

State of California
FISH AND GAME COMMISSION

MINUTES, APRIL 6-7, 2000

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State of California
FISH AND GAME COMMISSION

Minutes, Meeting of April 6-7, 2000

Pursuant to the call of the President, the Commission met in the Resources Building, Auditorium, 1416 Ninth Street, Sacramento, California, on April 6, 2000. The meeting was called to order at 10:15 a.m. by President Chrisman.

Persons present:

FISH AND GAME COMMISSION

Mike Chrisman	President
Sam Schuchat	Vice President
Richard Thieriot	Member
Michael Flores	Member

COMMISSION STAFF

Robert R. Treanor	Executive Director
John M. Duffy	Assistant Executive Director
Sandy J. Daniel	Executive Secretary
Mike Weber	Commission's Marine Consultant

OFFICE OF THE ATTORNEY GENERAL

Randall Christison	Deputy Attorney General
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DEPARTMENT OF FISH AND GAME

Robert C. Hight	Director
Dirk Brazil	Deputy Director, Community Relations & Partnerships
Terry Mansfield	Deputy Director, Wildlife & Inland Fisheries
John Schmidt	Executive Director, Wildlife Conservation Board
Susan Cochran Levitsky	Chief, Habitat Conservation Planning Branch (HCPB)
DeWayne Johnston	Marine Region, Regional Manager
Julie Oltmann	Legislative Representative
Ann Malcolm	Deputy General Counsel
Connie Ryan	Marine Region

The following persons were also present and heard:

Tom Martens	California Wildlife Foundation
Laurie Fenwood	U.S. Forest Service
Peter Arnold	Nevada County Fish and Wildlife Commission
Gene Kramer	AMRC
Bob Malm	Bear Preservation League
Virginia Handley	The Fund for Animals
David Magney	David Magney Environmental Consulting

David Tibor	California Native Plant Society
Floyd Carley	Californians for Ferret Legalization
Alice Kaiser	San Diego Ferret Owners
Dennis Feil	San Diego Ferret Owners
Karen Pinney	Pro-Ferret Legalization
Adam Switzer	Californians for Ferret Legalization
Ashley Welden	Pro-Ferret Legalization
Hildy Langewis	California Domestic Ferret Association
Dr. Jyl Rubin, DVM	Capital City Ferret/No. Calif. Ferret Society
Dr. Rene Gandolfi, DVM	California Veterinary Medical Association
Dr. Deborah Sell	Pro-Ferret Legalization
Kimberly Bruno	Californians for Ferret Legalization
Laurie Blakemore	Pro-Ferret Legalization
Don Hunt	Pro-Ferret Legalization
Ann Arnold	Pro-Ferret Legalization
Christeen Bradley	Californians for Ferret Legalization
Michael Smith	Pro-Ferret Legalization
John McCaull	National Audubon Society
Dr. Bob McLandress	California Waterfowl Association
Dr. Desley Whisson	University of California, Davis
Mark Starr, DVM	State Department of Health Services
Alan Berger	Animal Protection Institute

President Chrisman introduced members of the Commission, its newest member Michael Flores who was just appointed, its staff, Directorate and Randall Christison of the Attorney General's Office.

1. WILDLIFE CONSERVATION BOARD RESOLUTION HONORING RICHARD THIERIOT.

Summary of Issue

John Schmidt, Executive Director of the Wildlife Conservation Board (WCB), will present a resolution from the WCB to Commissioner Thieriot recognizing Mr. Thieriot's contributions to the WCB for the past two years.

Action

John Schmidt presented Richard Thieriot with a resolution for serving as President of the Wildlife Conservation Board for two years.

Mr. Thieriot accepted the resolution and thanked Mr. Schmidt.

2. PRESENTATION BY TOM MARTENS RE: CALIFORNIA WILDLIFE FOUNDATION.

Summary of Issue

At the Commission's February 5, 1999, meeting, it received a presentation from Tom Martens regarding the California Wildlife Foundation (CWF). The Commission took no official action at that meeting, but it did support the CWF becoming more active in working with the National Fish and Wildlife Foundation and the Department. Mr. Martens has been recently appointed as the Executive Director for the CWF and would like to provide an update to the Commission on actions of the CWF during the past year and its plans for the coming year.

As background, in a faxed letter dated January 6, 1999, Mr. Martens provided the following information:

"I am writing to ask to be placed on the February meeting agenda to seek the support of the California Fish and Game Commission for the work of the California Wildlife Foundation (CWF).

"The foundation was created in 1990 to raise money to support worthy California Department of Fish and Game projects that did not get funded through the normal state budget process. Since its beginning, the foundation has raised thousands of dollars for education and habitat-related projects.

"CWF's work has included raising private funds to:

- "• Construct a 150-foot wheelchair accessible observation platform at the Gray Lodge Wildlife Area.
- "• Create planning documents for interpretive displays and exhibits at the 5,500-acre Hill Slough Wildlife Area near Fairfield.
- "• Support the DFG's enormously popular Becoming an Outdoor Woman Program, which provides hunting and fishing skill-building classes for women.
- "• Support a \$450,000 wetland visitor's center project that won a national environmental award.

"CWF was modeled after the successful California State Parks Foundation, which has raised some \$90 million in private funds for state parks projects since being created in 1969.

"That foundation has also built a 20,000-member support base for the state parks and works closely with a network of 85 smaller nonprofit associations that raise funds for individual state parks units.

"Over the years, the foundation has not only provided a source of funding for parks in California, but also created an important constituency for the system.

"CWF's directors had hoped to do the same for the DFG and wildlife issues.

"Unfortunately, the foundation was not a priority for the top DFG managers under the administration of Gov. Pete Wilson. They preferred to create a public-private partnership with the California office of the National Fish and Wildlife Foundation (NFWF), which has contracts to manage mitigation funds for the department and to distribute up to \$35 million in CALFED restoration funds.

"This lack of support from the DFG management presented a barrier to CWF's operation.

"The appointment of a new DFG director, however, provides an opportunity to re-organize the foundation in a way that captures the fundraising energy of an independent nonprofit, while taking advantage of the strength, experience, fund-management expertise and other resources of NFWF, which can also provide matching grants from its pool of federal funds.

"Working with the national foundation, CWA could:

- "• Create fundraising partnerships for a project list selected by the foundation's directors in close cooperation with the department.
- "• Leverage private and federal funds for fish and wildlife projects.
- "• Manage banks of mitigation funds.
- "• Increase public awareness of wildlife issues.
- "• Expand the pool of DFG volunteers.
- "• And build a broad constituency to support for department initiatives, particularly those involving habitat protection and restoration work.

"At least 16 other states have created private foundations to supplement their fish and wildlife agencies.

"I look forward to discussing the work of the foundation with the DFG and the role it might play to support the work in the commission's new strategic plan."

Action

Executive Director Treanor reported that Mr. Tom Martens was recently appointed as the California Wildlife Foundation's Executive Director. He indicated that Mr. Martens was working hard to re-energize the CWF and in developing an MOU and MOA with the Department.

Tom Martens provided an update on the status of the CWF and discussed the recent actions and plans for the coming year. He reported that the Foundation's main function is to support the California Department of Fish and Game in its stewardship mission to preserve, restore and enhance California's wild heritage. He discussed the reorganizing effort and the development of a mission statement, goals and objectives, and conservation priorities as well as drafting Memorandums of Understanding and Agreement between the California Wildlife Foundation and the Department of Fish and Game. He described the conservation priorities to be undertaken and the three components: enhancing wildlife areas; creating partners for

wildlife; and improving wildlife policies. He then requested that the Department of Fish and Game's Director and the Fish and Game Commission's Executive Director be nonvoting Board members.

The Commission agreed to be actively involved in the reorganization process and Commissioner Schuchat agreed to work closely with Mr. Martens, the California Wildlife Foundation and the Department during this process.

3. PUBLIC FORUM.

Summary of Issue

This item is scheduled to afford any member of the public the opportunity to address and/or ask questions of the Commission relating to the implementation of its policy or to any matter within the jurisdiction of the Commission. That issue need not be related to any item on the current agenda. Not more than five minutes per individual should be allocated to receive this public input. The Commission has the option of requesting additional study or response by the Department, or it may direct its staff to schedule an agenda item to address the issue at a future meeting.

Action

Peter Arnold commented on the importance of the County Fish and Game Commissions and the need for a uniform county procedure when dealing with Fish and Game violations and the resulting fine monies.

Gene Kramer expressed his concerns regarding the abalone punch cards and the impossibility of keeping the cards dry while using a kayak to dive for abalone.

Bob Malm opposed removing the limit on the sale of bear tags.

Virginia Handley provided an update on Assembly Bill 238, importation of live bullfrogs and turtles, and commented that the recent hearing in the Senate Natural Resources Committee was excellent and a number of scientists provided testimony.

Executive Director Treanor asked if anyone else in the audience wished to speak on the item. There was no response.

4. COMMISSION STATUS REPORT ON IMPLEMENTATION OF ITS STRATEGIC PLAN.

Summary of Issue

This item is scheduled to allow the Commission to inform the public and any new Commissioners of its current actions in implementing its Strategic Plan. The public will also be provided an opportunity to comment on its ideas/suggestions for Commission operations.

Action

Commissioner Chrisman reported on the Strategic Planning process and the implementation of the Marine Life Management Act which has given the Commission significant new authority in the management of marine resources.

5. U.S. FOREST SERVICE ANNUAL REPORT RE: "STATUS OF RESOURCE MANAGEMENT ON NATIONAL FOREST LANDS."

Summary of Issue

As background, the Commission adopted a policy in November 1984 to enhance effective communications and understanding between the Commission, the Department and the U.S. Forest Service (USFS).

Mr. Brad Powell, Regional Forester for the Pacific Southwest Region, will summarize the USFS's report and answer any questions the Commission may have regarding the report or any actions taken by the USFS. The Department will also be prepared to provide its comments on the USFS's report and will report on its working relationship with the USFS.

Commissioners were provided with a copy of the USFS's Annual Report.

Action

Executive Director Treanor summarized the item. He indicated that Mr. Powell was unable to attend the meeting. He then introduced Ms. Laurie Fenwood from the U.S. Forest Service, who summarized the USFS's annual report. Ms. Fenwood highlighted the key issues: Sierra Nevada Framework Project for conservation and management of eleven national forests; potential designation of the Sequoia National Monument on the Sequoia National Forest; listing petition for the California spotted-owl; roads and transportation policy due out in late summer early fall 2000; relicensing of hydroelectric projects; and grazing allotments.

Deputy Director Mansfield indicated that the Department is working cooperatively with the Forest Service on many issues, especially those highlighted by Ms. Fenwood.

6. CONSIDERATION OF PETITION TO LIST THE VENTURA MARSH MILK-VETCH (*Astragalus pycnostachyus* var. *lanosissimus*) AS AN ENDANGERED SPECIES AND ADOPTION OF COMMISSION FINDINGS.

Summary of Issue

This item is scheduled pursuant to Section 2075.5 of the Fish and Game Code for the Commission to make a finding of whether or not the petitioned action is warranted to list the Ventura Marsh Milk-Vetch (*Astragalus pycnostachyus* var. *lanosissimus*) as an endangered species.

As background, on September 25, 1998, Mr. David L. Magney submitted a petition to list the Ventura Marsh Milk-Vetch as an endangered species. Pursuant to Section 2073 of the Fish and Game Code, the Commission, on September 28, 1998, referred the petition to the Department of Fish and Game for its evaluation. On February 4, 1999, the Commission found that the petitioned action may be warranted and designated the plant as a candidate species.

At the Commission's March 3, 2000, meeting, the Department provided its status review report and recommendation. A copy of the petition and the Department's report have been previously provided to the Commissioners. A copy of the petition and the Department's report will also be available at the meeting. Commissioners were provided with copies of correspondence received by the Commission office concerning this matter.

The Commission, under legal criteria for listing set forth in the California Endangered Species Act, is not authorized to give consideration to potential economic losses, present or future, in making the factual determination as to whether listing may be warranted. Both the determination of said economic impacts and the resolution of such conflicts are left to other agencies under California law on a case-by-case basis. The Commission's position is that in implementing the California Endangered Species Act, it is not legally permitted to consider economic impacts, and no implication should be drawn from this action that it has such authority or that it has exercised it.

Department Recommendation

"At its February 4, 1999, meeting, the Commission formally adopted the Ventura marsh milk-vetch as a candidate species for endangered status, and public notice was published on February 19, 1999, to commence a period of up to one year for the Department to evaluate the proposed listing.

"The Department has completed its review pursuant to Section 2074.6 of the Fish and Game Code and recommends adding Ventura marsh milk-vetch (*Astragalus pycnostachyus* var. *lanosissimus*) to the list of endangered species. We solicited data and comments on the petition from affected and interested parties pursuant to Section 2074.4 of the Fish and Game Code. Letters were sent to local, State, and Federal agencies, and to private individuals and organizations, and legal notices were published in local newspapers.

"We also solicited independent peer review of our status report by persons of the scientific community who are recognized experts in conservation of California endangered plant populations, coastal dune systems, wetlands, restoration, and systematics of *Astragalus*. We have incorporated their comments as appropriate into our report.

"Enclosed is the original petition recommending the listing, and the Department's status report on Ventura marsh milk-vetch, including copies of the written comments of the peer reviewers."

Action

Executive Director Treanor summarized the item, described the listing process and noted that letters had been received in support of the listing from the U.S. Fish and Wildlife Service-Ventura Field Office, California Native Plant Society, and a fax from David Magney, the petitioner.

HCPB Chief Cochrane Levitsky summarized the Department's status review and its findings. She reported the following information on the Ventura marsh milk-vetch: it is a short-lived perennial in the pea family with dense clusters of numerous light yellow flowers blooming from June through October; historically occurred in back dune habitat, coastal meadows and salt marshes from Ventura to Orange counties; only one population near Oxnard in Ventura County and entire population is found within a 2,854 square foot area; fewer than 400 plants have been seen with fewer than 100 adult plants; very little potential habitat remaining for the Ventura marsh milk-vetch. She reported that the Department recommended that the Commission list the plant as endangered due to the current extreme rarity and restricted habitat of the species.

David Magney, petitioner, indicated that Ms. Cochrane Levitsky covered the information very well and had nothing additional to add. He urged the Commission to take the necessary action today to protect this unique plant by listing it as an endangered species.

David Tibor supported the listing as an endangered species.

Executive Director Treanor asked if anyone else in the audience wished to speak on the item. There was no response.

It was then:

MOVED BY MR. SCHUCHAT, SECONDED BY MR. THIERIOT, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTION 2075.5 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET, OR MAKE SPECIFIC SAID SECTION OF SAID CODE, HEREBY FINDS THAT THE INFORMATION CONTAINED IN THE PETITION TO LIST THE VENTURA MARSH MILK-VETCH (*Astragalus pycnostachyus* var. *lanosissimus*) WARRANTS LISTING THAT SPECIES AS ENDANGERED. FURTHER, THE FISH AND GAME COMMISSION HEREBY AUTHORIZES ITS STAFF TO PUBLISH NOTICE OF ITS

INTENT TO AMEND SECTION 670.2, TITLE 14, CCR, TO LIST THE VENTURA MARSH MILK-VETCH (*Astragalus pycnostachyus* var. *lanosissimus*) AS AN ENDANGERED SPECIES.

PASSED UNANIMOUSLY.

Mr. Treanor indicated that if the Department provided the Initial Statement of Reasons in a timely manner, the regulatory action would be scheduled for the Commission's June 15, 2000, meeting in Truckee.

7. REQUEST OF CALIFORNIANS FOR FERRET LEGALIZATION FOR COMMISSION CONSIDERATION TO AMEND SECTION 671, TITLE 14, CCR, REGARDING THE LEGALIZATION OF FERRETS. (NOTE: This item is scheduled to begin at 1:30 p.m. Proponents and opponents will each have one hour to provide their comments. There will be 10 minutes for rebuttal. Please select a spokesperson or spokespersons.)

Summary of Issue

The Commission, at its February 3, 2000, meeting in Long Beach, heard Mr. Floyd Carley's request on behalf of Californians for Ferret Legalization for the Commission to consider amending Section 671, Title 14, CCR. At that time, the Commission decided to schedule an additional hearing for its April 6 meeting to receive additional information from the scientific community, conservation organizations, and state or federal agencies. It also directed the Department to provide its recommendation at the Commission's March meeting regarding potential criteria the Commission may utilize when it considers proposals to remove a species from the prohibited species list (Section 671, Title 14, CCR).

At the Commission's March 2 meeting, the Department recommended that the Commission consider the following categories of potential effects of restricted species on native wildlife:

1. Predation;
2. Competition for food, cover, water, and space;
3. Displacement from specialized habitats; and
4. Potential to transmit diseases and parasites.

As background, ferrets have been prohibited in California since 1933 by both statute and Commission regulation. The ferret is listed as a detrimental species because of its potential threat to public health and safety, agricultural interests of the State, and California's native species. Ferrets are known to be aggressive hunters and, in places such as New Zealand, have caused problems to ground nesting bird populations. If feral populations become established in California, ferrets could also compete with California's native mustelids. In previous discussions regarding the legalization issue, the prohibition of ferrets in California has been supported by the Department of Food and Agriculture and the Department of Health Services, as well as numerous sportsmen's groups, environmental groups, humane societies, and animal rights activists.

Numerous groups have been trying to get ferrets legalized in California for a number of years. Legislation has been introduced since about 1993 to legalize ferrets in California; however, each time, that legislation has failed. The California Domestic Ferret Association (CDFA) brought this issue to the Commission in 1995-96. The Commission, on a 3-2 vote, decided to publish notice of its intent to consider amending Section 671. At its November 8, 1996, meeting, the Commission's legal counsel indicated that he was not certain the Commission had clear authority to remove ferrets from the list of prohibited species. He suggested that the statute be clarified. Based on its legal counsel's opinion, the Commission took no action on CDFA's request. Marshall Farms sued the Commission in the San Diego Municipal Court. The Court ruled that the Commission had the authority to remove ferrets from the prohibited species list and directed it to do so. The Commission appealed that decision. The Court of Appeals ruled that the Superior Court was correct in that the Commission had the authority but that the Court could not mandate the Commission to take the action; i.e., the Commission has discretionary power on whether or not to utilize that authority.

A 355-page exhibit provided by Mr. Carley was previously supplied to the Commissioners and the Department for evaluation. Commissioners were provided with copies of a Chronology of Selected Ferret Issues, two reports from the New Zealand Department of Conservation regarding ferrets, letters from the Audubon Society, the California Waterfowl Association, and the Western Section of the Wildlife Society, a 1996-97 Nationwide Ferret Survey of State Wildlife Agencies, a Department letter to Assemblyman Cunneen responding to questions from the Assemblyman, a report re: A Review of National and California Population Estimates of Pet Ferrets, An Annotated Bibliography on the Ferret (*Mustela putorius furo*), as well as some additional background information from Mr. Carley.

Department Recommendation

"The Department of Fish and Game recommends that the Fish and Game Commission retain the existing regulations which prohibit importing, transporting and possessing ferrets for pet purposes in California. This recommendation is based on the authority contained in Fish and Game Code sections 2116.5 and 2118 related to protecting native wildlife, agricultural interests and public health and safety. This statutory authority was originally put in place by the Legislature in 1933. It requires the Commission and the Department to develop appropriate regulations and to implement those regulations in cooperation with the departments of Food and Agriculture and Health Services.

"Based on experience in California, and after reviewing the available scientific literature from throughout the world, regarding the demonstrated ability of ferrets to survive in the wild and predation effects of ferrets on ground nesting birds and small mammals, the Department has determined that the risks to California's native wildlife would be significant. Those risks are primarily related to predation by ferrets which may be released or escape to the wild. In addition, ferrets have the potential to compete with and displace native species of carnivores, including other members of the weasel family. California has a very rich diversity of native wildlife, with many species of ground nesting birds and small mammals vulnerable to impacts from nonnative predators. The need to protect those sensitive species requires strict regulations to

prohibit the importation and possession of detrimental species, including the ferret. The Legislature has provided the Commission with that authority and the existing regulations are warranted to assist the Department in achieving its mission.

"The proposal to remove ferrets from the detrimental species list contained in the Commission's regulations and to allow the possession of ferrets as pets also presents concerns related to consistency in policy regarding detrimental species, including species like the hedgehog, sugar glider and monk parakeet, which are also available as 'pets' in other states and countries. The Department's obligation to protect California's native wildlife, which it holds in trust for all the State's citizens, compels it to recommend that the existing restrictions on ferrets be retained.

"It is the Department's position that prior to considering amending the regulations to allow the possession of ferrets as pets, the proposed action should be analyzed in an environmental impact report to comply with the California Environmental Quality Act (CEQA). That task is the responsibility of the project sponsor and the costs should not be borne by the State. The Department and other concerned parties would then have the opportunity to review and comment on the report and the Commission would then be required to certify the report as fully complying with CEQA before taking the regulatory action.

"As important background, the Commission may be interested to note that for a period of time prior to 1985, the regulations provided for the possession of only neutered males of selected detrimental species, including ferrets. That regulation was deemed to be unenforceable as both females and intact males were being imported and possessed in violation of the regulations without permits. It was extremely difficult for the Department to identify individual ferrets and to verify the health records and reproductive status of the permitted ferrets. Violations of the regulations were common. Based on this experience, the regulation was repealed in 1985. The Department further recommends that the Commission not amend the regulation to recreate that time consuming and unenforceable compromise which was tested and failed prior to 1985. Experience has demonstrated that compliance with a law or regulation which puts the burden on the Department to verify health records and reproductive status of ferrets was problematic and would place a severe strain on the Department's enforcement staff."

Action

Commissioner Chrisman provided opening remarks and described the structuring of receiving public comments.

Executive Director Treanor provided a slide presentation on the chronology of ferret issues in California. He summarized the possible Commission actions as follows: 1) pursuant to CEQA, Commission directs project proponents to prepare an environmental document to determine impacts to the environment; 2) Commission decides further information is necessary and conducts additional hearings; or 3) Commission denies request and no further action necessary.

Deputy Attorney General Christison provided the following analysis:

"The question before the Commission is whether there should be a change in Section 671, Title 14, CCR, governing the determination by the Commission of whether a ferret should be determined no longer a wild animal. A wild animal is one that is not normally domesticated in California as determined by the Commission (Section 2116, Fish and Game Code).

"Ferrets first became the subject of Legislative treatment in 1933, an outright prohibition, and has been more or less prohibited since then. There was a period of time where the animals were subject to possession pursuant to a restricted species permit. Other than that, the prohibition has been continuous and virtually complete.

"The court of appeal in *Marshall Farms v. F&G Commission*, held (1) that the Commission had the authority to determine whether ferrets are wild or not, (2) that any duty to make such a determination was satisfied in 1975 with the adoption of regulations finding ferrets are wild, and (3) that the Commission may either summarily deny the petition to amend or consider it on its merits.

"If the Commission desires to consider the petition on the merits, it should consider whether, based on the scientific evidence, the animal is normally domesticated in California.

"The term, 'normally,' connotes a requirement that the typical or ordinary animals are to be considered, not ones so unusual as not to be considered the 'normal' for the species.

"The 'in California' suggests that whatever may be the evidence, it must be such that it relates to California and conditions in California.

"An illustration would be suppose there is a species, say a wolf, that has wide distribution, but one strain has been kept apart and has been bred for 15,000 years in Sri Lanka such that it has been domesticated. But throughout the world the animal is wild—same species. What then would be its effect in California.

"The third term is 'domesticated'. The scientific literature definitions, which should be important if not controlling, are not as clear as I would like. Most definitions of domestic talk about living close to man and not wild, and 'wild' means not domesticated. The circulatory becomes quite frustration. Probably of more assistance is to identify the factors normally associated with domestication and by inductive reasoning conclude the status.

"What factors are commonly found are: 1) safe cohabitation - does the animal live with its human master and family safely; 2) is its behavior predictable and amenable to human control (the mere fact it responds to some commands is not dispositive); 3) is the animal's taxonomy instructive, is it the same species as a wild animal; 4) does it exhibit any of the behavior found among wild animals; and 5) is it capable of living in

the wild where conditions are favorable?

"Factors that are ambiguous or are not indicative of domesticity are: 1) mere length of time cohabiting with humans; and 2) fact that animals do sometimes or other successfully cohabit; 3) fact that some animals are kept as pets; and 4) use of terms 'wild' & 'domestic' such as wild salmon v. hatchery.

"One should note that a dispassionate analysis could lead to the conclusion that domestic cats are wild. Indeed, more than one observer has considered cats wild animals which are temporarily using humans for their own ends. Why then aren't we finding cats wild animals- Section 2118(b) specifically excludes cats along with dogs, horses, pigs, sheep, cattle and others. So, comparisons with cats, horses, pigs and the rest, is really of no help in analyzing our problem.

