), and employees of the National Park Service in the performance of their official duties shall enter this area during the period March 1 to May 31.

PASSED UNANIMOUSLY.

It was then:

MOVED BY DR. DASMANN, SECONDED BY DR. VENRICK, THAT  
THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY  
OF SECTIONS 1580-1584 OF THE FISH AND GAME CODE, AUTHORIZES  
ITS STAFF TO PUBLISH THE REQUIRED NOTICE REGARDING THIS  
CHANGE.

PASSED UNANIMOUSLY.

There being no further business, the meeting was adjourned at 4 p.m.

(Note: copies of the environmental reports with respect to items considered by the Commission at this meeting and responses to alternatives proposed by the public are available upon request from the Fish and Game Commission office, 1416 Ninth Street, Sacramento, California 95814.)