"The legality or regulatory condition in other states is irrelevant to the question here."

Proponents Testimony

Floyd Carley requested the Commission make the determination that domestic ferrets are normally domesticated in California and that the scientific evidence, both historical and genetic, is massive and overwhelming and confirms the fact that this is a domesticated animal. He commented, that in his opinion, CEQA was not applicable and also added that ferrets are no threat to California's native wildlife as they live in cages in a house and can only survive for maybe two to three days in the wild. He urged the Commission to legalize ferrets.

The following persons spoke in support of the legalization of ferrets: Alice Kaiser, Dennis Feil, Karen Pinney, Adam Switzer, Ashley Welden, Hildy Langewis, Dr. Jyl Rubin, Rene Gandolfi, Dr. Deborah Sell, Kimberly Bruno, Laurie Blakemore, Don Hunt, Ann Arnold, and Michael Smith. The main points covered were:

1. Ferrets are already in California.
2. Pet stores stock and sell large numbers of ferret items.
3. No other state completed an environmental document to legalize ferrets. No need for expensive studies; time to legalize ferrets.
4. There are no ferrets living in the wild in this country. Ferrets can not live/survive in the wild. Ferrets are no threat to wildlife. Surveys show there has not been a single incident documented in the United States of a domesticated ferret turning feral.
5. Why is California so different from other states and constantly opposed to the legalization of ferrets?
6. Ferrets are safe for children to hold.
7. Many people are allergic to other pets and not to ferrets.
8. Ferrets are very popular; supplies and books are available in California.
9. Ferrets are definitely domesticated animals and not wild animals.
10. California is losing resources when non-Californian's want to come to California to vacation and can't bring their pet ferrets.
11. Ferrets are a therapy pet.

12. Criminalization and current ban of ferrets prevent the veterinary community from providing public health services to the public by having the public feel uncomfortable in requesting veterinary care for their ferrets.
13. There is a proven licensed vaccine for rabies for ferrets.
14. New Zealand is not comparable to California, but the rest of the United States is.

Dr. Jyl Rubin suggested the following: 1) if ferrets are legalized, purchase must only be from a licensed breeder; 2) ferrets should be spayed or neutered; 3) ferrets should be micro-chipped; and 4) require a license, like a dog or cat license.

Opponents Testimony

John McCaull expressed significant concerns about the request to legalize ferrets and urged that the Commission not take any action for the following reasons: 1) the Commission is obligated under the California Environmental Quality Act (CEQA) to meet CEQA's substantive requirements for any discretionary action which falls within the Commission's certified regulatory program; 2) the Commission has the authority to require the proponents of ferret legalization to bear the cost of preparation of the draft environmental document to be used in the Commission's regulatory review of the issue; and 3) before making any regulatory decision on ferret legalization, the Commission should begin to establish the evidentiary and legal standards for how and when the Commission is to remove, or condition the possession of, species currently on the restricted species list of Title 14, Section 671. He requested additional time to prepare a detailed presentation on why ferrets should not be allowed as pets in California.

Dr. Bob McLandress referred to letters received from New Zealand and Delta Waterfowl Foundation opposing the legalization of domestic ownership of ferrets in California. He indicated that the mass importation of domestic ferrets into California would, eventually, result in feral populations and an increase in waterfowl predation. Dr. McLandress stated that the California Waterfowl Association strongly opposed any action which would allow ferrets to be owned as pets in California. He reported there are documented feral ferret populations.

Executive Director Treanor asked if anyone else in the audience wished to speak in opposition to the legalization of ferrets. There was no response.

Proponents Rebuttal

Floyd Carley commented that the California Waterfowl Association has been in opposition to the legalization of ferrets for some time. He commented that ferrets are not a predator to waterfowl and that there is no documentation that ferrets harm native wildlife. He requested the Commission to make a decision today based on the facts.

Dr. Rubin expressed concern about how many more meetings will be held.

Opponents Rebuttal

Dr. Desley Whisson recommended a complete environmental assessment before legalization was considered and that captive bred ferrets have been found to survive in the wild in Australia, Alaska, United Kingdom, New Zealand, Tasmania, and the San Juan Islands in Washington State. She indicated that ferrets could be a risk factor. She reported that ferrets have the ability to hunt, carry tuberculosis and are a threat to native wildlife.

Executive Director reported that as part of the Commission's statutory responsibility in dealing with this issue, it has have been instructed by the Legislature to work with the Department of Food and Agriculture (comment letter dated April 5, 2000) as well as the Department of Health Services (comment letter dated March 30, 2000).

Dr. Mark Starr stated that the legalization of domestic ferrets will have a negative impact on the public health and safety of California's citizens and opposed the legalization. He provided the following comments: 1) removal of ferrets from the prohibited species list would likely increase ferret numbers significantly and could create a stray and abandoned ferret population thereby placing a significant burden on local animal control agencies; 2) there are no existing provisions to regulate ferret rabies vaccination and licensing; 3) a decision to remove a species from the prohibited species list could set a precedent; 4) concerns related to disease and injury risks to humans from nondomestic animals; and 5) ferrets are inappropriate pets in certain circumstances.

Deputy Director Mansfield read into the record the Department's recommendation that the existing restrictions on ferrets be retained.

Floyd Carley asked why is the domestic ferret legal in 48 states and not in California?

Commissioner Thieriot explained that California is a leader in environmental protection and just because other states may allow something doesn't make it right as California is unique in its needs and requirements to protect its environment.

Deputy Director Mansfield summarized the delisting process as it related to the water buffalo; there was no controversy, no opposition and no threat to native wildlife.

The Commission suggested Californians for Ferret Legalization fund and complete a draft Environmental Document, with a consultant agreed upon by the proponents, the Department, the departments of Food and Agriculture and Health Services, the Commission, hunting and environmental organizations; to report back to the Commission once the draft Environmental Document is completed; and the Commission would make a decision at that time on whether to legalize ferrets.

It was then:

MOVED BY MR. SCHUCHAT, SECONDED BY MR. THIERIOT, THAT THE FISH AND GAME COMMISSION HEREBY TAKES NO ACTION ON THE REQUEST OF THE CALIFORNIANS FOR FERRET LEGALIZATION TO AMEND SECTION 671, TITLE 14, CALIFORNIA CODE OF REGULATIONS, RE: REMOVE FERRETS FROM THE PROHIBITED SPECIES LIST. FURTHER, THE COMMISSION REQUESTS THE DEPARTMENT TO DEVELOP DRAFT REGULATIONS ON THE PROCESS TO BE UTILIZED BY THE COMMISSION IN CONSIDERING FUTURE REQUESTS. THE COMMISSION ALSO DIRECTS THE CALIFORNIANS FOR FERRET LEGALIZATION, AS PROJECT PROPONENTS, TO FUND THE PREPARATION OF AN ENVIRONMENTAL DOCUMENT TO COMPLY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THE CONSULTANTS HIRED FOR PREPARATION OF THAT ENVIRONMENTAL DOCUMENT ARE TO BE AGREED UPON BY THE PROPONENTS, HUNTING AND ENVIRONMENTAL ORGANIZATIONS OPPOSED TO FERRET LEGALIZATION, AND THE STATE DEPARTMENTS OF FISH AND GAME, HEALTH SERVICES, AND FOOD AND AGRICULTURE. THE COMMISSION WILL CONSIDER THIS MATTER AFTER THE ENVIRONMENTAL DOCUMENT IS COMPLETED.

PASSED UNANIMOUSLY.

Floyd Carley requested the Commission consider a grandfather clause for existing ferrets while the process continues. The Commission took no action on this request.

8. RECEIPT OF DEPARTMENT LEGISLATIVE REPORT.

Summary of Issue

This item is scheduled to afford the Department an opportunity to discuss proposed legislation which could impact the Department and/or the Commission. The Department will provide a copy of its report at the meeting and will be prepared to discuss its Legislative Report and respond to any questions the Commission may have at that time.

Action

Julie Oltmann reported that the Department was analyzing 134 bills and provided a list of the Department's priority bills. She reviewed the following bills: SB 1311, Chesbro - salmon and steelhead conservation; SB 1544, Sher - market squid; AB 2401, Papan - squid; AB 238, Honda & Migden - importation of bullfrogs and turtles; AB 2479, Kuehl - animal cruelty and retail food markets; AB 2356, Keeley - Department sponsored bill to revise the existing streambed alteration agreement program; SB 1704, Costa - Kings River Fishery Management Plan; AB 1741, Thomson - water transfers; AB 1758, Kuehl - endangered species listing; SB 2179, Johannessen - fully protected species; and AB 2800, Shelley - Marine Managed Areas Consolidation and Improvement Act.

9. RECEIPT OF DEPARTMENT INFORMATIONAL ITEMS.
 - A. STATUS REPORT ON THE PENDING FEDERAL CONSERVATION AND REINVESTMENT ACT (CARA) LEGISLATION.
 - B. UPDATE ON DEPARTMENT BUDGET AND FUNDING ALTERNATIVES.
 - C. AB 3158 FEE COLLECTION UPDATE.
 - D. UPDATE ON PUBLIC INVOLVEMENT MEETINGS RE: POTENTIAL COMMERCIAL NEARSHORE FISHERY REGULATIONS.
 - E. UPDATE ON POLICY ON ORPHANED BEAR CUB REHABILITATION PROCEDURES.
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Summary of Issue

This item is scheduled to afford the Department an opportunity to present the Commission with informational items. The Department will be prepared to discuss the above-listed items and/or will provide short background memos on each item at, or shortly before, the meeting.

Commissioners were provided with a copy of a letter dated March 23, 2000, from Alan Berger, Animal Protection Institute.

Action

- A. Deputy Director Brazil provided a status report and reported that a Senate Bill was introduced by Senator Feinstein and others which reflect the provisions of H.R. 701. He indicated there was now a need to focus on the Senate, which had a shorter list of congressional members to contact.
- B. There was no discussion on the Department budget and funding alternatives.
- C. Deputy General Counsel Malcom provided a status report and reported that \$22.5 million had been collected since 1991. She reported there would be an Appellate Court decision soon as to whether the fee collection regulations are legal. The funds have been used to fund the review of environmental documents. Mr. Mike Valentine, the Department's new General Counsel was introduced.
- D. Connie Ryan provided an update and indicated that the first task was to obtain input on the Nearshore Interim Options with meetings scheduled for June 2000, results submitted to the Commission in August and the nearshore fishery management plan due to the Commission July 1, 2001.
- E. Deputy Director Mansfield summarized the issue and reported that the bear policy had been finalized and distributed to employees. He noted that there was a meeting

scheduled for April 19 to consider approving a bear rehabilitation facility in California. This informational item to be scheduled for the Commission's May 4, 2000, meeting for a status update.

Alan Berger spoke about the Department's inconsistent policy on how nuisance bears are handled and commented that he wanted to see more documents and that the process and progress was too slow.

Bob Malm supported a rehabilitation facility in California and believed that the Department was moving in the right direction.

10. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.

A. SUBCOMMITTEE REPORTS.

I. MARINE SUBCOMMITTEE.

B. STAFF REPORTS.

I. REPORT ON THE MID-WINTER MEETING OF THE WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES MEETING IN TUCSON, ARIZONA.

II. UPDATE ON RESTRICTED ACCESS POLICY TEAM (RAPT).

III. REPORT ON TRI-STATE COMMISSION MEETING IN PORTLAND, OREGON.

Summary of Issue

This item is scheduled for the Commission to receive informational items from its staff and to afford the Commission an opportunity to discuss items of interest with the Department.

Commissioner Chrisman and Executive Director Treanor will present a report on the January 7-9, 2000, mid-winter WAFWA meeting held in Tucson. Also, Commissioner Chrisman will provide a report on the North American meeting he attended in Chicago on March 24-26. Mr. Mike Weber will provide an update on the Restricted Access Policy Team meeting. Commissioners Chrisman and Schuchat will report on the Tri-State meeting held April 4 in Portland, Oregon, with the Oregon and Washington Fish and Wildlife commissions.

Action

A. Commissioner Chrisman reported that on April 5 the Marine Subcommittee received reports on the following subjects: nearshore fishery constituent process; spot prawn observer program and proposed fee; status of the state interagency marine managed areas workgroup process; restricted access policy team activities; and status of northern California abalone populations.

B. Staff Reports.

I. Commissioner Chrisman, Director Hight and Executive Director Treanor all agreed

that the Western Association of Fish and Wildlife Agencies meetings were very valuable in sharing issues and establishing relationships.

- II. Marine Consultant Mike Weber provided an update on the Restricted Access Policy Team (RAPT) and its responsibilities. He reported on a March 13 RAPT conference call and discussion items included the following: restricted access program for the pink shrimp fishery, recommendation to form a task force for preparing and evaluating options for restricted access in the pink shrimp fishery; review of the Department's draft history of the Commission's policy on restricted access commercial fisheries and comments to the Department.
- III. Commissioners, Director Hight and Executive Director Treanor all agreed that it was very valuable to meet with the neighboring states of Oregon and Washington. The issues discussed at the tri-state meeting were: CARA Legislation, Nearshore Rockfish Populations, update on Groundfish Disaster Relief, Salmonid Management Issues, update on State Marine Managed Areas (Ecological Reserves) and their role in fishery management, Federal Exclusive Economic Zones, update on Invasive Species Programs, discussion of different State programs to attract youth, women and others to fishing and hunting activities, and resource management funding dilemmas. All states agreed to meet again next year.

11. RECEIPT OF FEDERAL AGENCIES INFORMATIONAL ITEMS.

Summary of Issue

This item is scheduled to afford any Federal agency an opportunity to brief the Commission on any issue it deems to be of interest or importance.

Action

There were no Federal informational items.

12. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.

Summary of Issue

This item is scheduled for the Commission's Legal Counsel to discuss any informational items and certain legal issues or procedures with the Commission. In addition, the Commission may wish to provide its Legal Counsel with suggested informational item topics for future meetings.

Action

There were no Legal Counsel information items.

There being no further business, the meeting recessed at 6:20 p.m. to reconvene in Executive Session.

EXECUTIVE SESSION

April 6, 2000

PURSUANT TO THE AUTHORITY OF GOVERNMENT CODE SECTION 11126(a)(1) and (e)(1), AND SECTION 309 OF THE FISH AND GAME CODE, THE COMMISSION MET AT 6:20 P.M. IN CLOSED EXECUTIVE SESSION. THE PURPOSE OF THIS EXECUTIVE SESSION IS TO CONSIDER:

A. PENDING LITIGATION TO WHICH THE COMMISSION IS A PARTY:

- I. WILLIAM WILLIAMSON vs. CITY OF MONTEREY; RE: CITY OF MONTEREY KELP HARVESTING ORDINANCE NO. 3242, FISH AND GAME COMMISSION NAMED AS REAL PARTY IN INTEREST.
- II. JEFFREY LEE COX vs. FISH AND GAME COMMISSION; RE: REVOCATION OF COMMERCIAL FISHING LICENSE PRIVILEGES.
- III. TERENCE MINES vs. FISH AND GAME COMMISSION; RE: DENIAL OF COMMERCIAL LOBSTER OPERATOR'S PERMIT.
- IV. DENNIS STURGELL vs. FISH AND GAME COMMISSION; RE: DENIAL OF COMMERCIAL DUNGENESS CRAB VESSEL PERMIT.
- V. ASSOCIATION OF ROUND HAUL HERRING FISHERMEN vs. FISH AND GAME COMMISSION; RE: PHASE OUT OF ROUND HAUL PERMITS.

B. POSSIBLE LITIGATION INVOLVING THE COMMISSION.

C. STAFF PERFORMANCE AND COMPENSATION.

D. RECEIPT OF HEARING OFFICER RECOMMENDATIONS ON LICENSE AND PERMIT ITEMS AND ADOPTION OF COMMISSION FINDINGS FOR:

- I. JASON M. GELSINGER, OXNARD, RE: SEA CUCUMBER PERMIT.
- II. BEN K. HONEA, SEDRO WOOLEY, WASHINGTON, RE: SUSPENSION OF COMMERCIAL HERRING PERMIT.
- III. MARTIN J. KASTLUNGER, SAN DIEGO, RE: SUSPENSION OF COMMERCIAL FISHING LICENSE PRIVILEGES.
- IV. JEFFREY THOMAS MILLETTE, PACIFIC GROVE, RE: SUSPENSION OF COMMERCIAL HERRING PERMIT.
- V. LOUIS N. PELLEGRINI, PLEASANT HILL, RE: SUSPENSION OF COMMERCIAL HERRING PERMIT.

Persons present:

FISH AND GAME COMMISSION

Mike Chrisman
Sam Schuchat
Richard Thieriot
Michael Flores

President
Vice President
Member
Member

COMMISSION STAFF

Robert R. Treanor
John M. Duffy
Sandy J. Daniel

Executive Director
Assistant Executive Director
Executive Secretary

OFFICE OF THE ATTORNEY GENERAL

Randall Christison

Deputy Attorney General

DEPARTMENT OF FISH AND GAME

Robert C. Hight

Director

The Executive Session adjourned at 6:25 p.m.

State of California
FISH AND GAME COMMISSION

Minutes, Meeting of April 6-7, 2000

Pursuant to the call of the President, the Commission met in the Resources Building, Auditorium, 1416 Ninth Street, Sacramento, California, on April 7, 2000. The meeting was called to order at 8:40 a.m. by President Chrisman.

Persons present:

FISH AND GAME COMMISSION

Mike Chrisman	President
Sam Schuchat	Vice President
Richard Thieriot	Member
Michael Flores	Member

COMMISSION STAFF

Robert R. Treanor	Executive Director
John M. Duffy	Assistant Executive Director
Sandy J. Daniel	Executive Secretary

OFFICE OF THE ATTORNEY GENERAL

Randall Christison	Deputy Attorney General
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DEPARTMENT OF FISH AND GAME

Dirk Brazil	Deputy Director, Community Relations & Partnerships
Terry Mansfield	Deputy Director, Wildlife & Inland Fisheries
DeWayne Johnston	Marine Region, Regional Manager
Dave Zezulak	Chief, Wildlife Programs Branch (WPB)
Susan Cochrane Levitsky	Chief, Habitat Conservation Planning Branch (HCPB)
Rob Collins	Marine Region
Paul Reilly	Marine Region
Neil Manji	Northern California and North Coast Region
Sonke Mastrup	Wildlife Programs Branch
Jon Fischer	Wildlife Programs Branch
Ron Schlorff	Habitat Conservation Planning Branch

The following persons were also present and heard:

Chuck Blackburn	Del Norte County Supervisor
Jim Bassler	Salmon Trollers Marketing Association/Nearshore Fishermen

Daniel Platt

Chris Hoeflinger
Carol Fulton Yeates
Sandy Winston
Jeremiah O'Brien
Ray Chambers
Andy Schneider
Jerry Neugebauer
Tom Hafer
Terry Herzik
Don Welborn
Joe Nungaray
Terry Wilmarth
Bob Strickland
Kurt Solomon
Tim Iveson
Giovanni Nevoloso
Norman Ishimoto
Fran Roudebush
Burt Malech
Jerry Springer
Dr. J. Rod McGinnis
Joe Becker
Butch Kughn
Frances Poole
Charley Washburn
Richard Eckenburg
Virginia Handley
Cindy Tobiassen
Wayne Piersol
Christopher Papouchis
Keith Carly
Bill Gross
Lydia Boesch

Salmon Trollers Marketing Association/Nearshore
Fishermen
Ventura Commercial Fishermen's Association
Friends of the Sea Otter
Nearshore Fisherman
Morro Bay Commercial Fisherman's Organization
Finfish Trap Fisherman of Southern California
Commercial Fisherman
Nearshore Fisherman
Nearshore Fisherman
Nearshore Fisherman
Commercial Fisherman
Commercial Fisherman
Commercial Fisherman
President, United Anglers
Nearshore Fisherman
Nearshore Fisherman
Nearshore Fisherman
Chinese Fishermen and Fisherwomen
Plumas County Supervisor
California Bowman Hunters
California Deer Association
CBH/SAA
California Bowman Hunters
Archery Deer Hunter
Ca. Houndsmen for Conservation
CBH/SAA
CBH/SAA
The Fund for Animals
Sportswoman
CBH/SAA
Animal Protection Institute
California Trappers Association
Archery Hunters
Fort Funston Dogwalkers

President Chrisman introduced members of the Commission, its staff, Directorate and Randall Christison of the Attorney General's Office. He also introduced and welcomed Martin Golden, National Marine Fisheries Service.

13. ANNOUNCEMENT OF RESULTS FROM EXECUTIVE SESSION.

Summary of Issue

This item is scheduled to allow the Commission's Legal Counsel an opportunity to report on the results of the Executive Session, if any.

Action

Deputy Attorney General Christison reported that the Commission accepted his proposed decisions on the following license and permit items:

Ben K. Honea-Re: Suspension of Commercial Herring Permit. Suspended for the first two days of the 2000-2001 Herring Season.

Jeffrey Thomas Millette-Re: Suspension of Commercial Herring Permit. Paid Stipulated Compromise Settlement Agreement of \$600 in lieu of suspension.

Louis N. Pellegrini-Re: Suspension of Commercial Herring Permit. Suspended for first four days of the 2000-2001 Herring Season.

14. RECEIPT OF DEPARTMENT STATUS REPORT ON THE CHANNEL ISLANDS MARINE ECOLOGICAL RESERVE PROPOSAL.

Summary of Issue

As background, the Commission has discussed the concept of marine managed areas (no-take areas) at several meetings during the past year. The Commission, at its March 4, 1999, meeting, heard from interested parties regarding the need for marine managed areas and a suggested timeline to develop a statewide policy as well as the proposal from the Channel Islands Marine Resource Restoration Committee to designate 20 percent of the Channel Islands National Park as no-take marine reserves.

On April 1, 1999, the Commission heard from the Department and a representative from the Channel Islands National Marine Sanctuary regarding a proposed process and timeline for the Channel Islands request.

The Commission has requested frequent status reports on the Channel Islands proposal. It has received additional reports at its June 18, August 27, and November 5, 1999, and February 4, 2000, meetings. In addition, the Commission adopted its Marine Ecological Reserve Policy at its August 6, 1999, meeting in Long Beach.

This item is scheduled to receive another Department progress report.

Previous information has been provided in the following memos:

In a memo dated June 2, 1999, the Department provides the following information:

"As part of the joint State and Federal regional process to consider marine reserves at the Channel Islands, the Channel Islands National Marine Sanctuary Advisory Council (SAC) has developed a Marine Reserve Science Panel (Science Panel) and a Marine Reserve Working Group (Working Group).

"The SAC received a considerable number of nominations from highly qualified scientists interested in serving on the Science Panel. A subcommittee of the SAC reviewed the applications and recommended a group of scientists to the SAC, which approved the Science Panel as recommended at its meeting on May 20, 1999, in Santa Barbara. The Science Panel consists of 14 scientists from the University of California (UC) Santa Cruz, UC Santa Barbara, Stanford University, California State University Fullerton, the National Center for Ecological Analysis and Synthesis, the National Marine Fisheries Service-Southwest Fisheries Science Center, the National Park Service, the Department of Fish and Game, and, possibly, Scripps Institution of Oceanography. These eminent scientists bring a wealth of experience and knowledge to the Channel Islands process, including direct involvement with marine reserve concepts and issues.

"The Working Group was also established at the May SAC meeting. The 17-member Working Group consists of four conservation seats representing national, state, and local conservation interests; four extractive user seats representing commercial diving/lobster trapping, squid fishing and processing, kelp harvesting, and recreational angling; a diving seat; a marina/business seat; UC Sea Grant; and six SAC members representing the public-at-large, the National Marine Fisheries Service, the Department of Fish and Game, the National Park Service, and the Sanctuary (non-voting).

"The Science Panel and Working Group plan to meet in June or early July to begin consideration of marine reserves and develop a schedule for the process. In addition, the Channel Islands National Marine Sanctuary (Sanctuary) is hiring a professional facilitator who will assist the Working Group.

"On May 28, 1999, Sanctuary staff made a presentation to the National Research Council's (NRC) Ocean Studies Board - Committee on the Evaluation, Design, and Monitoring of Marine Reserves and Protected Areas in Monterey. The presentation highlighted the joint State and Federal process the Department and the Sanctuary are using for marine reserves at the Channel Islands, including the role of the SAC and the establishment of the Science Panel and the community-based Working Group. The NRC committee, comprised of world-renowned authorities in marine protected area management, gave resounding support for our approach. Notably, a representative from the Great Barrier Reef Park Authority, as well as several other members involved in on-going marine reserve forums in California, commended our process as the best way to address the reserve issue.

"Representatives from the Marine Region and the Sanctuary will be present at the Commission meeting to provide a report and answer any questions."

In a memo dated August 24, 1999, the Department provides the following information:

"At the Commission's June 1999 meeting in Point Reyes Station, representatives from the Department and the Channel Islands National Marine Sanctuary (CINMS) provided an update to the Commission on the joint State-Federal process for considering marine reserves at the Channel Islands. They reported on the establishment of a Marine Reserve Working Group (Working Group) and a Marine Reserve Science Panel (Science Panel).

"The Working Group, a stakeholder committee of the Sanctuary Advisory Council (Council), held its first meeting on July 7, 1999, in Santa Barbara. The meeting was facilitated by Mr. Michael Eng, a professional facilitator from the National Oceanic and Atmospheric Administration, who facilitated a similar process for reserves in Florida. Since some of the Working Group members were new to the process, this meeting focused on a review of the process to bring all members up to date.

"At its July 22, 1999, meeting in Ventura, the Council filled one of two remaining seats on the Working Group by appointing Mr. Locky Brown to the diving seat. One seat on the working group, representing marinas/business/charter boats, will be filled at the Council's next meeting in early October. The Council received reports from both the Working Group and the Science Panel on the first meetings of these two groups.

"On August 24 and 25, 1999, staff from the Department, CINMS, National Marine Fisheries Service, and Council members involved in the Working Group will meet in Santa Barbara to plan and prepare for the second meeting of the Working Group that is scheduled for September 29, 1999. They will further develop and define agencies' roles and jurisdictions, draft goals and objectives for marine reserves at the Channel Islands, roles and relationships of the working groups and advisory panels involved in the process, a plan for outreach, and a schedule for the process.

"Mr. Ed Cassano, Channel Islands National Marine Sanctuary Manager, gave a presentation to the California Coastal Commission on the process and status of the CINMS Management Plan revision and on the joint process to consider marine reserves at the Channel Islands. He also addressed the development of the CINMS Geographic Information System and its importance as support for the management plan and the reserve process. The presentation was well received, and the Coastal Commission were very interested in staying informed about the process."

Action

Executive Director Treanor introduced the item. Marine Regional Manager Johnston provided a brief review of progress to date and requested the Commission, if necessary, to prepare and send a letter to the National Park Service regarding its apparent lack of dedication to continue its participation in this process. The Department's next report will be at the Commission's May 4, 2000, meeting.

15. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO SECTION 27.80, TITLE 14, CCR, RE: RECREATIONAL OCEAN SALMON FISHING NORTH OF POINT ARENA.

Summary of Issue

The Commission, at its February 4, 2000, meeting in Long Beach, authorized its staff to publish notice of Commission intent to amend Section 27.80, Title 14, CCR, regarding ocean salmon fishing regulations north of Point Arena. That legal notice has been published.

This item is scheduled to adopt the proposed regulations. If necessary, further action can be considered via a teleconference call on April 27, after the Pacific Fishery Management Council has adopted its regulations on April 7 in Portland.

The Department's proposal can be summarized as follows:

"Annually, the Pacific Fishery Management Council (PFMC) develops ocean salmon fishing regulations that must meet specific allocation and spawning escapement goals for the stocks managed under the Salmon Fishery Management Plan.

"The Initial Statement of Reasons reflected the range of possible management measures that will be considered for 2000. At the PFMC's March 7-10, 2000 meeting, three options were developed that will consider specific changes from current regulations. Under all options, a more specific definition of circle hooks is proposed; the wording of the minimum size limits for the area south of Horse Mountain is amended (to minimize confusion); and the season opening dates in 2001 are set as the Saturday nearest the first or fifteenth of the month, depending on the area. The options are as follows:

"Option 1

"This option provides for a two-salmon, rather than one-salmon, regulation in the Klamath Management Zone (KMZ), the area from Horse Mountain to the Oregon border. To maintain allocation and spawning escapement objectives for Klamath fall chinook, the season is reduced by 12 days.

"Option 2

"Under this option, anglers may use no more than two (2) single-point, single-shank barbless hooks to take salmon in the ocean north of Point Conception for all methods of ocean salmon fishing (i.e., mooching and trolling). This regulation is intended to minimize non-retention mortality for coho and sublegal chinook salmon. Between Point Arena and Pigeon Point, seven additional days are added at the end of the season. Between Horse Mountain and Point Arena, the entire month of July is open (an additional 21 fishing days). In the KMZ, the one-salmon bag limit is retained, which allows for four more days of fishing during May and July because of improved abundance of Klamath fall chinook.

"Option 3

"For the area south of Lopez Point, the season opener under this option in 2001 is March 17, rather than March 31. A technical analysis will be required before December 2000 to implement this option. In the KMZ, the season is reduced by 14 days to account for an increased bag limit of two fish per day.

"The final regulation recommendations will be made by the PFMC on April 7, 2000. Upon approval of the PFMC's management recommendations by the Secretary of Commerce, the State must move in a timely manner to conform its ocean sport fishing regulations for salmon in State waters (0 to 3 miles offshore) to those agreed upon by the PFMC."

Commissioners were provided with a copy of the Department's Initial Statement of Reasons and Pre-adoption Statement with the proposed regulations in ~~strikeout~~-underline format.

Action

Executive Director Treanor introduced the item and provided copies to the Commissioners of the results of the Pacific Fishery Management Council's (PFMC) meeting of April 6, 2000, in Portland, Oregon, wherein they selected a combination of items and Option 2 of the proposals as their base. Mr. Treanor summarized the regulations adopted by the PFMC for the ocean salmon season for the year 2000 between the Oregon-California border to the Mexico border. He also noted that an inriver share of 15 percent was adopted.

Marine Regional Manager Johnston urged adoption of the same regulations as PFMC for consistency purposes in the regulations.

Executive Director Treanor asked if anyone in the audience wished to speak on the item. There was no response.

It was then:

MOVED BY MR. SCHUCHAT, SECONDED BY MR. FLORES, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTIONS 200, 202, 205, 220 AND 7891 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SECTIONS 200, 202, 205 AND 7891 OF SAID CODE, HEREBY AMENDS SECTION 27.80, TITLE 14, CCR, RE: RECREATIONAL OCEAN SALMON FISHING NORTH OF POINT ARENA. (NOTE: THE REGULATORY LANGUAGE WILL BE INCLUDED AS AN APPENDIX IN THE COMMISSION OFFICE MASTER MINUTES.)

PASSED UNANIMOUSLY.

16. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 7.50(b)(91.1), TITLE 14, CCR, RE: KLAMATH/TRINITY RIVER SPORT FISHING REGULATIONS.

Summary of Issue

This item is scheduled for the Commission to receive public testimony on the proposed changes to Section 7.50(b)(91.1), Title 14, CCR, regarding the Klamath/Trinity River Sport Fishing Regulations. As background, the Commission, at its February 4, 2000, meeting in Long Beach, made a tentative policy decision to consider an inriver allocation range of 15-20 percent for the Klamath River fall chinook salmon fishery for 2000. For the river sport fishery, this sets the harvest level at between 4,200 and 5,600 fish. At the March 3, 2000, meeting, the Commission's subcommittee recommendation was for a 15 percent allocation for planning purposes. The decision was needed for setting the river sport fishery quota, formulating river fishing regulations, and use by the Pacific Fishery Management Council (Council) in setting its ocean fishing regulations. Klamath River fall chinook is a key stock in the management of Council salmon fisheries. Availability of the stock to coastal fisheries has a major impact on the ability of those fisheries to access the more abundant salmon stocks, such as Sacramento River fall chinook.

Preliminary stock projections indicate ocean abundance of Klamath chinook will be higher than in 1999. The fisheries, both in the ocean and river, will be managed to meet the escapement floor for the stock of 35,000 naturally spawning adult fish. The preliminary projections indicate the tribal and non-tribal sectors will each be able to harvest about 28,000 adult fish.

During 1986-1998, the allocation of fish to the river sport fishery was increased by the Commission from 12 percent to 15 percent (Copy provided to the Commissioners). Last year, the Commission initially agreed to allocate 15 percent to the river sport fishery (2,500 adults), but increased the allocation to 19 percent (2,900 adults) when it was determined that the ocean fisheries could not harvest the available fish. This was due, in large part, to endangered species constraints (specifically Sacramento winter chinook and Oregon coastal naturally spawning coho).

Most Klamath chinook harvested in the ocean are taken in the ocean commercial fisheries off Oregon north of Cape Blanco and off California south of Point Arena. (The large ocean area in between these two points is the area of greatest abundance of the stock, but has been essentially closed to ocean commercial fishing to protect Klamath salmon since about 1991.) The ocean sport fishery harvests very few Klamath chinook except in the Klamath Management Zone (KMZ), the area from Horse Mountain (near Shelter Cove in southern Humboldt County) to Humbug Mountain (near Port Orford in southern Oregon). The KMZ sport fishery has been allocated 17 percent of the ocean share of Klamath fall chinook by the Klamath Fishery Management Council in recent years.

The Klamath Ocean Harvest Model was used to estimate the impact of allocating 15 and 20 percent of the fish to the river sport fishery. The model was calibrated using preliminary ocean abundance estimates for the key chinook salmon stocks that occur in the

ocean off Oregon and California. The 1999 commercial season structure was modified to utilize the additional Klamath River fish available in 2000 in the California commercial fishery south of Point Reyes and the Oregon commercial fishery north of Cape Blanco and to stay within allowable impacts for Sacramento River winter chinook. Fishing time was adjusted during the month of June south of Point Reyes to meet the sport fishery allocation objectives. This modeling (which is purely hypothetical at this point in the process) indicates the ocean fisheries may be able to fully utilize the available Klamath fall chinook, if the Commission decides to allocate 15 or 20 percent to the river sport fishery and if the ocean fishery off Oregon can sustain increased impacts on Oregon coho compared to 1999.

The estimated impacts on the California commercial fishery are:

- (A) Under 15 percent, the projected catch south of Point Arena is 337,800 fish, weighing about 3.4 million pounds.
- (B) Under 20 percent, the catch drops to 304,700 fish, weighing about 3.0 million pounds.
- (C) Under the 20 percent allocation, the California commercial fishery has to be closed the entire month of June in the area from Pt. Reyes to Pedro Point (Gulf of the Farallones) and for 10 days in the area from Pedro Point to Pigeon Point (Half Moon Bay).

The large (10 percent) decrease in commercial catch stems from the relatively low abundance of Klamath chinook in the ocean south of Point Arena. Their abundance is highest during the month of June at 5.4 percent (1 in 19 fish). In terms of maturing fish, about half are destined to return to the river to spawn in the current year. Thus, fishing opportunity for about 33,000 chinook must be forgone in the ocean south of Point Reyes to increase the river sport catch by 1,400 adult fish.

An additional 1,400 fish in the river would provide a significant boost to the river sport fishery, which has been constrained in recent years due to low quota levels. In 1999, for example, anglers could retain only one salmon or steelhead per day and the river mouth was closed to preclude early quota attainment in the lower river (below Coon Creek falls). A 4,200-fish quota (15 percent allocation) would represent a 45 percent increase over the 1999 quota; a 5,600 fish quota (20 percent allocation) would represent a 93 percent increase. Under either allocation, the 2000 quota will be third largest since 1989.

The Department has no recommendation with regard to this issue. There are good reasons for retaining the 15 percent allocation in the river sport fishery and for increasing it. The Commission also has the option of selecting a river allocation within the range of 15-20 percent. Allocation of resources is always difficult, especially at low stock abundance levels. The Klamath situation for 2000 is no exception.

Finally, the Commission should be aware that the final actual quota level for the river sport fishery will be determined after the ocean fishing regulations have been modeled and endangered species objectives are taken into account. If the ocean fisheries are not able to

fully utilize their preseason allocation of Klamath fall chinook, the Department will be prepared to recommend an adjusted quota level in time for the upcoming river fishing season, as it did last year.

It is suggested that the Commission conduct one or two hearings within the Klamath River area to receive public comments on the proposed changes. Staff suggests mid-April for the meetings, since it will consider adoption of the proposals at its May 4, 2000, meeting in Modesto.

The Department's proposal can be summarized as follows:

"Under current regulations, the allowable chinook salmon harvest in the Klamath River system is based on spawning run size predictions and spawning escapement goals. The harvest and the distribution of the catch are regulated by seasons, daily and weekly bag and possession limits, and area quotas and allocations.

"The allowable catch each year is based on recommendations of the Pacific Fishery Management Council (PFMC), which meets annually to provide these recommendations.

"The total river system recreational harvest of fall chinook salmon is currently regulated by a quota. In 1999, the share, or quota for the Klamath River basin allowable sport catch, was 2,900 adult fish (19 percent of the total allowable harvest by non-tribal fisheries, including ocean commercial, ocean recreational and recreational river fisheries).

"The projected abundance of adult Klamath River fall-run chinook salmon in the 2000 season is approximately twice that for the 1999 season. The specific 2000 river recreational fishery share is yet to be determined by the Commission. However, in response to past public testimony, for the 2000 season, the Commission is considering a range of alternatives for this share between 15 and 20 percent of the total allowable harvest by non-tribal fisheries.

"Applying the projected run and allocation formulas to this range of alternatives produces a range for the 2000 quota for the river recreational fishery of from 4,000 to 5,600 adult fish. As in prior years, the quota will be split evenly between fisheries above and below Coon Creek falls.

"In addition to modification of the quota, the Department is recommending that the Commission consider the following changes as alternatives for addressing problems associated with the 1999 fishery which have been identified by the public.

"BAG LIMIT CHANGE

"Under current regulations, the daily trout/salmon bag limit is one hatchery trout or one hatchery steelhead or one king salmon. Under this restriction, anglers may catch and release any number of salmon and trout, but must immediately cease fishing for the

day when one salmon or trout is retained.

"Due to the projected increase in stock abundance the Department now believes that a bag limit liberalization may be justified, and is proposing to consider increasing the daily bag limit to two king salmon but no more than one king salmon over 22 inches, and one hatchery trout or one hatchery steelhead. The Department is proposing to eliminate the language in the current regulation which now provides: "Under this restriction, anglers may catch and release any number of salmon and trout, but must immediately cease fishing for the day when one salmon or trout is retained."

"CLOSURE TO ADULT SALMON FISHING BELOW COON CREEK WHEN IMPACT QUOTA IS REACHED: DATE CHANGE

"Under current regulations, during the period from August 1 through October 14, anglers may not retain adult chinook salmon below Coon Creek Falls after the Department determines that 50 percent of the Klamath River basin impact quota has been reached. The effective period for this corresponding restriction in the upper Klamath River and the Trinity River is from August 1 through November 30. Anglers are allowed to resume fishing for adult chinook salmon in each area after the restriction expires, to allow harvest of spring-run chinook salmon after the fall run in the area has ended.

"The Department has agreed with tribal Yurok and Hoopa tribal representatives to closely coordinate the tribal and non-tribal accounting of the fall chinook salmon harvest from **August through November** of each year. The resumption dates for the upper Klamath and the Trinity recreational fishery match the date for resumption of the tribal fishery, but the earlier date for resumption of the recreational fishery below Coon Creek Falls does not. Furthermore, in some years the current recreational fishery restriction below Coon Creek may expire before all fall-run fish have left the area. Consequently, the Department is supporting a request from the Yurok tribe to change the effective period for this restriction on the recreational fishery below Coon Creek Falls to August 1 through November 30. In addition to addressing tribal concerns, the change will make the regulations less confusing to the public.

"MODIFICATION OF THE CLOSURE AT THE MOUTH

"Under the current regulation (subsection (b)(91.1)(C) 5. A.(i)) during the period from August 1 through October 14, no fishing is allowed in the Klamath River within 200 yards of the channel flowing through the spit formed at the mouth. This closure was designed to prevent excessive take, and take using illegal fishing methods, when adult fall-run chinook salmon accumulate in this area prior to migrating upstream.

"The problems leading to the adoption of the closure in 1999 were substantially reduced during the 1999 fishing season, but they were not completely eliminated. Though many anglers support the closure, many other anglers feel that the closure is unnecessary and/or unfair as implemented in 1999. Some complain that, despite the changes adopted in 1999, there is still an inequitable distribution of the catch, and

anglers upstream from the Highway 101 bridge now have an unfair advantage. In response to public opposition to the current regulations, the Department is recommending that the Commission consider one of the following alternatives.

"Alternative 1: Reduction of the time period and area affected by the closure: The current closure may be more restrictive than necessary. Though the closure is currently in force until mid-October, the Department has determined that the necessary limiting of the catch in this high-impact area could be achieved with a briefer closure. Also, the problem area is generally confined to an area smaller than the closure area defined in the existing regulation. To eliminate unnecessary restriction, the Department is proposing that the closure continue only through the Friday preceding Labor Day weekend (in 2000, this Friday is September 1), and that the area affected by the closure include only the area within 100 yards of the channel flowing through the spit formed at the mouth. **This is the alternative preferred and recommended for adoption by the Department.**

"Alternative 2: Mouth (spit) area closure triggered by catch below Highway 101 bridge: Under this alternative fishing would be allowed in the mouth (spit) closure area, the catch below the Highway 101 bridge would be monitored, and the closure in the spit area would take effect after 15% of the impact quota for the Klamath River basin recreational fishery had been taken in the area below the Highway 101 bridge. This alternative would (as does the current spit area closure) help to prevent excessive take near the mouth when fish are concentrated in this small area.

"ADDITIONAL FISHING METHODS RESTRICTIONS

"Under current regulations only barbless hooks may be used, and maximum and minimum hook size requirements are imposed in anadromous Klamath River waters except for the area below the Highway 101 bridge, where there is no minimum hook size restriction. Should the Commission adopt regulations allowing fishing between August 1 and October 14 in the channel flowing through the spit formed at the mouth, special fishing methods restrictions will be necessary to prevent 'lining' in this area. ('Lining' is a practice involving the use of long leaders, causing 'foul hooking'. This was one of the reasons for adoption of the current closure.) The Department is proposing new fishing methods restrictions, for the period from August 1 through October 14, in the channel flowing through the spit formed at the mouth, which specify that weights may be used only if attached to a drop line that is between 12 inches and 24 inches long and that is attached to the main fishing line no more than 36 inches above the hook.

"This Updated Informative Digest/Plain English Overview corrects a typographical error in the original Informative Digest/Plain English Overview which read: 'The Department has agreed with tribal Yurok and Hoopa tribal representatives to closely coordinate the tribal and non-tribal accounting of the fall chinook salmon harvest *'during August and November of each year,'* to read, *'from August through November of each year.'*"

Commissioners were provided with a copy of the Department's Initial Statement of Reasons with the proposed regulations in strikeout-underline format.

Action

Executive Director Treanor briefly summarized the item and reported that adoption of the proposed regulations would be considered at the Commission's May 4, 2000, meeting in Modesto.

Neil Manji indicated that the Commission had previously selected an inriver allocation of 15 percent which equates to 4,200 adult chinook fish. He noted that this is a substantial increase over last year's allocation of approximately 2,900 fish. Mr. Manji reported that with this type of increase, more liberal regulations were proposed by the Department. Mr. Manji detailed the Department's two suggested alternatives and indicated its preferred alternative was as follows: increase the daily bag limit from one chinook salmon to two chinook salmon, with only one fish larger than 22 inches; eliminate the language regarding ceasing fishing after one fish is caught; add gear restrictions including a maximum leader length of 36 inches with a drop line between 12 and 24 inches; the closure at the mouth to continue only through the Friday preceding Labor Day weekend; and the area affected by the closure would include only the area within 100 yards of the channel flowing through the spit formed at the mouth of the Klamath River. He then described alternative number two.

Chuck Blackburn provided a letter to the Commissioners from the Del Norte County Board of Supervisors. On behalf of Del Norte County, he requested that the closure of the first 100 yards of the Klamath River mouth be lifted. He also requested that any public meetings regarding the Klamath River regulations be held in the local area.

Executive Director Treanor asked if anyone else in the audience wished to speak on the item. There was no response.

17. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTIONS 120.3 AND 180.1, TITLE 14, CCR, RE: COMMERCIAL SPOT PRAWN FISHERY OBSERVER FEE.

Summary of Issue

The Commission, at its February 4, 2000, meeting in Long Beach, adopted amendments to sections 120.3 and 180.1, Title 14, CCR, re: spot, ridgeback and golden prawn commercial fishing regulations, excluding the proposed observer fee. The Commission directed the Department to develop an observer program (study design) and calculate the necessary fee increase. This item is scheduled to receive the Department's proposal and public testimony on that proposal. The Commission will consider adoption of an observer fee at its May 4, 2000, meeting in Modesto.

The Department's proposal can be summarized as follows:

"Current regulations require that each spot prawn trawl vessel must possess a \$30 trawl permit, and every person who takes or assists in the taking of animals with traps to possess a \$35 trap permit. Under the proposed regulations, spot prawns may be landed during the period July 1, 2000, to March 31, 2001, only by vessels showing proof of payment of an observer fee. The proposed observer fee for spot prawn trap vessels is \$250. The proposed observer fee for spot prawn trawl vessels is no less than \$250 and no greater than \$1,000, and will be based on the total landed weight of spot prawns during the period January 1 to December 31, 1998, or January 1 to December 31, 1999. The fees will be used to fund Department onboard observers to obtain bycatch information on spot prawn trawl and trap vessels. The data are needed so as to manage the fishery to minimize bycatch (discard).

"Three other options are being considered for adoption by the Commission. One would require a uniform observer fee of \$500 for all vessels landing spot prawns during the period July 1, 2000, to March 31, 2001. Another would require a graduated fee structure similar to the above but for all vessels landing spot prawns during the period July 1, 2000, to March 31, 2001. The fourth option provides for a uniform observer fee of \$250 for all vessels, which is the same option considered but not adopted as part of a previous rulemaking affecting prawn fishing."

Commissioners were provided with a copy of the Department's Initial Statement of Reasons with the proposed observer fee regulations in ~~strikeout~~/underline format.

Action

Executive Director Treanor summarized the item and noted that adoption of the observer fee would be considered at the Commission's May 4, 2000, meeting in Modesto.

Paul Reilly recapped that at the Commission's February meeting the Department had proposed a uniform observer fee of \$250 for each vessel landing spot prawns during the 2000-2001 license year. He indicated that this fee's use was to place Department observers onboard spot prawn trawl and trap vessels to obtain information on the type and magnitude of bycatch, and in particular the effects of various trawl gear, including finfish excluders and roller gear. He reported that following public testimony the Commission directed the Department to consider observer fees on trawl vessels. He then summarized the Department's four options and recommended a standard observer fee of \$250 for each spot prawn trap vessel and a graduated observer fee structure of either \$250, \$500 or \$1,000 for each spot prawn trawl vessel based on and in proportion to that vessel's spot prawn landings in 1998 or 1999 whichever is greater. Mr. Reilly commented that this fee structure should allow the Department to observe at least 10 percent of all spot prawn trawl vessel trips and two single-day trips each for the trap vessels between July 2000 and March 31, 2001. Mr. Reilly reported that the Department does not feel that the level of bycatch in the trap fishery is significant; and therefore, recommended that the observer fee remain as originally proposed at \$250.

Commissioner Schuchat asked what was the expected revenue from the proposal. Paul Reilly responded that it would be in the range of \$24,000 to \$36,000. Commissioner Thieriot asked if the 10 percent level of sampling was adequate. Paul Reilly responded that it

would be the best first start, and should be adequate. Commissioner Thieriot noted that the bycatch issue is likely to be the biggest one in implementing the Marine Life Management Act regulations.

Executive Director Treanor asked if anyone in the audience wished to speak on the item. There was no response.

18. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED NEW SECTIONS 150 AND 180.4, TITLE 14, CCR, RE: NEARSHORE FISHING AND FINFISH TRAPS.

Summary of Issue

During discussion of the Commission's sport fishing regulations, many individuals suggested that the Commission also adopt regulations for the nearshore commercial fishery to provide additional protection for the rockfish populations. In response to its concerns over declining rockfish populations, the Commission, at its August 27, 1999, meeting, authorized its staff to publish notice of its intent to adopt interim regulations for the nearshore commercial fishery. Since then, the Department has met with interested individuals to discuss possible alternatives and provided its recommendation to the Commission at its February 4 meeting in Long Beach.

At the February 4 meeting, the Department suggested establishing a restricted access control date for the nearshore commercial fishery. Based on public testimony at that meeting, the Commission also recommended considering a moratorium on issuance of new permits and allowing baited traps at night north of Point Arguello. The traps are to have rigid rings in the funnels to prevent the incidental take of marine mammals. That legal notice has been published.

The proposed regulations can be summarized as follows:

"Existing law does not limit the number of participants in the commercial fishery for nearshore finfish species. The Department has proposed to establish a control date of September 30, 1999, for the purpose of developing a restricted access nearshore fishery. Only persons in possession of a valid Nearshore Fishery Permit as of September 30, 1999, and having made at least one landing in their name between the date of their first purchase of a Nearshore Fishery Permit and September 30, 1999, will be considered for inclusion in the restricted access nearshore fishery. An immediate moratorium on the issuance of new Nearshore Fishery Permits is imposed to discourage potential new entrants from expending monies to purchase boats and gear with the expectation of being allowed to continue fishing once limited entry qualifications are adopted.

"Additional conditions for participation may ultimately be required by the Commission under limited entry regulations to be considered at a future date. For example, fishermen may be required to show evidence of additional landings of specified species within a specified time period.

"Existing law requires that finfish traps north of Point Arguello be unbaited and wired open from one hour after sunset until one hour before sunrise. This proposal would eliminate that restriction by making inoperative Section 9001.7(b) of the Fish and Game Code and allow finfish traps set north of Point Arguello to remain baited and actively fished at night.

"Existing law does not require a rigid metal ring to be affixed to the entrance of finfish traps. The Department has proposed that a rigid metal ring in the size range of from (four to six) inches inside diameter be required to be affixed in the entrance funnel of all such traps to help prevent the incidental take of marine mammals."

Also at the February 4 meeting, the Department indicated that it would be soliciting public comments over the next 5-6 months on the following issues: revision of size limits, adding additional species to the list of nearshore species, gear restrictions, and area closures. The Department indicated it would convene an advisory group and would also conduct a public outreach process to obtain additional comments. At the conclusion of the public outreach effort, the Department will submit recommendations to the Commission for additional interim management regulations. The Department will provide an update of its efforts as part of this agenda item.

Commissioners were provided with a copies of the Department's Initial Statement of Reasons and a letter from John O'Connor.

Action

Executive Director Treanor summarized the item.

Rob Collins presented a summary of the proposed interim regulations as follows:
1) establish a control date within a range of April 1 - December 31, 1999, and September 30, 1999, as a starting discussion date; 2) recommend one landing of any species of finfish during qualifying period; 3) require a rigid ring on traps to exclude marine mammals from traps; and 4) allow baiting and operation of traps during night time hours north of Point Arguello.

Jim Bassler supported a moratorium. He represented fisherman on both sides of the issue for a control date and baiting and operation of traps at night. He commented that the rigid ring on traps was not an issue as there are no sea otters in his area but may be of concern to fishermen in southern California. He pointed out that an advisory panel was needed to obtain the facts on cabezon.

Daniel Platt commented about fisherman not qualifying and wanted individuals with a fishing history to be allowed in the fishery. He opposed baiting and night trapping as he believed it would put more pressure on the fishery.

Chris Hoeflinger supported a restricted access fishery and a moratorium but strongly opposed the narrow six-month qualifying window, hard rings and night baiting. He indicated that fisheries in northern California and southern California were very different in nature.

Carol Fulton Yeates supported rigid rings in traps and opposed the setting of traps at night.

Sandy Winston opposed the nearshore permits and did not want to buy a permit. He stated that he fishes with a trawl net, not traps, and wants to be able to keep incidental trawl-caught sculpin.

Jeremiah O'Brien supported nearshore fisheries and commented that the window period would exclude many fishermen and suggested ways to limit entry by not excluding the traditional fishermen. He suggested a five-year window qualifying period and requiring at least one fish ticket in three consecutive years of the last five years.

Ray Chambers opposed the six-month qualifying window period and commented that southern California should be considered as a separate fishery.

Andy Schneider suggested a control date of March 31, 2000, because he does not qualify under the September 30, 1999, control date because his vessel was inoperable during that time period. He opposed the landing requirement, the 10 year history of fishing to qualify, and requested a hardship clause be included. He opposed the hard rings and supported night baiting and trapping.

Jerry Neugebauer opposed the proposed control dates as he recently purchased a nearshore permit and believed it was discrimination. He indicated a lot of things needed to be worked out.

Tom Hafer suggested having two separate fisheries above and below Point Arguello with regard to rings and he supported night baiting because not that many more fish are caught.

Terry Herzik opposed the control date of September 30 and expressed his concerns that it would be an economic hardship for those fishermen who would be precluded. He supported the need to manage fisheries but proposed restrictions must be fair to all fishermen and suggested a control date range between October 1-December 31 period.

Don Welborn opposed the proposed control date window period because it eliminates salmon fishermen from qualifying and making the required landings.

Joe Nungaray also opposed the proposed control date window period as his landings were not within the window qualifying period. He suggested limiting the sport fishermen who also use the same waters.

Terry Wilmarth opposed the control date as his landings were not within the window qualifying period.

Bob Strickland supported limited entry and opposed night trapping. He suggested separate regulations for northern and southern California.

Kurt Solomon opposed limited entry.

Tim Iveson opposed the control date.

Giovanni Nevoloso opposed the control date and landing requirements.

Norman Ishimoto, representing a group of Chinese American commercial fishermen and fisherwomen, opposed the proposed control date of September 30, 1999, because it is unfair. They disagreed with the proposed regulations for the following reasons: 1) targeting commercial fishers is unfair; 2) proposed changes are capricious and have uneven impacts; 3) greatest impact falls upon the smallest and least destructive class of fishing boats; 4) disproportionate and final harm to Chinese American-owned boats; and 5) inaccurate impact assessments. He suggested catch limits be made comparable and apply equally to all vessels.

After hearing public testimony, Rob Collins summarized the following issues to be further evaluated: the need to coordinate the finfish trap and nearshore fisheries; the minimum landing requirement and change the control date to December 31, 1999; need to coordinate trap fisheries north and south and may limit rings just north of Point Arguello; and fishing at night may increase effort. Mr. Collins expanded on the different trap fisheries in California. Mr. Collins indicated that the Department would provide the Commission with its amended proposals shortly and recommended that the adoption date be moved to the Commission's June 15, 2000, meeting.

President Chrisman requested Deputy Attorney General Christison to provide a report on what constituted a small business with regards to the statement in the Office of Administrative Law regulatory filing. Mr. Christison indicated he would review the issue.

19. DISCUSSION OF PROPOSALS FOR CHANGES IN THE 2000-2002 MAMMAL HUNTING AND TRAPPING REGULATIONS.

Summary of Issue

This is the third public hearing held to consider proposed changes in the 2000-2002 Mammal Hunting and Trapping Regulations. Copies of the Department's environmental documents and responses to all written and oral recommendations have been previously provided to the Commission, and copies will also be available at the meeting. All correspondence received through March 3, 2000, which is either in support of, or in opposition to, any of the proposals received to date, has been summarized. Copies of the summaries will be provided to the Commission. In addition, copies of the correspondence will be available at the meeting and upon request. A summary of the correspondence which comes into the Commission office subsequent to the date of the analysis will be brought to the attention of the Commission at its April 7 meeting.

After considering testimony at this meeting, the Commission shall announce the regulations it intends to add, amend, or repeal in relation to game mammals, fur-bearers and nongame mammals. Following acceptance of proposed regulations by the Commission, your

staff will prepare and distribute a formal announcement of the regulations you intend to consider for adoption at your April 27, 2000, meeting in Sacramento. There will be no scheduled public testimony at the April 27, 2000, meeting. Regulations adopted by the Commission on April 27 will generally become effective on July 1, 2000.

If the Commission desires to adopt any additional public recommendations, a motion to that effect is necessary. Your staff, as usual, will request authorization to make technical and non-substantive changes in the form of the final order working in conjunction with the Department staff and with the advice of the Attorney General's office. This request is to insure clarity and consistency of the regulations.

The Department is also requesting that sections 360 deer, 361 deer archery hunting, 363 pronghorn antelope, 364 elk, 365 bear and 371 procedures for application and distribution of deer tags and permits, if approved, be made effective as soon as possible after filing with the Secretary of State. This will permit the Department to provide for the sale of deer tags and provide for applications for pronghorn antelope, elk, and bighorn sheep hunts during the month of June to allow individuals the opportunity to apply for quota deer hunts and still participate in archery deer seasons in Zone A. Hunters need time to read the new regulations and file applications prior to the final filing dates. The Department must, therefore, have these applications available prior to July 1, 2000, when the majority of the regulations become effective.

As you are aware, the Commission will meet by teleconference call on April 27, 2000, in Sacramento to consider adoption of the 2000-2002 Mammal Hunting and Trapping Regulations. Prior to that action, the Commission will also certify and make findings regarding any potential environmental impacts relating to these regulation changes. All of the mammal hunting and trapping regulations as identified in the public notice, not modified by the Commission on April 7, will remain unchanged and be continued in effect.

ENVIRONMENTAL CUMULATIVE IMPACTS

The Commission has announced and properly noticed the fact that it will receive public comment concerning the issue of cumulative adverse impacts on any of the species impacted by these regulation changes. Those comments were to be received in the Commission office in writing no later than 5:00 p.m. on March 20, 2000. Oral comments on these findings will also be received at the April 7 meeting. Your staff will provide you with a summary of those comments as well as the Department's proposed cumulative environmental impact findings for Commission approval at its April 27, 2000, meeting in Sacramento.

Commissioners were provided with the following: Commission's Intentions to Adopt, Amend or Repeal the 2000-2002 Mammal Hunting and Trapping Regulations, and Pre-adoption statements. These provide any regulatory changes from those originally proposed and contain the Department's responses to all public recommendations received by the February 4, 2000, Commission meeting. Commissioners were provided with copies of the Department's responses to all public comments on the proposed regulation changes received through March 3, 2000, and the Department's final recommended deer quotas.

Commissioners were also provided with copies of the recommendations of the Department and a summary of the oral and written recommendations received from the public through February 4, 2000. The Fish and Game Code mandates that the proposals presented at the February 4 meeting shall be open to the public for discussion and presentation in opposition to or in support of such proposals.

Action

Executive Director Treanor summarized the regulatory process for the Mammal Hunting and Trapping regulations and reported that the Environmental Documents had been circulated for the required 45-day public review and comment period. Mr. Treanor indicated that the Commission would adopt its tentative intentions at the end of the public comment period today and then would be considering adoption of the proposed changes via teleconference call on April 27.

Deputy Director Mansfield briefly summarized the Department's proposals. Sonke Mastrup described the status of the tag quota process and briefed the Commission on the deer herd performances. He then showed a slide presentation on the deer tag draw system. Deputy Director Mansfield reported that the Department had amended its initial proposal and now recommends the Commission shorten the deer season for Zone B-6 from 37 days to 30 days. He also reported that the Department had received public comments on four of the environmental documents and was in the process of responding to those comments. He added that the Department will provide those responses to the Commission prior to the April 27 teleconference meeting.

Sonke Mastrup, in response to questions from the Commissioners, stated the Department is still wrapping up the deer herd survey data, and plan to complete their analyses on April 17. He expected that some quotas will be up and others down. He also mentioned the proposed shortening of the Zone B-6 season.

Plumas County Supervisor Fran Roudebush withdrew Plumas County's resolution requesting the Commission close the area between Lake Davis and Lake Davis Road to deer hunting. She indicated that its decision was based on Director Hight's agreement to send a Department employee to review the County's concerns and report back to the Director.

Bert Malech presented a Tilapia Plaque to the Commission on behalf of the California Bowmen Hunters for the Commission's sport fishing regulations allowing the use of bows and arrows in the take of tilapia. Mr. Chrisman accepted the plaque on behalf of the Commission.

Jerry Springer recommended a modified preference point system for deer tags and urged the Department to complete its planned hunter tag survey and report back to the Commission on the results. He suggested that the Commission hold a Saturday meeting during the regulation process. He inquired if hunters were wasting their time providing comments since the big game application booklets are already at the printer.

Dr. J. Rod McGinnis provided a list of CBH/SAA's proposals and indicated their priority. He requested an increase in the number of junior archery tags and requested a policy on junior

tags. He expressed his opinion that the regulation process being dysfunctional as it did not allow public proposals to move forward. He opposed the new cooperative elk hunting proposal, Section 555, and requested an archery elk hunt.

In response to Commissioner Flores' questions, Jon Fischer provided comments on the percentage of elk hunts during pre, post and rut. Mr. Fischer also summarized recent elk tag application results.

Joe Becker supported adding zones C-1 and C-4 to the list of valid roaming zones for archers. He requested an increase in opportunities for archers.

Butch Kughn spoke about changing the negative perception of the Department and the Commission for those people who can't attend meetings. He noted that the public perception was that the Department doesn't consider the public proposals and that the Commission rubberstamps the Department's recommendations. He requested an increase in opportunities for archers.

Frances Poole submitted four proposals and spoke about her organization's number one proposal: establish an area with unrestricted dog numbers during deer season in the areas between Highway 5 and Highway 99.

Charley Washburn supported CBH/SAA's proposals and commented that he was glad the Commission was moving forward in a positive direction.

Richard Eckenburg supported an archery elk hunt and was opposed to including elk hunts in the Private Lands Management Program.

Virginia Handley opposed the extra quota on bear tags, youth hunts, late season hunts in rut, and primitive hunting methods. She supported the proposal on how animals are killed in traps once they are caught and that you should need a trapping license for nuisance traps and conibear traps.

Bert Malech deferred his time to Dr. J. Rod McGinnis.

Dr. McGinnis requested the Commission look at the regulation process and the timing of printing the booklets. He commented that his two reasons for archery hunting were the challenge and the opportunity and that the success rate of archers was 13 percent or less. He urged the Commission to obtain a copy of the Wildlife Society Report on Archery, coauthored by Ken Mayer. He stated archers spend twice the number of days hunting than do firearms hunters.

President Chrisman commented that the Commission will review the regulatory process and encouraged public participation in the deer workshops.

Commissioner Schuchat commented on the importance of working relationships between environmentalist and hunters. He also expressed concerns with the customer service/user friendliness of the Department, that systems are antiquated and do not deliver

modern services to the public. He agreed with the idea of an occasional Saturday meeting.

Cindy Tobiassen spoke about Section 265, training dogs for bear, and requested an August and September training season for "bear dogs."

Wayne Piersol supported and urged opportunities for youth hunts.

Christopher Papouchis opposed lifting the bear tag sale quota. He expressed his opinion that the draft environmental document on bear hunting was deficient and then provided comments regarding his analysis indicating that the bear population models are inaccurate.

Keith Carly supported the proposed 51 day increase in the bobcat season and requested the nonnative red fox be put on the take list. He also felt that the Department's perception needed to be changed.

Bill Gross opposed the boundary change in the Los Angeles County archery hunt for Zones A-23 and A-31 and requested that the Department reevaluate its proposed change. He commented that the web site did not show ~~strikeout~~ and underline in the regulations and it was very hard to read.

Executive Director Treanor clarified that the Commission's regulation booklets are not printed until proposals are adopted by the Commission; however, the Department did print tag application booklets with the proposed regulations to give the hunters assistance in filling out their tag applications and with possible season dates. Mr. Treanor then announced the Commission would accept public comments on the Department's proposal to shorten the general deer season in Zone B-6, from 37 days to 30 days, at its 10:00 a.m., April 27, 2000, teleconference call to consider adoption of the Mammal Hunting and Trapping Regulations. That meeting will be held in the Commission's Conference Room, Room 1320, 1416 Ninth Street, Sacramento.

It was then:

MOVED BY MR. THIERIOT, SECONDED BY MR. FLORES, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY VESTED BY SECTIONS 200, 202, 203, 213, 215, 219, 220, 331, 332, 460, 1050, 1572, 3452, 3453, 4009.5, 4370, 4902, AND 10502 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SECTIONS 200 THROUGH 203.1, 206, 207, 211-221, 331, 332, 458, 459, 460, 713, 1570-1572, 3452, 3453, 3951, 4000-4004, 4009.5, 4330-4333, 4334, 4336, 4370, 1050, 3950, 4750-4756, 4902, 10500 AND 10502 OF SAID CODE, HEREBY PROPOSES TO CONSIDER THE ADOPTION, AMENDMENT, OR REPEAL OF THE FOLLOWING REGULATIONS IN TITLE 14, CCR, PERTAINING TO THE TAKE OF MAMMALS AT ITS APRIL 27 MEETING. (NOTE: THE REGULATORY LANGUAGE WILL BE INCLUDED AS AN APPENDIX IN THE COMMISSION OFFICE MASTER MINUTES.)

PASSED UNANIMOUSLY.

Commissioner Flores requested the Department evaluate the feasibility of an archery only elk hunt during the next review of the hunting regulations.

Deputy Attorney General Christison reported on what a small business constitutes regarding the Office of Administrative Law's filing.

20. RECEIPT OF DEPARTMENT ANNUAL REPORTS ON WINTER-RUN AND SPRING-RUN CHINOOK SALMON.

Summary of Issue

As background, when the Commission listed the Sacramento River winter-run chinook salmon as an endangered species in 1989, it requested that the Department provide a biannual report on the status of the winter-run chinook salmon population. In 1993, the Commission changed that requirement to an annual report.

When the Commission listed the Sacramento River spring-run chinook salmon as a threatened species in 1998, it also requested that the Department provide an annual report on the status of the spring-run chinook salmon populations, similar to its previous monitored species reports and the winter-run chinook salmon report. This will be the first annual report for spring-run.

This item is scheduled to receive the Department's Annual Status Reports on winter-run and spring-run chinook salmon. The Department will be prepared to summarize its reports at the Commission's April 7, 2000, meeting. If the Commission desires additional time to review the reports, a discussion of the reports could be scheduled for the Commission's May 4, 2000, meeting in Modesto.

Department Recommendation

"The Department requests you schedule the presentation of the annual report for Sacramento River winter-run chinook salmon to the Commission at the May 4, 2000, meeting. The winter-run report is generally presented to the Commission at the March or April meeting, however, we were unable to complete the report on schedule for the April meeting.

"We also request you schedule the presentation of the annual report for spring-run chinook salmon to the Commission at the June 15, 2000, meeting. The spring-run report will be the first annual report since the species was listed on February 5, 1999. The Department intends to provide a report that is similar to the annual reports required by Title 14, California Code of Regulations, Section 670.6 when the species was classified as a monitored species. These annual reports were provided at the December meetings in 1996 and 1997. Spring-run chinook salmon was listed as a candidate species in June 1997 and the Status Review Report was provided to the Commission in June 1998.

"While the completed reports will not be available until the Commission's May and June meetings, we have compiled summaries of the escapement estimates for both winter-run and spring-run chinook salmon."

Action

Executive Director Treanor reported that the Department indicated it would submit its Sacramento River winter-run chinook salmon report at the Commission's May 4, 2000, meeting in Modesto, and the spring-run chinook salmon report at the Commission's June 15, 2000, meeting in Truckee.

21. RECEIPT OF DEPARTMENT ANNUAL STATUS REPORT ON THE RECOVERY OF THE BANK SWALLOW (*Riparia riparia*).

Summary of Issue

This item is scheduled to receive the Department's annual report concerning the progress of recovery of the bank swallow (*Riparia riparia*). Briefly, the Commission, when it made its finding that the petitioned action was warranted at its March 3, 1989, meeting in Redding, also requested that the Department provide annual updates on the progress the Department and other agencies have made in their recovery efforts for the bank swallow. The Department will be prepared to make its presentation at the April 7 meeting.

Department Recommendation

"This constitutes the Department's annual report on the status of the bank swallow breeding population in the State. The field data that form the basis of the report were gathered by the Department during 1986 to 1999. After the species was listed in 1989, the Commission requested that the Department thereafter report annually on the trend of the population. Since the Sacramento River subpopulation is the largest and most important in the State from a management standpoint, it will be considered the 'population' for purposes of this report."

Action

Susan Cochrane Levitsky provided the Department's report indicating the bank swallow is the smallest North American swallow species. She reported that since 1986, the population of bank swallows on the Sacramento River has declined gradually from about 13,000 pairs to the current 8,200 pairs and the number and average size of colonies has also decreased. From 1995-98, the population apparently stabilized at approximately 5,000 pairs and then increased significantly to 8,721 in 1999, but the average for the period from 1995-99 was 5,830 pairs. She pointed out that only future monitoring will determine the direction of the population trend and the sudden increases in 1999 may be attributed to increased habitat availability and suitability which allowed certain colonies to double in size compared to previous years. Ms. Levitsky reported that the Department continues to have concern with the species, will continue to monitor the species on an annual basis, but requested that the Department's report to the Commission be changed to a biennial status report. The

Commission agreed and the Department's next report is due to the Commission at its March 2002 meeting.

Lydia Boesch spoke about a federal lawsuit regarding a portion of a San Francisco park that is being closed due to bank swallow nests, which constitutes only two percent of the bank swallow population. She indicated that the National Park Service is ripping out habitat on the land, and she has requested the Park Service to fence off the bluff area where the bank swallows are to allow people to continue to walk their dogs without impacting nesting bank swallows.

CONSENT CALENDAR

Items 22 through 30 have been placed on the Commission's consent calendar. Your staff knows of no opposition to these proposals at this time, other than as specified in this analysis. The Department has provided a recommendation on these items which calls for approval or modified approval by the Commission. Any item may be removed from the consent calendar by the Commission or upon the request of the Department or someone in the audience who would like to speak to that item. Your staff has prepared a summary of the consent items which will be made available to the audience. One overall motion is appropriate for approval of these items.

Action

Executive Director Treanor introduced the consent calendar and asked if anyone in the audience wished to speak on any item. There was no response.

It was then:

MOVED BY MR. SCHUCHAT, SECONDED BY MR. FLORES; THAT
THE FISH AND GAME COMMISSION HEREBY APPROVES ITS APRIL 7, 2000,
CONSENT CALENDAR, ITEMS 22 THROUGH 30.

PASSED UNANIMOUSLY.

22. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO SECTION 28.55, TITLE 14, CCR, RE: COWCOD POSSESSION LIMITS ON PRIVATE SPORT FISHING VESSELS.

Summary of Issue

This item is scheduled to consider adoption of the Department's recommendation to amend Section 28.55, Title 14, CCR, regarding cowcod possession limits on private sport fishing vessels. During the discussion of the sport fishing regulations, the cowcod vessel limit was discussed for all private vessels, but somehow the regulatory language limited the vessel limit to only commercial passenger fishing vessels. This action will amend the regulation to cover all private sport fishing vessels. The Commission, at its February 4, 2000, meeting in Long Beach, authorized its staff to publish notice of its intent to consider amending Section 28.55, Title 14, CCR. That legal notice has been published.

The Department's proposal can be summarized as follows:

"California's sport fishing regulations presently provide for a daily sport fishing bag limit of 10 rockfish per angler, within the overall daily bag limit of 20 finfish in combination of all species [sections 27.60(b) and 28.55(a) and (b), Title 14, California Code of Regulations (CCR)]. All 10 rockfish in the daily bag limit may be of the same species, except for three rockfish species. These three exceptions are bocaccio rockfish, *Sebastes paucispinis*, three fish per angler; canary rockfish, *Sebastes pinniger*, three fish per angler; and cowcod, *Sebastes levis*, one fish per angler, not to exceed two cowcod on any commercial passenger fishing vessel (CPFV or party/charter vessel) licensed pursuant to Fish and Game Code sections 7920-7925 (Section 28.55, Title 14, CCR).

"The Department is proposing to amend California's sport fishing regulations to prohibit the take of more than two cowcod per day aboard any sport fishing vessel, instead of just CPFVs as the regulation now specifies. California's regulation prohibiting more than two cowcod per CPFV differs from the Federal regulations adopted in late 1999 that prohibit the take of more than two cowcod aboard any vessel in Federal waters (3-200 miles offshore). The proposed change is to correct an inconsistency between State and Federal regulations and to ensure that the intended purpose of reducing directed or intentional fishing for cowcod is achieved for both private boats and CPFVs. At the same time, anglers aboard private boats will continue to be able to keep one cowcod per licensed angler aboard the boat, up to a maximum of two cowcod per boat.

"This change is proposed to address concerns for the overfished status of cowcod resources off California, and to better conform to revised State and Federal policies and guidelines calling for more conservative fisheries management, allocation of management measures among recreational as well as commercial fisheries, and rebuilding of overfished stocks of fish such as cowcod."

Commissioners were provided with a copy of the Department's Initial Statement of Reasons and Pre-adoption Statement with the proposed regulations in strikeout/underline format.

Action

It was then:

MOVED BY MR. SCHUCHAT, SECONDED BY MR. FLORES, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTIONS 200, 202, 205, 210 and 220 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTIONS OF SAID CODE, HEREBY AMENDS SECTION 28.55, TITLE 14, CCR TO ALLOW THE POSSESSION OF TWO COWCOD ABOARD PRIVATE SPORT FISHING VESSELS AS FOLLOWS:

Section 28.55, Title 14, CCR, is amended to read:

28.55 Rockfish (*Sebastes*).

(a) Open season: All year, except that rockfish, including bocaccio, cowcod, and canary rockfish, may not be taken or possessed by a person aboard a vessel, or by spear fishing during the months of January and February in ocean waters south of 36°00'N. lat. at Lopez Point, Monterey County, and during the months of March and April in ocean waters from Lopez Point, Monterey County, north to 40°10'N. lat. at Cape Mendocino, Humboldt County.

(b) Limit: Ten in any combination of species, except that ~~only three fish may be bocaccio, three may be canary rockfish, and one fish may be cowcod~~ except that two cowcod per boat may be possessed aboard a vessel operating pursuant to authority of Fish and Game Code sections 7920-7925 inclusive: bocaccio - three; canary rockfish - three; cowcod - one per person but not more than two per boat.

(c) Size limit: None, except no bocaccio may be taken or possessed that is less than 10 inches in total length.

(d) Method of take: Not more than three hooks and one line. For purposes of this section, a hook is a single hook, or a double or treble hook with multiple points connected to a common shank.

PASSED UNANIMOUSLY.

23. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO SECTION 155, TITLE 14, CCR, RE: RETENTION OF WHITE SEABASS TAKEN INCIDENTALLY ON COMMERCIAL FISHING VESSELS MARCH 15 TO JUNE 15.

Summary of Issue

At the Commission's November 4, 1999, meeting, the Los Angeles Commercial Fishermen's Association requested the Commission consider superceding Section 8383 of the Fish and Game Code to allow the retention of two white seabass aboard commercial fishing vessels during the closed season of March 15 to June 15. The Department recommended that the Commission authorize the take, possession, and sale of one, rather than two, white seabass per boat if taken incidental to gill and trammel net fishing operations during the March 15 to June 15 white seabass spawning closure south of Point Conception. At that meeting, the Commission authorized staff to publish notice of its intent to consider allowing the retention of one white seabass aboard commercial fishing vessels during the closed season of March 15 to June 15. That legal notice has been published.

In a letter dated August 13, 1999, Donna Panto, Program Manager of the Los Angeles Commercial Fishermen's Association, provides the following information:

"As a multi-gear group of commercial fishermen, we are writing to officially request that the Commission consider revising Section 8383 of the California Fish and Game Code to allow retention of two white seabass aboard commercial fishing vessels during the closed season of March 15 - June 15. If possible, we would like this amendment implemented before the spring 2000, closure.

"As you may recall, commercial fishermen were allowed to retain two white seabass during the closed season until a few years ago, when this allowance was rescinded. Meanwhile, sport fishermen are currently allowed one fish per rod (non-target) per day during the same closed period.

"As you also know, white seabass are often plentiful during the spring. In fact, the number of seabass taken by partyboats and private anglers at Catalina and Santa Barbara islands during the closed period - targeted or not - may have exceeded 50,000 fish in 1999 alone.

"Meanwhile, halibut gill netters and barracuda gill netters sometimes catch one or two seabass as part of their legal, regulated operations during the seabass closure, but have to throw them back. Besides the double standard for recreationals and commercials, it is purely wasteful to throw these dead fish over the side when they could be landed and consumed. No commercial fisherman, as you know, is going to target seabass for two fish per trip, so any danger to the stocks is nil.

"We understand that this regulatory change could be addressed through a pending white seabass management plan, but we believe it's unfair and inappropriate to wait another two or three years to implement such an important measure, especially since commercial fishermen have already brought this matter before the Commission (Mike

McCorkle testimony, July [sic] 1999, Point Reyes Station), with little response and no action.

"Again, in the spirit of conservation, intelligent utilization of marine resources and equity between sport and commercial fisheries, we urge you to revise Section 8383 if [sic] the Fish and Game Code to allow retention of two white seabass aboard commercial fishing vessels during the closed season of March 15 - June 15."

Department Recommendation

The Department's recommendation can be summarized as follows:

"Under existing law the commercial take, possession, and sale of white seabass in ocean waters is prohibited during the period March 15 to June 15, inclusive, in waters between the United States-Mexico International Boundary and a line extending due west true from Point Conception, Santa Barbara County to protect this species during its spawning season (Fish and Game Code Section 8383).

"Also, existing law authorizes the Commission to adopt regulations as it determines necessary to regulate fisheries for white seabass (Fish and Game Code Section 7071) (Chap. 1052, Stats. 1998 and Chap. 483, Stats. 1999). This includes authority to regulate commercial white seabass fisheries and to make current white seabass statutes inoperative.

"A change is proposed in the current prohibition on commercial take of white seabass during the spawning season that would allow commercial fishermen to take, possess, and sell one legal size (greater than 28-inches in length) white seabass if taken incidentally in gill or trammel nets between a line extending due west (true) from Point Conception, Santa Barbara County, and the United States-Mexico International Boundary during the period March 15 to June 15, inclusive. Any fish so taken shall not be transferred to another vessel.

"The proposed regulation change is intended to provide for the economic use of some white seabass that are now taken and discarded dead incidental to other gill and trammel net fisheries during the white seabass spawning season closure.

"Also, the proposed regulatory action would make Fish and Game Code Section 8383 inoperative, and amend and adopt the provisions of Fish and Game Code Section 8383 as Section 155, Title 14, California Code of Regulations (CCR). As adopted, Section 155, Title 14, CCR, would differ from current Fish and Game Code Section 8383 in that it would authorize the take, possession, and sale of one white seabass per boat each day if taken incidental to gill and trammel net fishing operations during the period March 15 to June 15, inclusive."

Action

It was then:

MOVED BY MR. SCHUCHAT, SECONDED BY MR. FLORES, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTION 7071 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SAID SECTION OF SAID CODE, HEREBY ADDS SECTION 155, TITLE 14, CCR (SUPERCEDES SECTION 8383 OF THE FISH AND GAME CODE) TO ALLOW THE RETENTION OF ONE WHITE SEABASS ABOARD COMMERCIAL FISHING VESSELS DURING THE CLOSED SEASON OF MARCH 15 TO JUNE 15 AS FOLLOWS:

Section 155, Title 14, CCR, is added as follows:

155. White Seabass, Commercial Take.

(a) Notwithstanding Fish and Game Code Section 8383, white seabass may not be taken for commercial purposes between March 15 and June 15, inclusive, between the United States-Mexico International Boundary and a line extending due west (true) from Point Conception, except that one white seabass not less than 28 inches in total length may be taken, possessed, and sold by a vessel each day if taken incidental to gill and trammel net fishing operations conducted under authority of a permit issued pursuant to Fish and Game Code Section 8681. Any fish so taken shall not be transferred to any other vessel.

(b) The restrictions in this section shall not apply to white seabass taken in waters lying south of the International Boundary Line between the United States and Mexico extended westerly into the Pacific Ocean. A current fishing permit issued by the Mexican Government is evidence that white seabass were taken south of the international boundary.

PASSED UNANIMOUSLY.

24. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 231, TITLE 14, CCR, RE: PROCESSING OF SPORT-CAUGHT FISH.
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Summary of Issue

In a letter dated June 18, 1999, Robert Fletcher, Sportfishing Association of California, provides the following information:

"The Sportfishing Association of California (SAC) has been working with the Department regarding changes to the canning exchange regulations found in Section 231, Title 14. At a meeting held in San Diego on June 7, 1999, that included DeWayne Johnston, Regional Manager of the Marine Region of the DFG, representatives of the Fisherman's Canning Service (FCS) suggested language that they felt would streamline the exchange process and be more responsive to changes in

the price the cannery paid to the FCS, and the other canning exchange service providers.

"These amendments, if adopted, would establish a 'sliding scale' ratio of cans of tuna to pounds of fresh fish. In addition, the recommendation would be that the option of an angler paying so much per can for additional cans of tuna be eliminated. At present almost all anglers opt for the cans per so many pounds of fish with no fee. The reality is that the present language of Section 231 is inflexible, and at times penalizes the canning service and at times prevents the angler from getting the best canning exchange rate for his catch.

"The goal of these amendments is to give the angler more cans per fish when the price is up, and modify the ratio when the price is down, thus minimizing the financial burden on the canning service providers. The objective would continue to be that this is a service to the sport anglers and that the canning service would generate sufficient revenue to cover its costs and a prudent reserve for unanticipated breakdowns, but that there would be no 'profits' accruing to any company or individual.

"In the meeting with DeWayne Johnston, it was agreed that the service providers would submit a 'straw man' sliding scale-ratio for albacore (alb), and also for yellow fin tuna (yft) in cans. In an effort to create the range of values that might affect the cost of the canning exchange, the FCS worked up a table based on the price of tuna.

"SAC would appreciate the Fish & Game Commission's support of this effort by the canning service providers and the Department to create a more effective and equitable system for exchanging fresh fish for canned product, as well as minimizing the potential wastage of sport caught fish. If the Commission is supportive, we will work with the Department to draft up amendments to Section 231 and return at a later meeting to formally initiate the amendment process."

Commissioners were provided with a copy of the Department's Initial Statement of Reasons with the proposed regulations in strikeout/underline format and a letter from Mr. Fletcher to DeWayne Johnston.

25. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 630, TITLE 14, CCR, RE: DESIGNATION AND SPECIAL AREA REGULATIONS.

Summary of Issue

The Department requests that the Commission publish notice of its intent to amend Section 630, Title 14, CCR, regarding designation and special area regulations.

The Department's proposal can be summarized as follows:

"Currently, there are 109 ecological reserves designated in Title 14, CCR, Section 630 for the purpose of protecting sensitive habitats and species. The Department is

requesting that this section be amended to add eleven (11) new ecological reserves to this listing. The eleven new reserves are:

"1. Agua Hedionda Lagoon, 186 acres, San Diego County; to protect southern willow riparian forest and salt water marsh habitats for the light-footed clapper rail, least Bell's vireo, Belding's savannah sparrow, coastal California gnatcatcher and willow flycatcher.

"2. Boden Canyon, 1,211 acres, San Diego County; to protect six sensitive vegetation communities, including Diegan coastal sage scrub, Engelmann oak woodland, and freshwater marsh habitats, for least Bell's vireo, San Diego homed lizard, loggerhead shrike, two-striped garter snake and other sensitive species.

"3. Buttonwillow, 1,351 acres, Kern County; to protect alkali sink scrub and valley annual grasslands which provide habitat for numerous state and federally-listed animal and plant species, including the Tipton kangaroo rat, blunt-nosed leopard lizard, California jewel flower, and Hoover's woolly star.

"4. Carlsbad Highlands, 180 acres, San Diego County; to protect coastal sage scrub habitat for California gnatcatchers, sensitive plants, and other sensitive species.

"5. Crestridge, 2,377 acres, San Diego County; to protect the linkage corridor between an existing ecological reserve and the San Diego National Wildlife Refuge. Numerous vegetation communities are found on this site, which provides habitat for the largest population of an endemic species, *Ceanothus cyaneus*.

"6. Dairy Mart Ponds, 60 acres, San Diego County; to protect freshwater marsh and riparian habitat, recognized as an important recolonization site for the listed species, light-footed clapper rail. Also, willow flycatcher and yellow-billed cuckoo nest at this site.

"7. Otay Mountain, 480 acres, San Diego County; to protect numerous sensitive vegetation communities as well as the species they support. Nine sensitive plant species, including the Tecate cypress, occur on site.

"8. Pleasant Valley, 988 acres, Fresno County; to protect valley annual grasslands and saltbush scrub habitats for the San Joaquin kit fox, San Joaquin antelope squirrel and blunt-nosed leopard lizard.

"9. Rancho Jamul, 3,700 acres, San Diego County; to protect seven major vegetation communities and numerous sensitive species. This property connects other lands within the Multi-Species Conservation Plan for San Diego County.

"10. Sycuan Peak, 1,733 acres, San Diego County; to protect endangered and sensitive wildlife, native plants and special habitats. This property is part of an important wildlife corridor within the State's Natural Community Conservation Planning Program.

"11. Walker Canyon, 514 acres, San Diego County; to protect southern mixed chaparral and wetland-riparian habitat. It serves as linkage between BLM lands within the McCain Valley and contains valuable water resources for wildlife species.

"The reasons for listing these properties in Title 14 is to regulate public use and provide the best available protection for the species and sensitive habitats the properties were acquired to protect. Since these properties contain numerous state and federally-listed species, sensitive vegetation communities, and many act as linkages for other important protected lands, it is necessary and appropriate to provide this level of regulatory protection to prevent improper use and degradation of wildlife resources. In order to do this efficiently, the Department has a set of general regulations which apply to all ecological reserves.

"Subsection (a)(13) of Section 630, which contains a general regulation about pesticide use on ecological reserves, will be amended to give the Department the authority to approve pesticide use on ecological reserves for the purposes of habitat management or public safety. This is necessary because, at present, the Department cannot apply pesticides without Commission authorization in a timely manner to dispose of health-related problems such as mosquitoes, or to manage certain invasive species. Since the Department has been granted the authority to manage these lands for habitat protection purposes and to provide appropriate public use, it is reasonable and efficient that it be allowed to make this management decision when necessary.

"In addition, the Department may write special regulations for individual properties, as they think are appropriate, to give an extra level of protection, or to permit specific public uses not governed by the general regulations. The Department is requesting to make amendments to the special regulations for nine new reserves and seven existing ecological reserves, based upon management information gathered which shows that these amendments are necessary to protect the habitat or species within the property.

"Special regulations for nine of the eleven new reserves will allow specific public use activities such as limited hunting opportunities as determined by the Department. Since hunting is not normally permitted on ecological reserves, the special regulations are necessary when the Department determines that this public use is appropriate and will cause no impacts to species and habitat. Hunting, as designated by specific regulation, will be allowed on Boden Canyon, Buttonwillow, Otay Mountain, Pleasant Valley, Rancho Jamul, and Walker Canyon ecological reserves. Another special regulation for Rancho Jamul will allow retriever training in specific areas designated by the Department.

"Grazing under permit from the Department for vegetation management purposes will be authorized in special regulations for Buttonwillow and Pleasant Valley ecological reserves.

"Another special regulation for the newly designated Crestridge Ecological Reserve would limit non-motorized mountain biking to specific seasons as determined by the Department in order to protect vegetation and sensitive species.

"For existing reserves, the Department wishes to amend special area regulations for Batiquitos Lagoon, Bolsa Chica, Buena Vista Lagoon, San Dieguito, and San Elijo Lagoon ecological reserves. The amendment will require counties to consult with the Department before carrying out management actions on these properties. A special regulation allowing retriever training at San Dieguito Lagoon Ecological Reserve will be deleted in order to stop impacts to sensitive habitat and listed species nesting sites. The Upper Newport Bay Ecological Reserve special regulation allowing wading for the purpose of clamming will be deleted in order to stop impacts to listed species.

"Adding two special regulations to existing Quail Ridge Ecological Reserve will allow entry by permission only and permit special authorized hunts as designated by the Department. These regulations are necessary to comply with a previously approved cooperative agreement with the University of California to coordinate access to the property.

"Amendment of special area regulations for the existing San Joaquin River Ecological Reserve will provide additional protection from public use impacts by limiting public access to appropriate times and areas as designated or posted by the Department, and will provide better supervision of the property by limiting the use of the certain areas to Department-authorized activities. Grazing for vegetation management will also be allowed under permit from the Department.

"In addition, the Department proposes to re-order the listing of ecological reserves to appear in alphabetical order to facilitate use by the public and to elevate the level of clarity of these regulations. Grammatical and spelling errors have also been corrected."

Commissioners were provided with a copy of the Department's Initial Statement of Reasons with the proposed regulations in ~~strikeout~~/underline format and a summary of the management plans for the eleven new ecological reserves.

26. REQUEST FOR AUTHORIZATION TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 235, TITLE 14, CCR, TO REGISTER NOVALEK'S BRINE SHRIMP PRODUCTION FACILITIES AS AQUACULTURE FACILITIES.

Summary of Issue

The Department is requesting that the Commission authorize staff to publish notice of the Commission's intent to amend Section 235, Title 14, CCR, to register Novalek's Brine Shrimp Production Facilities as aquaculture facilities. The Department's proposal can be summarized as follows:

"The current regulation (Section 235, Title 14, CCR) requires persons engaging in aquaculture to register with the Department of Fish and Game and to pay specified registration fees. Aquaculture is defined (Fish and Game Code Section 17) as that form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of marine plants and animals in marine, brackish, and fresh water.

"As written, the current regulation states that the registration does not apply to the sale and cultivation of brine shrimp and certain other activities involving aquatic species. The cultivation and sale of brine shrimp was originally exempted from the registration requirement because until recently, the brine shrimp production operations in the State were commercial harvesting operations, and were more akin to commercial fishing operations than aquaculture. Brine shrimp harvesters have historically conducted business under the licenses, permits, and reporting requirements for commercial fishing.

"A company which has in the past harvested and sold brine shrimp under commercial fishing licenses and permits is currently planning to produce brine shrimp under conditions which are more characteristic of aquaculture than commercial fishing. The brine shrimp would be cultured in combination with other aquatic species, throughout their life cycles, in systems with no connections to natural waterways. The Department is, therefore, supporting the request of this company to modify Section 235 to establish the authority for such a company to register as a brine shrimp aquaculture facility, and thus be exempted from the licenses, permits, and reporting requirements for commercial fishing."

Commissioners were provided with copies of the Department's Initial Statement of Reasons with the proposed regulations in strikeout/underline format, a letter from Robert Rofen, president of Novalek, dated August 25, 1999, addressed to the Department, and background information provided by Novalek.

27. DEPARTMENT REQUEST TO GRANT A UTILITY EASEMENT ON THE LOKERN
ECOLOGICAL RESERVE FOR THE LA PALOMA TRANSMISSION LINE PROJECT.

Summary of Issue

The Department is requesting that the Commission authorize the Department to grant necessary easements to La Paloma Generating Company, LLC, (La Paloma) for the construction, operation, and maintenance of an electrical transmission line facility on two parcels within the Department's Lokern Ecological Reserve, located in Kern County. Construction of the line would require a 3.44 acre easement on one 60-acre parcel. On the second and adjacent 40-acre parcel, an overhang easement totaling 0.07 acre will be required.

The Department is also requesting that the Commission authorize the acceptance of fee title ownership to 80 acres from La Paloma. Upon the granting of the two easements described above, La Paloma desires to convey title of this parcel to the Department for inclusion in the Lokern Ecological Reserve. La Paloma will pay all costs associated with the transaction and provide a management endowment in the amount \$30,000 (\$375 per acre) to manage the land in perpetuity.

Commissioners were provided with a copy of the location map showing the project area and a detailed transaction summary.

28. DEPARTMENT REQUEST FOR AUTHORIZATION TO ACCEPT A UTILITY
EASEMENT FOR ITS NORTHERN CALIFORNIA-NORTH COAST REGION OFFICE
EXPANSION.

Summary of Issue

The Department is requesting that the Commission authorize the acceptance of a utility easement and authorize the Department to enter into the appropriate agreements with the Anderson Cottonwood Irrigation District (ACID). The Department's Northern California-North Coast Region is expanding office facilities that will require installation of computers and local area networks. This includes connecting the main office facilities with the Cantara office building. Connection with the Cantara building will require securing an easement so overhead cables and supporting poles can be installed. In addition, the cables will extend across ACID's water canal, so the Department will need to obtain a permit from the District as well.

Commissioners were provided with a copy of the location map showing the project area and a detailed transaction summary.

29. DEPARTMENT REQUEST FOR AUTHORIZATION TO ACCEPT CLAYTON RANCH CONSERVATION EASEMENT OF APPROXIMATELY 38 ACRES AS MITIGATION FOR THE DEVELOPMENT OF THE OAK HILLS SOUTH-UNIT 5 PROJECT, CONTRA COSTA COUNTY.
-

Summary of Issue

The Department is requesting that the Commission authorize the acceptance of a conservation easement of approximately 38 acres located in Contra Costa County. West Coast Home Builders (WCHB) was issued a streambed alteration agreement that allows the fill of 3,055 linear feet of creek and the creation of a detention basin. These impacts are associated with the development of the Oak Hills South-Unit 5 subdivision project in the City of Pittsburg. The mitigation site, purchased by WCHB, includes 3,700 linear feet of channel and 1,200 linear feet of creek enhancement to be protected in perpetuity. In addition, the mitigation site includes 2.5 acres of seasonal wetlands and provides habitat for several special-status animal species and raptor species.

Commissioners were provided with a copy of the location map showing the project area and a detailed transaction summary.

30. ADOPTION OF COMMISSION SUBCOMMITTEE RECOMMENDATION TO APPROVE THE COMMISSION'S MARCH 3, 2000, CONSENT CALENDAR:

- A. RECEIPT OF DEPARTMENT STATUS REVIEW REPORT AND RECOMMENDATION ON PETITION TO LIST THE VENTURA MARSH MILK-VETCH (*Astragalus pycnostachyus* var. *lanosissimus*) AS AN ENDANGERED SPECIES.
-

Summary of Issue

This item is scheduled to receive the Department's status review report and recommendation on the petition to list the Ventura Marsh Milk-Vetch (*Astragalus pycnostachyus* var. *lanosissimus*) as an endangered species. The hearing to consider this matter and for the Commission to make a finding of whether or not the petitioned action is warranted pursuant to Section 2075.5 of the Fish and Game Code is scheduled for the Commission's April 6, 2000, meeting in Sacramento.

- B. DEPARTMENT REQUEST FOR AUTHORIZATION TO ACCEPT FEE TITLE OF 2,280 ACRES AS MITIGATION FOR THE TUSCARORA GAS/SIERRA PACIFIC POWER COMPANY ALTURAS INTERTIE AND TUSCARORA LINE PROJECTS.

Summary of Issue

The Department requests that the Commission authorize the acceptance of fee title ownership to 2,280 acres from Sierra Pacific Power Company and Tuscarora Gas Transmission Company. The properties to be transferred to the Department are located in Lassen and Modoc counties. The properties were purchased to provide part

of the mitigation required for the Alturas Intertie and Tuscarora Line projects. These lands provide compensation for the loss of upland wildlife habitats consistent with the mitigation requirements for these projects. Fee title to the properties will be deeded to the Department. Tuscarora and Sierra Pacific shall cover all costs of acquisition including transfer costs and agree to pay the Department enhancement funds in the amount of \$223,900.00.

C. DEPARTMENT REQUEST PURSUANT TO SECTION 2073.5(b) OF THE FISH AND GAME CODE FOR AN EXTENSION OF TIME OF 30 DAYS TO COMPLETE ITS EVALUATION OF THE PETITION TO LIST SAN FERNANDO VALLEY SPINEFLOWER (*Chorizanthe parryi* var. *fernandina*) AS AN ENDANGERED SPECIES.

Summary of Issue

On December 8, 1999, the Commission office received a petition to list the San Fernando Valley Spineflower (*Chorizanthe parryi* var. *fernandina*) as endangered. Pursuant to Section 2073.5 of the Fish and Game Code, the petition was forwarded to the Department of Fish and Game for review. On February 7, 2000, the Department submitted a request pursuant to Section 2073.5(b) of the Fish and Game Code for an extension of time (30 days) to complete its evaluation of the petition.

This item is scheduled to consider the Department's request for a 30-day extension.

The reason the Department is requesting the extension is to allow the Department more time to evaluate all aspects of the petition and to prepare a thorough report and recommendation for the Commission.

D. REQUEST TO PUBLISH NOTICE OF INTENT TO AMEND SECTION 7.50(b)(62), TITLE 14, CCR, TO ALLOW UNRESTRICTED FISHING AND BOATING 24 HOURS A DAY BELOW THE "KEEP OUT" BUOY LINE, EASTMAN LAKE.

Summary of Issue

In a letter dated January 4, 2000, Edward A. Armbruster provides the following information:

"Current regulations at Eastman Lake prohibit night fishing from a floating device. The prohibition against night boating was originally adopted to help prevent the spread of hydrilla, a noxious weed infesting the upper portion of the lake.

"Due to the success of hydrilla eradication efforts made by the California Department of Food and Agriculture (CDFA), we were recently granted permission to open the lake 24 hours to boating. Currently our shoreline is open to fishing, but fishing from a floating device is still prohibited. We request permission to allow unrestricted fishing and boating 24 hours below the 'Keep Out' buoy line."

Department Recommendation

"Under the current regulation (subsection (b)(1)(B) of Section 3.00 and subsection (b)(62) of Section 7.50), night fishing from a floating device in Eastman Lake (Madera and Mariposa counties) is prohibited. The night floating device fishing restrictions were adopted to help the United States Corps of Engineers (Corps) and the State Department of Food and Agriculture (DFA) prevent the spread of hydrilla, a noxious aquatic weed which, until recently, has infested the upper portion of the lake.

"Due to recent success of the hydrilla eradication program, neither the Corps nor DFA now believes that the night boat fishing restrictions are necessary. Consequently, the Department is supporting a Corps proposal to eliminate these night fishing restrictions in the portion of the lake open to fishing."

Commissioners were provided with a copy of the Department's Initial Statement of Reasons.

31. ANNOUNCEMENT OF FUTURE MEETINGS.

2000 FISH AND GAME COMMISSION MEETING SCHEDULE

DATE	LOCATION
April 27 (Teleconference) (Adopt Mammal Hunting Regulations)	Resources Building Fish and Game Commission, Room #1320 1416 Ninth Street, Sacramento
May 2 Joint Field Trip w/Board of Forestry May 3 Joint Meeting w/Board of Forestry/Commission Field Trip May 4 Commission Meeting	The Pines Resort & Conference Center Cedar Room, Bass Lake Modesto Irrigation District Multipurpose Room, 2 nd Floor 1231 11 th Street, Modesto
June 15 (Receive Resident Game Bird and Waterfowl Hunting Recommendations) June 16 Joint Meeting w/Nevada	Best Western Truckee Tahoe Inn 11331 Hwy. 267, Truckee, Reno Nevada Division of Wildlife 1100 Valley Road, Reno
August 3 August 4 (Adopt Resident Game Bird Hunting Regulations and Discuss Waterfowl Hunting Recommendations)	City Hall, City Council Chambers 990 Palm Street San Luis Obispo

August 24 August 25 (Adopt Waterfowl Hunting Regulations)	Elihu Harris State Building First Floor Auditorium 1515 Clay Street Oakland
October 19 October 20	Hubbs-Sea World Research Institute 2595 Ingraham Street San Diego
December 7 December 8	Board of Supervisors Chambers 825 Fifth Street. Eureka

* Meeting location and/or date set in Fish and Game Code.

July 7-12, 2000-WAFWA/Redmond, Oregon
September 15-20, 2000-IAFWA/Indianapolis

There being no further business, the Fish and Game Commission meeting was adjourned at 3:45 p.m.

Section 27.80, Title 14, CCR, is amended as follows:

(a) Methods of take:

(1) General Provisions. Only by angling as defined in Section 1.05. No sinkers or weights exceeding four pounds may be used, except that a fishing line may be attached to a sinker or weight of any size if such sinker or weight is suspended by a separate line and the fishing line is released automatically by a mechanical device from the sinker or weight when any fish is hooked. See sections 1.74, 28.65 and 28.70.

(2) Barbless Hooks. ~~Only~~No more than two (2) single point, single shank barbless hooks ~~may~~ shall be used ~~to take salmon in the ocean north of Point Conception (34° 27' 00" N. lat.) when salmon fishing or salmon are onboard.~~

(3) Other Hook Restrictions. When fishing with bait in the ocean between Horse Mountain (40° 05' 00" N. lat.) and Point Conception, if angling by any other means than trolling, then no more than two (2) single point, single shank, barbless circle hooks shall be used. The distance between the two hooks must not exceed five inches when measured from the top of the eye of the top hook to the inner base of the curve of the lower hook, and both hooks must be permanently tied in place (hard tied). A circle hook is defined as a hook with a generally circular shape, and a point which turns inwards, pointing directly to the shank at a 90 degree angle. Trolling is defined as angling from a boat or floating device that is making way by means of a source of power, other than drifting by means of the prevailing water current or weather conditions. See Section 28.65.

(4) One Rod Restriction north of Point Conception. Salmon may be taken by angling with no more than one rod in ocean waters north of Point Conception. See Section 28.65.

(b) Season:

(1) South of Pigeon Point. All waters of the ocean south of Pigeon Point are open to salmon fishing from April 1 through October 1 (Note: In 2001, the season will open March 31, the Saturday nearest April 1).

(2) Between Point Arena and Pigeon Point. All waters of the ocean between Point Arena and Pigeon Point are open to fishing from April 15 through ~~October 29~~November 5 (Note: In 2001, the season will open April 14, the Saturday nearest April 15).

(3) Between Horse Mountain and Point Arena. All waters of the ocean between Horse Mountain and Point Arena are open to salmon fishing from February 12, the Saturday nearest February 15, through July ~~46~~ and July ~~25~~22 through November 12, the Sunday nearest November 15 (Note: In 2001, the season will open February 17, the Saturday nearest February 15).

(4) North of Horse Mountain and Humboldt Bay. All waters of the ocean north of Horse Mountain and Humboldt Bay are open to salmon fishing from May ~~29~~27 through July ~~46~~, and July 29 through September ~~4~~10 (Note: In 2000~~1~~, the season will be decided in April by the Pacific Fishery Management Council and California Fish and Game Commission and the section will be amended pursuant to the regulatory process).

EXCEPTION: The ocean area surrounding the Klamath River mouth bounded on the north by 41°38'48" N. lat. (approximately 6 nautical miles north of the Klamath River mouth), on the south by 41°26'48" N. lat. (approximately 6 nautical miles south of the

Klamath River mouth), and extending 3 nautical miles offshore is closed to salmon fishing between August 1 and August 31. No salmon may be taken at any time in ocean waters at the mouths of the Smith and Klamath rivers and during August and September at the mouth of the Eel River (See Section 27.75).

(c) Limit:

(1) North of Horse Mountain: One salmon per day from May 27 through July 6, and two salmon per day from July 29 through September 10. No more than four fish in seven consecutive days (See subsection (c)(3) below).

(2) South of Horse Mountain: Two salmon per day (See subsection (c)(3) below and Section 1.17).

(3) Statewide Silver (coho) Salmon Restrictions: No silver (coho) salmon may be retained.

(d) Minimum size:

(1) North of Horse Mountain: Twenty inches total length.

(2) South of Horse Mountain: Twenty-four inches total length ~~before June 4~~ through May 31. ~~After May 31~~ Beginning on June 1, twenty inches total length. (Note: In 2001, the season will open with a minimum size of twenty-four inches total length).

Authority: Sections 200, 202, 205, 220, 240, 2084 and 7891, Fish and Game Code.

Reference: Sections 200, 202, 205 and 2084, Fish and Game Code.

COMMISSIONERS
Michael Chrisman, President
Visalia
Sam Schuchat, Vice President
Oakland
Richard T. Thieriot, Member
San Francisco

GRAY DAVIS
Governor



ROBERT R. TREANOR
EXECUTIVE DIRECTOR
1416 Ninth Street
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax

STATE OF CALIFORNIA

Fish and Game Commission

ANNOUNCEMENT OF INTENTION TO ADOPT, AMEND, REPEAL OR CONTINUE IN EFFECT 2000 - 2002 MAMMAL HUNTING AND TRAPPING REGULATIONS.

MICHAEL CHRISMAN, PRESIDENT, ANNOUNCES THAT, AT ITS APRIL 27TH, 2000 TELECONFERENCE MEETING IN SACRAMENTO THE FISH AND GAME COMMISSION INTENDS TO CONSIDER ADOPTING, AMENDING OR REPEALING THE MAMMAL HUNTING AND TRAPPING REGULATIONS FOR 2000 - 2002 PURSUANT TO APPROPRIATE SECTIONS OF THE FISH AND GAME CODE AND IN ACCORDANCE WITH APPROPRIATE SECTIONS OF GOVERNMENT CODE. THE COMMISSION ALSO INTENDS TO CONSIDER COMMENTS, EVALUATE IMPACTS AND CERTIFY FINAL ENVIRONMENTAL DOCUMENTS ASSOCIATED WITH THE REGULATORY ACTIONS IN ACCORDANCE WITH APPROPRIATE SECTIONS OF THE PUBLIC RESOURCES CODE. PRIOR TO APPROVAL OF THE REGULATIONS, THE COMMISSION WILL REVIEW AND CONSIDER ALL RECOMMENDATIONS SUBMITTED UP TO ITS FEBRUARY 4, 2000 MEETING AND PUBLIC DISCUSSION THEREOF AT ITS MARCH 3, 2000 AND APRIL 7, 2000 MEETINGS.

AT ITS MARCH 3, 2000 MEETING IN REDDING AND ITS APRIL 7, 2000 MEETING IN SACRAMENTO, THE COMMISSION WILL RECEIVE BOTH ORAL AND WRITTEN COMMENTS ON THE INTENDED REGULATIONS. WRITTEN COMMENTS ON THE PROPOSED REGULATIONS MAY BE SUBMITTED TO THE COMMISSION OFFICE AT THE ADDRESS FOUND ON THE COVER PAGE.

THIS NUMERICAL LISTING SHOWS PROPOSED CHANGES TO THE 2000 - 2002 MAMMAL HUNTING AND TRAPPING REGULATIONS IN STRIKEOUT/UNDERLINED LANGUAGE.

INTENTIONS TO ADOPT MAMMAL HUNTING AND TRAPPING REGULATIONS ❖ 2000-2002

TABLE OF CONTENTS - Sections Proposed for Change

Sec. #	Name	-page-
	Amended language in strikeout/<u>underlined</u> text	-page-
353.	Methods Authorized for Taking Big Game.	-1-
	Section 353, Title 14, CCR, is amended to read:	-1-
360.	Deer.	-1-
	Subsection (a), of Section 360, Title 14, CCR, is amended to read:	-1-
	Subsection (b) of Section 360, Title 14, CCR, is amended to read:	-8-
	Subsection (c) of Section 360, Title 14, CCR, is amended to read:	-13-
	Subsection (d) of Section 360, Title 14, CCR, is amended to read:	-20-
361.	Archery Deer Hunting.	-21-
	Section 361, Title 14, CCR, is amended to read:	-21-
362.	Nelson Bighorn Sheep.	-27-
	Section 362, Title 14, CCR, is amended to read:	-27-
363.	Pronghorn Antelope.	-29-
	Section 363, Title 14, CCR, is amended to read:	-29-
364.	Elk.	-36-
	Section 364, Title 14, CCR, is amended to read:	-36-
365.	Bear.	-41-
	Section 365, Title 14, CCR, is amended to read:	-41-
367.	Bear License Tags.	-42-
	Section 367, Title 14, CCR, is amended to read:	-42-
371.	Procedures for Application for and Distribution of Deer Tags and Permits.	-43-
	Section 371, Title 14, CCR, is amended to read:	-43-
375.	Deer, Elk, Antelope and Bear Meat, Possession of After the Close of the Season.	-44-
	Section 375, Title 14, CCR, is repealed:	-44-
465.5.	Use of Traps.	-45-
	Section 465.5, Title 14, CCR, is amended to read:	-45-
554.	Cooperative Deer Hunting Areas	-48-
	Section 554, Title 14, CCR, is amended to read:	-48-
555.	Cooperative Elk Hunting Areas	-48-
	Section 555, Title 14, CCR, is added to read:	-48-

INTENTIONS TO ADOPT MAMMAL HUNTING AND TRAPPING REGULATIONS ♦ 2000-2002

1. 353. Methods Authorized for Taking Big Game.

Section 353, Title 14, CCR, is amended to read:

353. Methods Authorized for Taking Big Game.

(a) Except for the provisions of subsections 353(b) through (fg), Title 14, CCR, big game (as defined by Section 350, Title 14, CCR) may only be taken by rifles using centerfire cartridges with softnose or expanding bullets; bow and arrow (see Section 354, Title 14, CCR, for archery equipment regulations); or wheellock, matchlock, flintlock or percussion type muzzleloading rifles using black or pyrodex powder with single ball or bullet loaded from the muzzle and at least .40 caliber in designation.

(b) Shotguns capable of holding not more than three shells firing single slugs may be used for the taking of deer, bear and wild pigs. In areas where the discharge of rifles or shotguns with slugs is prohibited by county ordinance, shotguns capable of holding not more than three shells firing size 0 or 00 buckshot may be used for the taking of deer only.

(c) Pistols and revolvers using centerfire cartridges with softnose or expanding bullets may be used to take deer, bear and wild pigs.

(d) Pistols and revolvers with minimum barrel lengths of 4 inches, using centerfire cartridges with softnose or expanding bullets may be used to take elk and bighorn sheep.

(e) Crossbows may be used to take deer and wild pigs only during the regular seasons.

(f) Muzzleloading rifle hunters may not possess other firearms or archery equipment authorized for taking big game, pursuant to subsections 353(a) through (d), and shall possess muzzleloading rifles equipped with iron sights only, while hunting under the provisions of a muzzleloading rifle only tag.

(g) Under the provisions of a muzzleloading rifle/archery tag, hunters may possess muzzleloading rifles as described in subsection 353(a) equipped with iron sights only; archery equipment as described in Section 354; or both. For purposes of this subsection, archery equipment does not include crossbows.

NOTE

Authority: Sections 200, 202 and 203 Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207 and 3950, Fish and Game Code.

2. 360. Deer.

Subsection (a), of Section 360, Title 14, CCR, is amended to read:

(a) A, B, C, and D Zone Hunts.

(1) Zone A.

(A) Area: In the counties of Alameda, Contra Costa, Kings, Marin, Monterey, Napa, San Benito, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma; and those portions of the counties of Colusa, Fresno, Kern, Lake, Mendocino, Los Angeles, Madera, Merced, Sacramento, San Joaquin, San Luis Obispo, Santa Barbara, Stanislaus, Tulare, Ventura and Yolo lying south and west of a line beginning at the junction of the mouth of Hardy Creek (Mendocino County) and the Pacific Ocean; east along Hardy Creek to Highway 1; north along Highway 1 to Highway 101; south along Highway 101 to Commercial Avenue in the town of Willits; east on Commercial Avenue to the Hearst-Willits Road (County Road 306); north and east on the Hearst-Willits Road to the Main Eel River; southeast on the Main Eel River to Lake Pillsbury at Scott Dam; southeast along the west shore of Lake Pillsbury and the Rice Fork of the Eel River to Forest Service Road M-10; east on Forest Service Road M-10 to Forest Service Road 17N16; east on Forest Service Road 17N16 to Forest Service Road M-10; east on Forest Service Road M-10 to Letts Valley-Fouts Spring Road; east on the Letts Valley-Fouts Spring Road to the Elk Creek-Stonyford Road (County Road 306); north on the Elk Creek-Stonyford Road to the Glenn-Colusa county line; east along the Glenn-Colusa County line to Interstate 5; Interstate 5 south to Highway 99 in the City of Sacramento; Highway 99 south to Highway 166 in Kern County; west on Highway 166 to Highway 33; south on Highway 33 to Sespe Creek; east and south along Sespe Creek to Highway 126; east on Highway 126 to Interstate 5; south on Interstate 5 and 405 to Interstate 10; west on Interstate 10 to the Pacific Ocean.

(B) Season: The season in Zone A shall open on the second Saturday in August and extend for 44 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

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(D) Number of Tags: ~~65,000~~30,000-65,000.

(2) Zone B.

(A) Area: Shall include all of zones B-1, B-2, B-3, B-4, B-5 and B-6 (see subsections 360(a)(2)(A)1. through 6.).

1. Zone B-1.

In the County of Del Norte and those portions of Glenn, Humboldt, Lake, Mendocino, Siskiyou and Trinity counties within a line: Beginning at the California-Oregon state line and the Pacific Ocean; east along the state line to the point where 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; southwest along the boundary of the Yolla Bolly-Middle Eel Wilderness Area to the Four Corners Rock-Washington Rock Trail; south and east on the Four Corners Rock-Washington Rock Trail to the North Fork of Middle Fork Eel River; south on the North Fork of Middle Fork Eel River to Middle Fork Eel River; east on Middle Fork Eel River to confluence with Balm of Gilead Creek; north and east on Balm of Gilead Creek to confluence with Minnie Creek; east and south on Minnie Creek to Soldier Ridge Trail; north on Soldier Ridge Trail to Summit Trail; south on Summit Trail to Green Springs Trail head at Pacific Crest Road (U.S. Forest Service Road M-2); south on the Mendocino Pass Road to the intersection of Forest Highway 7; west on Forest Highway 7 to the Middle Fork of the Eel River near Eel River Work Center; southwest on the Middle Fork of the Eel River to the Black Butte River; southeast along the Black Butte River to the Glenn-Mendocino county line; south along the Glenn-Mendocino and Lake-Mendocino county lines to the northern boundary of State Game Refuge 2-A; east and south along the northern and eastern boundaries of State Game Refuge 2-A to the Glenn-Lake county line near Sheetiron Mountain; south along the Glenn-Lake and Colusa-Lake county lines to Forest Service Road 17N16; west on Forest Service Road 17N16 to Forest Service Road M-10; west on Forest Service Road M-10 to the Rice Fork of the Eel River; northwest along the Rice Fork of the Eel River and the shore of Lake Pillsbury to the Main Eel River at Scott Dam; west and north along the Main Eel River to the Hearst-Willits Road; southwest on the Hearst-Willits Road to Commercial Avenue; west on Commercial Avenue to Highway 101; north on Highway 101 to Highway 1 at Leggett; west on Highway 1 to its intersection with the South Fork of the Eel River; north and west along the South Fork of the Eel River to the main Eel River; west and north along the main Eel River to mouth of the Eel River and north along the Pacific coastline to the point of beginning.

2. Zone B-2.

In those portions of Humboldt, 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.

3. Zone B-3.

In those portions of Colusa, Glenn, Lake, Mendocino and Tehama counties within a line beginning at the intersection of Interstate 5 and Black Butte Reservoir Road; south on Interstate 5 to the Glenn-Colusa county line; west along the Glenn-Colusa county line to the Elk Creek-Stonyford Road (County Road 306); south on the Elk Creek-Stonyford Road to the Letts Valley-Fouts Spring Road; west on the Letts Valley-Fouts Spring Road through Fouts Spring to Forest Service Road M-10; west on Forest Service Road M-10 to the Colusa-Lake county line; north along the Colusa-Lake and Glenn-Lake county lines to the eastern boundary of State Game Refuge 2-A, near Sheetiron Mountain; north and west along the eastern and northern boundaries of State Game Refuge 2-A to the Lake-Mendocino county line; north on the Lake-Mendocino and Glenn-Mendocino county lines to the Black Butte River; northwest along the Black Butte River to the Middle Fork of the Eel River; east and north along the Middle Fork of the Eel River to Forest Highway

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7 near the Eel River Work Center; east on Forest Highway 7 to the Low Gap-Government Flat Road; north on the Low Gap-Government Flat Road to the Round Valley-Paskenta Road at Government Flat; east on the Round Valley-Paskenta Road to the Black Butte Lake-Newville Road; south and east on the Black Butte Lake-Newville Road to Interstate 5 at the point of beginning.

4. Zone B-4.

In those portions of Mendocino and Humboldt counties within a line beginning at the mouth of Hardy Creek and the Pacific Ocean; north along the Pacific coastline to the mouth of the Eel River; east and south along the main Eel River to the South Fork of the Eel River; south along the South Fork of the Eel River to state Highway 1 at Leggett; west on state Highway 1 to Hardy Creek; west along Hardy Creek to the point of beginning.

5. Zone B-5.

In those portions of Glenn, Mendocino, Shasta, Tehama and Trinity counties within a line beginning at the intersection of Highway 299 and Interstate 5 in Redding; south along Interstate 5 to the Black Butte Lake-Newville Road near Orland; west and north on the Black Butte Lake-Newville Road to the Round Valley-Paskenta Road; west on the Round Valley-Paskenta Road to the Pacific Crest Road (U.S. Forest Service Road M-2) near Government Flat; north on the Pacific Crest Road to the Summit Trailhead at Green Springs; north along Summit Trail to Soldier Ridge Trail; south and west along Soldier Ridge Trail to Minnie Creek; north and west on Minnie Creek to Balm of Gilead Creek; west on Balm of Gilead Creek to the Middle Fork of the Eel River; west on the Middle Fork of the Eel River to the North Fork of the Middle Fork of the Eel River; north on the North Fork of the Middle Fork of the Eel River to the Four Corners Rock-Washington Rock Trail; north and west on the Four Corners Rock-Washington Rock Trail to the boundary of the Yolla Bolly-Middle Eel Wilderness Area; north along the boundary of the Yolla Bolly-Middle Eel Wilderness Area to 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.

6. Zone B-6.

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: The seasons for the B Zone shall be those specified for the areas described as B-1, B-2, B-3, B-4, B-5 and B-6 (see subsections 360(a)(2)(B)1. through 6.).

1. Zone B-1.

The season in Zone B-1 shall open on the third Saturday in September and extend for 37 consecutive days.

2. Zone B-2.

The season in Zone B-2 shall open on the third Saturday in September and extend for 37 consecutive days.

3. Zone B-3.

The season in Zone B-3 shall open on the third Saturday in September and extend for 37 consecutive days.

4. Zone B-4.

The season in Zone B-4 shall open on the fourth Saturday in August and extend for 37 consecutive days.

5. Zone B-5.

The season in Zone B-5 shall open on the third Saturday in September and extend for 37 consecutive days.

6. Zone B-6.

The season in Zone B-6 shall open on the third Saturday in September and extend for 37 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 55,500-65,000. Zone B tags are valid in zones B-1, B-2, B-3, B-4, B-5 and B-6.

(3) Zone C.

(A) Area: Shall include all of zones C-1, C-2, C-3, and C-4 (see subsections 360(a)(3)(A)1. through 4.).

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1. Zone C-1.

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 Highway 97 at Weed; north and east on Highway 97 to the intersection with the California-Oregon state line; west on the California-Oregon state line to the point of beginning.

2. Zone C-2.

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 and south on Highway 89 to the Pit River at Lake Britton; west and south along the Pit River to Interstate 5 at Shasta Lake; north on Interstate 5 to the point of beginning.

3. Zone C-3.

In that portion of Shasta County within a line beginning at the intersection of Cottonwood Creek and Interstate 5 at Cottonwood; north on Interstate 5 to the Pit River at Shasta Lake; east and north on the Pit River to Highway 89 at Lake Britton; south on Highway 89 to Highway 44 at Old Station; south and west on Highway 44 to the North Fork of Battle Creek; southwest on the North Fork of Battle Creek to Battle Creek; west on Battle Creek to the Sacramento River; north on the Sacramento River to the mouth of Cottonwood Creek; west on Cottonwood Creek to the point of beginning.

4. Zone C-4.

In those portions of Butte, Glenn, Lassen, Plumas, Shasta, and Tehama counties within a line beginning at the junction of Interstate 5 and Cottonwood Creek at Cottonwood; east on Cottonwood Creek to the Sacramento River; south on the Sacramento River to Battle Creek; east on Battle Creek to the North Fork of Battle Creek; northeast on the North Fork of Battle Creek to Highway 44; east on Highway 44 to Highway 89 at the north entrance of Lassen Volcanic National Park; north and east on Highway 89 and 44 to the junction of Highway 44 at Old Station; south and east 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; southwest on Highway 70 to Highway 162 at Oroville; west on Highway 162 to Interstate 5; north on Interstate 5 to Cottonwood Creek to the point of beginning.

(B) Season: The seasons for the C Zone shall be those specified for the areas described as C-1, C-2, C-3, and C-4 (see subsections 360(a)(3)(B)1. through 4.).

1. Zone C-1.

The season in Zone C-1 shall open on the third Saturday in September and extend for 30 consecutive days.

2. Zone C-2.

The season in Zone C-2 shall open on the third Saturday in September and extend for 37 consecutive days.

3. Zone C-3.

The season in Zone C-3 shall open on the third Saturday in September and extend for 37 consecutive days.

4. Zone C-4.

The season in Zone C-4 shall open on the third Saturday in September and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~42,000~~ 0,000-20,000. Zone C tags are valid in Zones C-1, C-2, C-3, and C-4.

(4) Zone D-3-5.

(A) Area: Shall include all of zones D-3, D-4, and D-5 (see subsections 360(a)(4)(A)1. through 3.).

1. 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 at 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 White Rock Lake Road; south on the White Rock Lake Road to the new road to White Rock Lake (below Bear Valley); south and east on the new White Rock Lake Road to the Pacific Crest Trail (one mile west of White Rock Lake in Section 21, T18N, R14E, M.D.B.M.); south and east on the Pacific Crest Trail to Interstate 80 near the Castle Peak-Boreal Ridge 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: The season in Zone D-3 shall open on the fourth Saturday in September and extend for 37~~

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consecutive days:

- ~~(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.~~
~~(D) Number of Tags: 10,400.~~

~~(5)2. 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 the Pacific Crest Trail near the Castle Peak-Boreal Ridge Summit; south on the Pacific Crest Trail to Miller Creek and the common boundary between the Eldorado and Tahoe National Forests (in the northeast one-quarter of Section 29, T14N, R16E, M.D.B.M.); 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: The season in Zone D-4 shall open on the fourth Saturday in September and extend for 37 consecutive days.~~

~~(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.~~

~~(D) Number of Tags: 3,400.~~

~~(6)3. Zone D-5.~~

~~(A) Area: In the counties of Amador and Calaveras and those portions of Alpine, El Dorado, Placer, Sacramento, San Joaquin, Stanislaus and Tuolumne 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 its confluence with Miller Creek; east along Miller Creek to its junction with the new (marked) USFS Pacific Crest Trail; north on the Pacific Crest Trail one-quarter mile to a junction with the McKinney-Rubicon Springs Road (Miller Lake Road); east along the McKinney-Rubicon Springs Road to McKinney Creek (NE1/4, Section 23, T14N, R16E, M.D.B.M.); east along McKinney Creek to the west shoreline of Lake Tahoe near Chambers Lodge; 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: The season in Zone D-5 shall open on the third Saturday in September and extend for 44 consecutive days.~~
The season for zones D-3 through D-5 shall open on the fourth Saturday in September and extend for 37 consecutive days.

~~(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.~~

~~(D) Number of Tags: 19,500-30,000-40,000. The Zone D-3-5 tag is valid in zones D-3, D-4, and D-5.~~

~~(7)5. Zone D-6.~~

~~(A) Area: In those portions of Alpine, Madera, Mariposa, Merced, Stanislaus and Tuolumne 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 Rodger 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: The season in Zone D-6 shall open on the third Saturday in September and extend for 44 consecutive days.~~

~~(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.~~

~~(D) Number of Tags: 10,000-16,000.~~

~~(8)6. Zone D-7.~~

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(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-Madera county line near Rodger Peak; south along the Inyo National Forest boundary (crest of the Ritter Range) to the junction of the Inyo National Forest boundary and Ashley Creek; east to Ashley Lake; northeast along Ashley Creek to the junction of King Creek; southeast along King Creek to its junction with the middle fork of the San Joaquin River; south and west along the middle fork of the San Joaquin River to the junction of the Inyo National Forest boundary; east along Fish Creek to its confluence with Deer Creek; north and east along Deer Creek to the upper crossing of the Deer Creek trail; north and east along the Deer Creek trail to the Inyo National Forest Boundary (the Sierra Crest); 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: The season in Zone D-7 shall open on the third Saturday in September and extend for 44 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~9,000~~4,000-10,000.

(97) 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 the Kings Canyon National Park boundary at Bishop Pass; south along the Kings Canyon and Sequoia National Park boundaries to the Main Kern River; southeast along the Main Kern River and the common boundary between the Inyo and Sequoia National Forests to the end of the Chimney Meadow-Blackrock Station Road (Forest Road 21S03) near Blackrock Mountain; southeast along the Chimney Meadow-Blackrock Station Road through Troy Meadows to the South Fork of the Kern River; south along the South Fork of the Kern River to the Doyle Ranch Road; south along the Doyle Ranch Road to Highway 178 in the town of Onyx; southwest along Highway 178 to Highway 99 at Bakersfield; north along Highway 99 to the point of beginning.

(B) Season: The season in Zone D-8 shall open on the fourth Saturday in September and extend for 30 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~8,000~~5,000-10,000.

(408) 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: The season in Zone D-9 shall open on the fourth Saturday in September and extend for 30 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~2,000~~1,000-2,500.

(449) 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: The season in Zone D-10 shall open on the fourth Saturday in September and extend for 30 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~700~~400-800.

(4210) Zone D-11.

(A) Area: Those portions of Los Angeles and San Bernardino counties, within a line beginning at the intersection of Interstate 5 and Highway 138, south of Gorman; east on Highway 138 to Highway 14; south on Highway 14 to

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Palmdale and Highway 138; east on Highways 138 and 18 to Interstate 15; south on interstates 15 and 15E to Interstate 10; west on Interstate 10 to Interstate 405; north on Interstates 405 and 5 to the point of beginning.

(B) Season: The season in Zone D-11 shall open on the second Saturday in October and extend for 30 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~5,500~~2,500-6,000.

(E) Special Conditions: Hunters that possess a D-11 deer tag may also hunt in zones D-13 and D-15 as described in subsections 360(a)(~~4412~~)(A), (B) and (C), and subsections 360(a)(~~4614~~)(A), (B) and (C).

(~~4311~~) Zone D-12.

(A) Area: Those portions of Imperial, Riverside and San Bernardino counties within a line beginning at Highway 62 and the Twentynine Palms-Arroyo Road in Twentynine Palms; east along Highway 62 to Highway 95 at Vidal Junction; north on Highway 95 to Interstate 40; east on Interstate 40 to the California-Arizona state line; south along this state line to the U.S.-Mexican border; west along the U.S.-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: The season in Zone D-12 shall open on the first Saturday in November and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~950~~100-1,500.

(~~4412~~) Zone D-13.

(A) Area: In those portions of Kern, Los Angeles, San Luis Obispo, Santa Barbara, and Ventura counties within a line beginning at the intersection of Highways 99 and 166 at Mettler; south on Highway 99 and Interstate 5 to Highway 126; west on Highway 126 to the crossing of Sespe Creek; north and then west along Sespe Creek to Highway 33; north on Highway 33 to Highway 166; north and east on Highway 166 to the point of beginning.

(B) Season: The season in Zone D-13 shall open on the second Saturday in October and extend for 30 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~4,000~~2,000-4,000.

(E) Special Conditions: Hunters that possess a D-13 deer tag may also hunt in zones D-11 and D-15 as described in subsections 360(a)(~~4210~~)(A), (B) and (C), and subsections 360(a)(~~4614~~)(A), (B) and (C).

(~~4513~~) Zone D-14.

(A) Area: In those portions of Riverside and San Bernardino counties within a line beginning at the junction of Interstates 10 and 15E; northwest on Interstates 15E and 15 through Cajon Pass to Bear Valley Cutoff Road; east on Bear Valley Cutoff Road to Highway 18; east along Highway 18 to Highway 247; southeast on Highway 247 to Highway 62; southwest on Highway 62 to Interstate 10; west on Interstate 10 to the point of beginning.

(B) Season: The season in Zone D-14 shall open on the second Saturday in October and extend for 30 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~3,000~~2,000-3,500.

(~~4614~~) Zone D-15.

(A) Area: In those portions of Los Angeles, Orange, Riverside, San Bernardino and San Diego counties within a line beginning at the Pacific Ocean and Interstate 10 in Santa Monica; east on Interstate 10 to Highway 79 at Beaumont; south on Highway 79 to Hemet; south on County Road R-3 through Sage to Highway 79; west on Highway 79 to Interstate 15; south on Interstate 15 to Highway 76; west on Highway 76 to the Pacific Ocean; north along the shoreline to the point of beginning.

(B) Season: The season in Zone D-15 shall open on the second Saturday in October and extend for 30 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~1,500~~500-1,500.

(E) Special Conditions: Hunters that possess a D-15 deer tag may also hunt in zones D-11 and D-13 as described in subsections 360(a)(~~4210~~)(A), (B) and (C), and subsections 360(a)(~~4412~~)(A), (B) and (C).

(~~4715~~) Zone D-16.

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(A) Area: Those portions of Riverside, Imperial and San Diego counties within the line beginning at the Pacific Ocean and Highway 76; east on Highway 76 to Interstate 15; north on Interstate 15 to Highway 79; east on Highway 79 to the San Diego-Riverside county line; east along the San Diego-Riverside county line to the Anza-Borrego State Park boundary; south along the Anza-Borrego State Park boundary to Highway 78; east on Highway 78 to Highway 111; south on Highway 111 to the U.S.-Mexican border; west along the U.S.-Mexican border to the Pacific Ocean; north along the shoreline to the point of beginning.

(B) Season: The season in Zone D-16 shall open on the fourth Saturday in October and extend for 30 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better per tag.

(D) Number of Tags: ~~3,000~~1,000-3,500.

~~(4816)~~ Zone D-17.

(A) Area: Those portions of Inyo, Kern, Los Angeles and San Bernardino counties within a line beginning at Highway 395 and the Kern-Inyo county line; east along the Kern-Inyo county line to the San Bernardino-Inyo county line; east along the San Bernardino-Inyo county line to Highway 127; north along Highway 127 to the California-Nevada state line; south along the California-Nevada state line to the California-Arizona state line; south along the California-Arizona state line to Interstate 40; Interstate 40 north to Needles; Highway 95 south to Highway 62; west on Highway 62 to Highway 247; northwest on Highway 247 to Highway 18; west on Highway 18 to Bear Valley Cutoff Road; west on Bear Valley Cutoff Road to Interstate 15; north on Interstate 15 to Highway 18; west on Highways 18 and 138 to Highway 14; north on Highways 14 and 395 to the point of beginning.

(B) Season: The season in Zone D-17 shall open on the second Saturday in October and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better per tag.

(D) Number of Tags: ~~500~~100-800.

~~(4917)~~ Zone D-19.

(A) Area: Those portions of Imperial, Riverside and San Diego counties within a line beginning at the junction of Interstate 10 and Highway 79; south on Highway 79 to Hemet; south on County Road R-3 to Highway 79; south on Highway 79 to the Riverside-San Diego county line; east on the Riverside-San Diego county line to the Anza-Borrego State Park boundary; south on the Anza-Borrego State Park boundary to Highway 78; east on Highway 78 to Highway 111; north on Highway 111 to the junction of Interstate 10 in Indio; west on Interstate 10 to the point of beginning.

(B) Season: The season in D-19 shall open the first Saturday in October and extend for 30 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~1,500~~500-1,500.

Subsection (b) of Section 360, Title 14, CCR, is amended to read:

(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 Pit River near Bieber; south and west on the Pit River to Highway 89 at Lake Britton; northwest on Highway 89 to Interstate 5 at Mt. Shasta; north on Interstate 5 to the junction of Highway 97 at Weed; north and east on Highway 97 to the California-Oregon state line; east on the California-Oregon state line to the point of beginning.

(B) Season: The season in Zone X-1 shall open on the ~~third~~first Saturday in ~~September~~October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~2,840~~1,000-6,000.

(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;

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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: The season in Zone X-2 shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: 45050-500.

(3) Zone X-3a.

(A) Area: In those portions of Lassen and Modoc counties within a line beginning at the intersection of the Lookout-Hackamore Road and Highway 139; southeast on Highway 139 to Highway 299; east on Highway 299 to Highway 395 in Alturas; 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 the Cleghorn Road (Lassen County 521); west and north on the Cleghorn Road to Lassen County Road 519 near Coulthurst Flat; west on Lassen County Road 519 to U.S. Forest Service Designated Through Route 22 near Gooch Mountain; west and north on U.S. Forest Service Designated Through Route 22 to the Little Valley Road (Lassen County 404); north on the Little Valley Road to the Western Pacific Railroad; northeast on the Western Pacific Railroad to Horse Creek; northwest on Horse Creek to the Pit River; north on the Pit River to Highway 299 at Bieber; northeast on Highway 299 to the Bieber-Lookout-Hackamore Road; north along the Bieber-Lookout-Hackamore Road to the point of beginning.

(B) Season: The season in Zone X-3a shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: 290150-1,500.

(4) Zone X-3b.

(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 Roads 512, 510 and 506); west along the Tuledad Red Rock-Clarks Valley Road to Highway 395 at Madeline; north on 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 and east shoreline of Goose Lake to the point of beginning.

(B) Season: The season in Zone X-3b shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: 925200-3,000.

(5) Zone X-4.

(A) Area: In those portions of Lassen and Shasta counties within a line beginning at the junction of Highways 89 and 44 at Old Station; north on Highway 89 to the intersection with the Pit River at Lake Britton; east and south on the Pit River to Horse Creek; southeast on Horse Creek to the Burlington Northern Railroad; southwest on the Burlington Northern Railroad to the Little Valley Road (Lassen County 404); south on the Little Valley Road to U.S. Forest Service Designated Through Route 22; south and east on U.S. Forest Service Designated Through Route 22 to Lassen County 519 near Gooch Mountain; east on Lassen County 519 to Cleghorn Road (Lassen County 521) near Coulthurst Flat; east on Cleghorn Road to Highway 139; south on Highway 139 to its crossing of Willow Creek in the Willow Creek Valley; south (downstream) on Willow Creek to its crossing of Conservation Center Road (Lassen County A-27); west on Conservation Center Road to Highway 36; northwest on Highway 36 to the intersection with Highway 44; north and west on Highway 44 to the point of beginning.

(B) Season: The season in Zone X-4 shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: 570100-1,500.

(6) Zone X-5a.

(A) Area: In that portion of Lassen County within a line beginning at the junction of Highway 395 and Conservation Center Road (Lassen County A-27) in the town of Litchfield; west on Conservation Center Road to its crossing of Willow Creek; northwest (upstream) on Willow Creek to its crossing of Highway 139 in the Willow Creek Valley; north along Highway 139 to the Termo-Grasshopper Road; east on the Termo-Grasshopper Road to Highway

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395; south along Highway 395 to the point of beginning.

(B) Season:

The season in Zone X-5a shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~150~~50-300.

(7) Zone X-5b.

(A) Area: 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 Roads 506, 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:

The season in Zone X-5b shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~320~~50-800.

(8) Zone X-6a.

(A) Area: In those portions of Lassen and Plumas counties within a line beginning at the junction of Highway 147 and Highway 36 near Westwood; east on Highway 36 to Conservation Center Road at Susanville (County Road A-27); east on Conservation Center Road to Highway 395 at the town of Litchfield; east on Highway 395 to the Wendel-Pyramid Lake Road (County Road 320); east on the Wendel-Pyramid Lake Road to the Nevada-California state line; south on the Nevada-California state line to the UP-WP railroad line near Herlong; west on the UP-WP railroad line to the Herlong Access Road (County Road A-25) at Herlong; west on the Herlong Access Road to Highway 395; north on Highway 395 to County Road 336 at Milford; southwest on County Road 336 to U.S. Forest Service Road 26N16 near the Plumas-Lassen county line; west on Forest Service Road 26N16 to Forest Service Road 28N03 at Doyle Crossing; west on Forest Service Road 28N03 to Forest Service Road 29N43 near Antelope Lake; south on Forest Service Road 29N43 to County Road 111 at Flournoy Bridge; south on County Road 111 to Forest Service Road 24N08; south on Forest Service Road 24N08 to County Road 112 at Lake Davis; south on County Road 112 to Highway 70; west on Highway 70 to the Highway 89 junction at Blairsden; west on Highway 89/70 to the Greenville Y west of Quincy; northwest on Highway 89 to Highway 147 at Canyon Dam; north on Highway 147 to the point of beginning.

(B) Seasons: The season in Zone X-6a shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~485~~100-1,200.

(9) Zone X-6b

(A) Area: In those portions of Lassen and Plumas counties within a line beginning at the junction of County Road 336 and Highway 395 at Milford; south on Highway 395 to the junction of Highway 395 and the Herlong Access Road (County Road A-25); east on the Herlong Access Road to its junction with the UP-WP railroad line at Herlong; east on the UP-WP railroad line to the Nevada-California state line; south on the Nevada-California state line to the junction of the Nevada-California state line and Highway 395 at Bordertown; northwest on Highway 395 to its junction with Highway 70; west on Highway 70 to its junction with County Road 112; north on County Road 112 to its junction with U.S. Forest Service Road 24N08 at Lake Davis; north on Forest Service Road 24N08 to its junction with County Road 111; northwest on County Road 111 to its junction with Forest Service Road 29N43 at Flournoy Bridge; north on Forest Service Road 29N43 to Forest Service Road 28N03 near Antelope Lake; southeast on Forest Service Road 28N03 to Forest Service Road 26N16 at Doyle Crossing; east on Forest Service Road 26N16 to County Road 336 near the Plumas-Lassen county line; north on County Road 336 to the point of beginning.

(B) Season: The season in Zone X-6b shall open on the first Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~330~~100-1,200.

(10) Zone X-7a.

(A) Area: In those portions of Lassen, Nevada, 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 Long Valley Road (County

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Road S570) to its intersection with the Henness Pass Road (County Road S860); west on Henness Pass Road over Summit 2 to the intersection with County Road S450 (near the Davies Creek Campground at Stampede Reservoir); west on County Road S450 (the Henness Pass Road) through Kyburz Flat to its intersection with Highway 89; south on Highway 89 to its intersection with Interstate 80 at Truckee; west on Interstate 80 to the Pacific Crest Trail near the Castle Peak-Boreal Ridge Summit; north on the Pacific Crest Trail to the new road to White Rock Lake (one mile west of White Rock Lake in Section 21, T18N, R14E, M.D.B.M.); north on the new White Rock Lake Road below Bear Valley to the White Rock Lake Road; north on the 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 new Gold Lake Road at Bassetts; north on the new 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: The season in Zone X-7a shall open on the third Saturday in September and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: 28050-600.

(11) Zone X-7b.

(A) Area: In those portions of Nevada, Placer 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 California-Nevada state line to the shore of Lake Tahoe; west and south along the shore of Lake Tahoe to the mouth of McKinney Creek near Chambers Lodge; south and west along McKinney Creek to the McKinney-Rubicon Springs Road (Miller Lake Road) in Section 23, T14N, R16E, M.D.B.M.; west along the McKinney-Rubicon Springs Road to the new U.S. Forest Service marked Pacific Crest Trail in Section 29, T14N, R16E, M.D.B.M.; north on the Pacific Crest Trail to its intersection with Interstate 80 near the Castle Peak-Boreal Ridge Summit; east on Interstate 80 to its intersection with Highway 89 at Truckee; north on Highway 89 to County Road S450 (the Henness Pass Road, a.k.a. the Kyburz Flat Road); east on County Road S450 to its intersection with County Road S860 (continuation of Henness Pass Road) near the Davies Creek Campground at Stampede Reservoir; east on County Road S860, over Summit 2 to the junction with County Road S570 (the Long Valley Road); north on County Road S570 to Bordertown at the point of beginning.

(B) Season: The season in Zone X-7b shall open on the third Saturday in September and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 7525-200.

(12) 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 Indian Springs Road, south to the Alpine-Mono County line; south 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: The season in Zone X-8 shall open on the fourth Saturday in September and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: 240100-750.

(13) Zone X-9a.

(A) Area: In those portions of Fresno, Inyo, Madera and Mono counties within a line beginning at the intersection of Highway 6 and the California-Nevada state line; south along Highway 6 to its junction with Highway 395; south along Highway 395 to its junction with Highway 168; west and south along Highway 168 to the North Lake Road turnoff; west along the North Lake Road and the Piute Pass Trail to the Sierra Crest (Inyo National Forest Boundary); north along the Inyo National Forest Boundary to the Deer Creek Trail; south and west along the Deer Creek Trail to the upper crossing of Deer Creek; west and south along Deer Creek to its confluence with Fish Creek; west along Fish Creek to its confluence with the middle fork of the San Joaquin River; north along the middle fork of the San Joaquin River to the junction of King Creek; west along King Creek to the junction of Ashley Creek; west along Ashley Creek to Ashley Lake; continue west along Ashley Creek to the junction of the Inyo National Forest boundary; north along the Inyo National Forest Boundary (the crest of the Ritter Range) to the Mono-Tuolumne county line; north on the Mono-Tuolumne county line to the Virginia Lakes Trail (Entry Trail D-11); east along Virginia Lakes Trail to Virginia Lakes

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Road; east along Virginia Lakes Road to Highway 395; south along Highway 395 to Highway 167; east on Highway 167 to the California-Nevada state line; southeast on the California-Nevada state line to the point of beginning.

(B) Season: The season in Zone X-9a shall open on the third Saturday in September and extend for 24 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~850~~100-1,200.

(14) Zone X-9b.

(A) Area: That portion of Inyo county within a line beginning at the intersection of Highway 395 and Cottonwood Creek; northwest along Cottonwood Creek to the Horseshoe Meadow Road; south along the Horseshoe Meadow Road to the Cottonwood Pass Trail; west along the Cottonwood Pass Trail through Horseshoe Meadow to the Inyo-Tulare county line at Cottonwood Pass; north on the Inyo-Tulare and the Inyo-Fresno county lines to the Piute Pass Trail; east along the Piute Pass Trail to the North Lake Road; east and south on the North Lake Road to Highway 168; north and east on Highway 168 to Highway 395; south on Highway 395 to the point of beginning.

(B) Season: The season in Zone X-9b shall open on the third Saturday in September and extend for 24 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~300~~100-600.

(15) Zone X-9c.

(A) Area: In those portions of Inyo and Mono counties within a line beginning at Highway 395 and the Kern-Inyo county line; north along Highway 395 to Highway 6; north on Highway 6 to the California-Nevada state line; southeast along the California-Nevada state line to Highway 127; south along Highway 127 to the Inyo-San Bernardino county line; west along the Inyo-San Bernardino county line to the Kern-Inyo county line; west along the Kern-Inyo county line to the point of beginning.

(B) Season: The season in Zone X-9c shall open on the third Saturday in October and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~850~~100-1,000.

(16) Zone X-10.

(A) Area: In those portions of Kern, Tulare and Inyo counties within a line beginning at the intersection of Highway 178 and the Doyle Ranch Road in the town of Onyx; north along the Doyle Ranch Road to the South Fork of the Kern River; north along the South Fork of the Kern River to the Chimney Meadow-Blackrock Station Road (Forest Road 21S03); northwest along the Chimney Meadow-Blackrock Station Road through Troy Meadows to the road's end at the Inyo and Sequoia National Forest boundary near Blackrock Mountain; northwest along the Inyo and Sequoia National Forest boundary to the main Kern River; northwest along the main Kern River to the Sequoia National Park boundary; northeast along the Sequoia National Park boundary to the Inyo-Tulare county line; southeast along the Inyo-Tulare county line to the Cottonwood Pass Trail at Cottonwood Pass; east along the Cottonwood Pass Trail through Horseshoe Meadow to the Horseshoe Meadow Road; north along the Horseshoe Meadow Road to Cottonwood Creek; southeast along Cottonwood Creek to Highway 395; south along Highway 395 to Highway 14; south along Highway 14 to Highway 178; north and west along Highway 178 to the point of beginning.

(B) Seasons:

~~1. For Period One~~ The season in Zone X-10 shall open on the last Saturday in September and extend for 16 consecutive days.

~~2. For Period Two~~ the season in Zone X-10 shall open on the third Saturday in October and extend for 16 consecutive days:

(C) Bag and Possession Limit: One buck, forked horn (See subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~Applicants must specify Period One (400 tags) or Period Two (300 tags) (See subsection 360(b)(17)(B)1. and 2.) when applying for this hunt~~200-600.

(17) Zone X-12.

(A) Area: That portion of Mono County within a line beginning at the junction of the California-Nevada state line and Highway 167 (Pole Line Road); west on Highway 167 to Highway 395; north on Highway 395 to Virginia Lakes Road; west on Virginia Lakes Road to the Virginia Lakes Trail (Entry Trail D11); northwest on the Virginia Lakes Trail to the Mono-Tuolumne county line; north along the Mono-Tuolumne county line to the Mono-Alpine county line; northeast along

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the Mono-Alpine county line to the Indian Springs Road; northeast on Indian Springs Road to the California-Nevada state line; southeast on the California-Nevada state line to the point of beginning.

(B) Season: The season in Zone X-12 shall open on the third Saturday in September and extend for 24 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 570100-1,200.

Subsection (c) of Section 360, Title 14, CCR, is amended to read:

(c) Additional Hunts.

(1) G-1 (Late Season Buck Hunt for Zone C-4).

(A) Area: Those portions of Butte, Glenn, Lassen, Plumas, Shasta, and Tehama counties within the area described as Zone C-4 (see subsection 360(a)(3)(A)4.).

(B) Season: The season for additional hunt G-1 (Late Season Buck Hunt for Zone C-4) shall open on the fourth Saturday in October and extend for 9 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~4,000~~500-5,000.

(2) G-3 (Goodale Buck Hunt).

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

(B) Season: The season for additional hunt G-3 (Goodale Buck Hunt) shall open on the first Saturday in December and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Permits: 2525-50.

(3) G-6 (Kern River Deer Herd Buck Hunt).

(A) Area: In those portions of Kern and Tulare counties lying within a line beginning at the intersection of County Road 521 and County Road 495 at Kernville; south on County Road 495 to the intersection of Highway 155 at Wofford Heights; west on Highway 155 to the intersection of U.S. Forest Service Road 24S15 at Greenhorn Summit; north on U.S. Forest Service Road 24S15 to the intersection of U.S. Forest Service Road 23S16 (near Portuguese Pass); northeast on U.S. Forest Service Road 23S16 to County Road SM50; west on County Road SM50 to the intersection of the Western Divide Highway (County Road SM107); north on County Road SM107 to the junction of U.S. Forest Service Road 21S50 (near Quaking Aspen Campground); north on U.S. Forest Service Road 21S50 to the junction of U.S. Forest Service Road 20S79; northeast on U.S. Forest Service Road 20S79 to the junction of U.S. Forest Service Road 20S53; northeast on U.S. Forest Service Road 20S53 to the Golden Trout Wilderness boundary (at Lewis Camp Trail Head); east on the Golden Trout Wilderness Boundary to Rattlesnake Creek; southeast on Rattlesnake Creek to U.S. Forest Service Road 22S05; south on U.S. Forest Service Road 22S05 to the Dome Land Wilderness Boundary; southwest on the Dome Land Wilderness Boundary to the intersection of the South Fork of the Kern River; south along the South Fork of the Kern River to the intersection of County Road 521; west on County Road 521 to the point of beginning.

(B) Season: The season for additional hunt G-6 (Kern River Deer Herd Buck Hunt) shall open on the first Saturday in December and extend for 9 consecutive days.

(C) Bag and possession limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of tags: ~~5025~~5025-100.

(4) G-7 (Beale Either-Sex Deer Hunt).

(A) Area: That portion of Yuba County lying within the exterior boundaries of Beale Air Force Base.

(B) Season: The season for additional hunt G-7 (Beale Either-Sex Deer Hunt) shall open on the second Saturday in September and extend for 51 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 20 (military only).

(E) Special Conditions: Only shotguns with single slugs or muzzleloading rifles, crossbows, and archery

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equipment as specified in sections 353 and 354 may be used.

(5) G-8 (Fort Hunter Liggett Antlerless Deer Hunt).

(A) Area: That portion of Monterey County lying within the exterior boundaries of the Hunter Liggett Military Reservation, except as restricted by the Commanding Officer.

(B) Season: The season for additional hunt G-8 (Fort Hunter Liggett Antlerless Deer Hunt) shall be open Saturdays, Sundays, and federal holidays only beginning the second Saturday in October and extending for four consecutive weekends.

(C) Bag and Possession Limit: One antlerless deer (see subsection 351(b)) per tag.

(D) Number of Tags: 60 (30 military and 30 general public).

(6) G-9 (Camp Roberts Antlerless Deer Hunt).

(A) Area: That portion of San Luis Obispo County lying within the exterior boundaries of Camp Roberts, except as restricted by the Commanding Officer.

(B) Season: The season for additional hunt G-9 (Camp Roberts Antlerless Deer Hunt) shall open the last Monday in August and extending for 8 consecutive days.

(C) Bag and Possession Limit: One antlerless deer (see subsection 351(b)) per tag.

(D) Number of Tags: 30 (15 military and 15 general public).

(7) G-10 (Camp Pendleton Either-Sex Deer Hunt).

(A) Area: That portion of San Diego County lying within the exterior boundaries of the U.S. Marine Corps Base, Camp Joseph Pendleton.

(B) Season: The season for additional hunt G-10 (Camp Pendleton Either-Sex Deer Hunt) shall open the first Saturday in October and extending for ~~65~~72 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 480 (380 military and 100 general public).

(E) Special Conditions: Only archery equipment is permitted during the first 35 days of the season; firearm hunting is allowed on weekends and the day after Thanksgiving Day only; and passage of a safety test, a permit fee, and method of take registration with the Base are required.

(8) G-11 (Vandenberg Antlerless Either-Sex Deer Hunt).

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

(B) Season: The season for additional hunt G-11 (Vandenberg Antlerless Either-Sex Deer Hunt) shall open on the last Monday in August and extend for ~~28~~126 consecutive days.

(C) Bag and Possession Limit: One antlerless either-sex deer (see subsection 351(bc)) per tag.

(D) Number of Tags: ~~200 (military only)~~500 (military and Department of Defense employees only).

(89) G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt).

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

(B) Season: The season for additional hunt G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt) shall open on the third Saturday in September and extend for nine consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: ~~30~~10-30.

(E) Special Conditions: Only shotguns and ammunition as specified in Section 353 may be used.

(910) G-13 (San Diego Antlerless Deer Hunt).

(A) Area: ~~All of San Diego County excluding that portion lying west of the line described as follows: Beginning at the San Diego-Riverside county line, south along Highway 395 to the San Luis Rey River, southwest along the San Luis Rey River to the Pacific Ocean. That portion of San Diego County within Zone D-16 (see subsection 360(a)(15)(A)).~~

(B) Season: The season for additional hunt G-13 (San Diego Antlerless Deer Hunt) shall open on the fourth Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One antlerless deer (see subsection 351(b)) per tag.

(D) Number of Tags: ~~300~~50-300.

(1011) G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt).

(A) Area: Those portions of Yuba and Sutter counties within the exterior boundaries of: (1) the Feather River Wildlife Area, (2) the ~~Fisdale Bypass~~ portion of the Sutter Bypass Wildlife Area, and (3) the Butte Slough Wildlife Area

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(as defined in Section 550, Title 14, CCR).

(B) Season: The season for additional hunt G-19 (Sutter-Yuba Wildlife Areas, Either-Sex Deer Hunt) shall open on the fourth Saturday in September and extend for 100 consecutive days.

(C) Bag and Possession Limit: one either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 2510-25.

(E) Special Conditions: Only archery equipment and crossbows (as specified in Section 354) and shotguns and ammunition (as specified in Section 353) may be used.

~~(1112)~~ G-21 (Ventana Wilderness Buck Hunt).

(A) Area: That portion of Monterey County and the Los Padres National Forest within the exterior boundaries of the Ventana Wilderness Area.

(B) Season: The season for additional hunt G-21 (Ventana Wilderness Buck Hunt) shall open on the second Saturday in November and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 5925-100.

~~(1213)~~ G-37 (Anderson Flat Buck Hunt).

(A) Area: In that portion of hunt Zone D-6 in Mariposa and Tuolumne counties lying within a line beginning at the intersection of Highway 140 and Bull Creek Road at Briceburg; north on Bull Creek Road (U.S. Forest Service Road 2S05) to Greeley Hill Road; west on Greeley Hill Road to Smith Station Road (County Route J20); north on Smith Station Road to Highway 120 (near Burch Meadow); east on Highway 120 to the Yosemite National Park Boundary (near Big Oak-Flat Ranger Station); southeast along the Yosemite National Park Boundary to Highway 140; west on Highway 140 to the Yosemite National Park Boundary; northwest along the Yosemite National Park Boundary to Highway 140 (at Redbud Campground); west on Highway 140 to the point of beginning.

(B) Season: The season for additional hunt G-37 (Anderson Flat Buck Hunt) shall open on the fourth Saturday in November and extend for nine consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 2525-50.

(14) G-38 (X-10 Late Season Buck Hunt).

(A) Area: In those portions of Kern, Tulare, and Inyo counties within a line beginning at the intersection of Highway 178 and the Doyle Ranch Road in the town of Onyx; north along the Doyle Ranch Road to the South Fork of the Kern River; north along the South Fork of the Kern River to the Chimney Meadow-Blackrock Station Road (Forest Road 21S03); northwest along the Chimney Meadow-Blackrock Station Road through Troy Meadows to the road's end at the Inyo and Sequoia National Forest boundary near Blackrock Mountain; northwest along the Inyo and Sequoia National Forest boundary to the main Kern River; northwest along the main Kern River to the Sequoia National Park boundary; northeast along the Sequoia National Park boundary to the Inyo-Tulare county line; southeast along the Inyo-Tulare county line to the Cottonwood Pass Trail at Cottonwood Pass; east along the Cottonwood Pass Trail through Horseshoe Meadow to the Horseshoe Meadow Road; north along the Horseshoe Meadow Road to Cottonwood Creek; southeast along Cottonwood Creek to Highway 395; south along Highway 395 to Highway 14; south along Highway 14 to Highway 178; north and west along Highway 178 to the point of beginning.

(B) Season: The season for additional hunt G-38 (X-10 Late Season Buck Hunt) shall open on the third Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 50-300.

~~(1315)~~ M-3 (Doyle Muzzleloading Rifle Buck Hunt).

(A) Area: That portion of Lassen County within the area described as X-6b (see subsection 360(b)(9)(A)).

(B) Season: The season for additional hunt M-3 (Doyle Muzzleloading Rifle Buck Hunt) shall open on the third Saturday in November and extend for nine consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 3520-75.

(E) Special Conditions: Only muzzleloading rifles as specified in Section 353 may be used.

~~(1416)~~ M-4 (Horse Lake Muzzleloading Rifle Buck Hunt).

(A) Area: That portion of Lassen County within the area described as X-5a (see subsection 360(b)(6)(A)).

(B) Season: The season for additional hunt M-4 (Horse Lake Muzzleloading Rifle Buck Hunt) shall open on the

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fourth Saturday in October and extend for nine consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 4515-50.

(E) Special Conditions: Only muzzleloading rifles as specified in Section 353 may be used.

~~(4517)~~ M-5 (East Lassen Muzzleloading Rifle Buck Hunt).

(A) Area: That portion of Lassen County within the area described as X-5b (see subsection 360(b)(7)(A)).

(B) Season: The season for additional hunt M-5 (East Lassen Muzzleloading Rifle Buck Hunt) shall open on the fourth Saturday in October and extend for nine consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 4515-50.

(E) Special Conditions: Only muzzleloading rifles as specified in Section 353 may be used.

~~(4618)~~ M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt).

(A) Area: ~~All of San Diego County, excluding that portion lying west of the line described as follows: Beginning at the San Diego-Riverside county line, south along Highway 395 to the San Luis Rey River, southwest along the San Luis Rey River to the Pacific Ocean. That portion of San Diego County within Zone D-16 (see subsection 360(a)(15)(A)).~~

(B) Season: The season for additional hunt M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt) shall open on the third Saturday in January and extend for nine consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 8925-100.

(E) Special Conditions: Only muzzleloading rifles as specified in Section 353 may be used.

~~(4719)~~ M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt).

(A) Area: All of Ventura County.

(B) Season: The season for additional hunt M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt) shall open on the last Saturday in November and extend for 16 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 45950-150.

(E) Special Conditions: Only muzzleloading rifles as specified in Section 353 may be used.

~~(4820)~~ M-8 (Bass Hill Muzzleloading Rifle Buck Hunt).

(A) Area: That portion of Lassen County within the area described as Zone X-6a (see subsection 360(b)(8)(A)).

(B) Season: The season for additional hunt M-8 (Bass Hill Muzzleloading Rifle Buck) shall open on the fourth Saturday in October and extend for 9 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 2520-75.

(E) Special Conditions: Only muzzleloading rifles as specified in Section 353 may be used.

~~(4921)~~ M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt).

(A) Area: That portion of Modoc County within a line beginning at the intersection of the Malin Road (Modoc County 114) and the California/Oregon state line; east along the state line to the Crowder Flat Road; south along the Crowder Flat Road to the Blue Mountain Road (Modoc County 136); west on the Blue Mountain Road to the Blue Mountain-Mowitz Butte-Ambrose Road; south on the Blue Mountain-Mowitz Butte-Ambrose Road to Highway 139; north on Highway 139 to the Malin Road; north on the Malin Road to the point of beginning.

(B) Season: The season for additional hunt M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt) shall open on the fourth Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 2920-100.

(E) Special Conditions: Only muzzleloading rifles as specified in Section 353 may be used.

~~(2922)~~ M-11 (Northwestern California Muzzleloading Rifle Buck Hunt).

(A) Area: Those portions of Del Norte, Glenn, Humboldt, Lake, Mendocino, Siskiyou, and Trinity counties within the area described as Zone B-1 (see subsection 360(a)(2)(A)1).

(B) Season: The season for additional hunt M-11 (Northwestern California Muzzleloading Rifle Buck Hunt) shall open on the second Saturday in November and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 2920-200.

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(E) Special Conditions: Only muzzleloading rifles as specified in Section 353 may be used.

(2123) MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Either-Sex Deer Hunt).

(A) Area: That portion of San Luis Obispo County lying within the Los Padres National Forest.

(B) Season: The season for additional hunt MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Either-Sex Deer Hunt) shall open the last Saturday in November and extend for 16 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 45020-150.

(E) Special Conditions: Only archery equipment as specified in Section 354 or muzzleloading rifles as specified in Section 353 may be used.

(2224) MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt).

(A) Area: All of Santa Barbara County.

(B) Season: The season for additional hunt MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt) shall open on the last Saturday in November and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 45050-200.

(E) Special Conditions: Only muzzleloading rifles as specified in Section 353 and archery equipment as specified in Section 354 may be used.

(2325) J-1 (Lake Sonoma Junior Either-Sex Deer Hunt).

(A) Area: That portion of Sonoma County within the boundaries of the Lake Sonoma Area, U.S. Army Corps of Engineers (COE) property described as follows: Beginning at the intersection of Hot Springs Road and the COE boundary; east and south along the boundary line to the intersection with Brush Creek; west along the north bank of Brush Creek (shoreline) to the Dry Creek arm of Lake Sonoma; south along the shoreline of the Dry Creek arm to Smittle Creek; north along the COE property line to Dry Creek; east along the COE boundary across Cherry Creek, Skunk Creek, and Yorty Creek to the point of beginning.

(B) Season: The season for additional hunt J-1 (Lake Sonoma Junior Either-Sex Deer Hunt) shall open on the first Saturday in November and extend for two consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 2510-25.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).

2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

3. Tagholders shall attend an orientation meeting the day before the opening day of the season.

4. The use of dogs is prohibited.

5. Boats are required for all areas west of Cherry Creek (2/3 of the hunt area). Only cartop boats are allowed to launch from the Yorty Creek access.

(2426) J-3 (Tehama Wildlife Area Junior Buck Hunt).

(A) Area: That portion of Tehama County within the boundaries of the Tehama Wildlife Area.

(B) Season: The season for additional hunt J-3 (Tehama Wildlife Area Junior Buck Hunt) shall open on the last Saturday in November and extend for 2 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 4515-30.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).

2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

3. Tagholders shall attend an orientation meeting the day before the opening day of the season.

(2527) J-4 (Shasta-Trinity Junior Buck Hunt).

(A) Area: In those portions of Shasta and Trinity counties beginning at the junction of Highway 3 and Highway 299 in Weaverville; north on Highway 3 to the East Side Road at the north end of Trinity Lake; east on the East Side 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 along Shasta Dam along the Sacramento River to

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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: The season for additional hunt J-4 (Shasta-Trinity Junior Buck Hunt) shall open on the fourth Saturday in November and extend for nine consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~4~~515-50.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).

2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

3. Tagholders shall attend an orientation meeting the day before the opening day of the season.

~~(2628)~~ J-7 (Carson River Junior Either-Sex Deer Hunt).

(A) Area: In those portions of Zone X-8 in Alpine County within a line beginning at the junction of the El Dorado-Alpine county line and California-Nevada state line; southeast along the California-Nevada state line to the Indian Springs Road; south to the Alpine-Mono county line; south along the Alpine-Mono county line to the Sierra Crest; northwest along the Sierra Crest to the El Dorado-Alpine county line; northeast along the El Dorado-Alpine county line to the point of beginning.

(B) Season: The season for additional hunt J-7 (Carson River Junior Either-Sex Deer Hunt) shall open on the first Saturday following the closure of the X-8 general season (see subsection 360(b)(12)(B)) and extend for 9 consecutive days.

(C) Bag and Possession limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: ~~4~~10-30.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).

2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

~~(2729)~~ J-8 (Daugherty Hill Wildlife Area Junior Either-Sex Deer Hunt).

(A) Area: That portion of Yuba County within the exterior boundaries of the Daugherty Hill Wildlife Area (as defined in Section 550, Title 14, CCR).

(B) Season: The season for additional hunt J-8 (Daugherty Hill Wildlife Area Junior Either-Sex Deer Hunt) shall open on the third Saturday in December and extend for 23 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: ~~4~~210-20.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).

2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

3. Tagholders shall attend an orientation meeting the day before the opening day of the season.

~~(2830)~~ J-9 (Little Dry Creek Junior Shotgun Either-Sex Deer Hunt).

(A) Area: That portion of Butte County within the exterior boundaries of the Little Dry Creek Unit Upper Butte Basin Wildlife Area (as defined in Section 550).

(B) Season: The season for additional hunt J-9 (Little Dry Creek Junior Shotgun Either-Sex Deer Hunt) shall open on the third Saturday in September and extend for 9 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)), per tag.

(D) Number of Tags: ~~5~~5-10.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).

2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

3. Tagholders shall attend an orientation meeting the day before the opening day of the season.

4. Only shotguns and ammunition as specified in Section 353 may be used.

~~(2931)~~ J-10 (Fort Hunter Liggett Junior Either-Sex Deer Hunt).

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(A) Area: That portion of Monterey County lying within the exterior boundaries of the Fort Hunter Liggett Military Reservation, except as restricted by the Commanding Officer.

(B) Season: The season for additional hunt J-10 (Fort Hunter Liggett Junior Either-Sex Deer Hunt) shall be open ~~on Saturdays and Sundays only beginning the first Saturday in October and extend for two consecutive weekends; the last Saturday in September and extend for two consecutive weekends including the Columbus Day holiday, except if rescheduled between October 1 and November 30 by the Commanding Officer.~~

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 40 (10 military and 30 general public).

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).
2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.
3. Tagholders shall attend an orientation meeting the day before the opening day of the season.

~~(3032)~~ J-11 (San Bernardino Junior Either-Sex Deer Hunt).

(A) Area: In those portions of Zone D-14 within San Bernardino County (see subsection 360(a)(4513)(A)).

(B) Season: The season for additional hunt J-11 (San Bernardino Junior Either-Sex Deer Hunt) shall open on the third Saturday in November and extend for 9 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: ~~40~~10-50.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).
2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

~~(3433)~~ J-12 (Round Valley Junior Buck Hunt).

(A) Area: In that portion of Inyo and Mono counties within a line beginning at the intersection of U.S. Highway 395 and California Highway 168; west and south along Highway 168 to the North Lake Road turnoff; west along the North Lake Road and the Paiute Pass Trail to the Inyo-Fresno county line; north along the Inyo-Fresno county line to the Mono-Fresno county line; north along the Mono-Fresno and Mono-Madera county lines to the junction of the Mono-Madera county line and California Highway 203 at Minaret Summit; southeast along Highway 203 to its junction with Highway 395; south along Highway 395 to the point of beginning.

(B) Season: The season for additional hunt J-12 (Round Valley Junior Buck Hunt) shall open on the first Saturday in December and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~40~~10-20.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).
2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

~~(34)~~ J-13 (Los Angeles Junior Either-Sex Deer Hunt).

(A) Area: In that portion of Los Angeles County within Zone D-11 (see subsection 360(a)(10)(A)).

(B) Season: The season for additional hunt J-13 (Los Angeles Junior Either-Sex Deer Hunt) shall open on the third Saturday in November and extend for 9 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 25-100.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).
2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

~~(35)~~ J-14 (Riverside Junior Either-Sex Deer Hunt).

(A) Area: In that portion of Riverside County within Zone D-19 (see subsection 360(a)(17)(A)).

(B) Season: The season for additional hunt J-14 (Riverside Junior Either-Sex Deer Hunt) shall open on the third Saturday in November and extend for 9 consecutive days.

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(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 15-75.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).

2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

(36) J-15 (Anderson Flat Junior Buck Hunt).

(A) Area: In that portion of Zone D-6 in Mariposa and Tuolumne counties lying within a line beginning at the intersection of Highway 140 and Bull Creek Road at Briceburg; north on Bull Creek Road (U.S. Forest Service Road 2S05) to Greeley Hill Road; west on Greeley Hill Road to Smith Station Road (County Route J20); north on Smith Station Road to Highway 120 (near Burch Meadow); east on Highway 120 to the Yosemite National Park Boundary (near Big Oak-Flat Ranger Station); southeast along the Yosemite National Park Boundary to Highway 140; west on Highway 140 to the Yosemite National Park Boundary; northwest along the Yosemite National Park Boundary to Highway 140 (at Redbud Campground); west on Highway 140 to the point of beginning.

(B) Season: The season for additional hunt J-15 (Anderson Flat Junior Buck Hunt) shall open on the fourth Saturday in November and extend for nine consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 5-30.

(E) Special Conditions:

1. Only junior license holders shall apply (see Section 371).

2. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.

(3237) Conditions for Special Hunts.

(A) 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.

(B) When required, tagholders shall check in and check out of designated check stations.

Subsection (d) of Section 360, Title 14, CCR, is amended to read:

(d) Fund-raising License Tags.

Fund-raising license tags (Golden Opportunity and Open Zone) for the taking of buck deer (as defined in subsection 351(a)) shall be offered for sale to raise funds for the management of deer through the Deer Herd Management Plan Implementation Program. Any resident or nonresident is eligible to purchase a fund-raising license tag. The sale price of a fund-raising license tag includes the fees for deer tag applications and for processing and issuing a hunting license. The purchaser shall be issued a hunting license and fund-raising license tag only after meeting the hunter education requirements for a hunting license.

(1) Golden Opportunity Tag.

(A) Area: Golden Opportunity tags shall be valid statewide.

(B) Season: Golden Opportunity tags shall be valid beginning on the second Saturday in July and extend through January 31.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 5.

(E) Special Conditions:

1. The holder of a Golden Opportunity tag may take deer using methods authorized in sections 353 and 354.

2. Fund-raising license tagholders who receive a deer tag pursuant to Section 371 shall be allowed to exchange that tag under the provisions of subsection 371(e). Tagholders shall not be entitled to obtain more than two (2) deer tags as described in subsection 371(c).

3. Tagholders shall report to the Regional Patrol Chief at the appropriate Department of Fish and Game Regional Headquarters prior to hunting as to the time and area they intend to hunt.

(2) Open Zone Tag.

(A) Area: Open Zone tags shall be valid in the areas as described in sections 360 and 361.

(B) Season: Open Zone tags shall be valid during the authorized seasons described in sections 360 and 361.

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(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 5.

(E) Special Conditions:

1. The holder of an Open Zone tag shall meet any special conditions and take deer using the method of take described in sections 360 and 361.

2. Fund-raising license tagholders who receive a deer tag pursuant to Section 371 shall be allowed to exchange that tag under the provisions of subsection 371(e). Tagholders shall not be entitled to obtain more than two (2) deer tags as described in subsection 371(c).

3. Tagholders shall report to the Regional Patrol Chief at the appropriate Department of Fish and Game Regional Headquarters prior to hunting as to the time and area they intend to hunt.

NOTE

Authority: Sections 200, 202, 203, 220, 460, 3452, 3453 and 4334, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 458, 459, 460, 3452, 3453 and 4334, Fish and Game Code.

3. 361. Archery Deer Hunting.

Section 361, Title 14, CCR, is amended to read:

361. Archery Deer Hunting.

(a) Archery Hunting With General Deer Zone Tags. Deer may be taken during the archery season only with archery equipment specified in Section 354 as follows:

(1) A Zone.

(A) Area: As described in subsection 360(a)(1).

(B) Season: The archery deer season in Zone A shall open on the second Saturday in July and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(2) B Zones.

(A) Zones B-1 through B-3, B-5 and B-6.

1. Area: As described in subsection 360(a)(2)(A).

2. Season: The archery deer season in zones B-1 through B-3, B-5 and B-6 shall open on the third Saturday in August and extend for 23 consecutive days.

3. Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(B) Zone B-4.

1. Area: As described in subsection 360(a)(2)(A)4.

2. Season: The archery deer season in Zone B-4 shall open on the fourth Saturday in July and extend for 23 consecutive days.

(3) C Zones (Note: see subsection 361(b) below for Zones C-1 and C-4).

(A) Zones C-2 and C-3.

1. Area: As described in subsections 360(a)(3)(A)2. and 3.

2. Season: The archery season in zones C-2 and C-3 shall open on the second Saturday in August and extend for 23 consecutive days.

3. Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(4) D Zones.

(A) Zones D-3 through ~~D-10~~ D-5.

1. Area: As described in subsection 360(a)(4)(A)1. through ~~(11)(A)3.~~

2. Season: The archery season in zones D-3 ~~through D-10,~~ D-4, and D-5 shall open on the third Saturday in August and extend for 23 days.

3. Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

4. Special Conditions: Hunters that possess a Zone D-3-5 tag may hunt in zones D-3, D-4, and D-5.

(B) Zones D-6 through D-10.

1. Area: As described in subsection 360(a)(5)(A) through (9)(A).

2. Season: The archery season in zones D-6 through D-10 shall open on the third Saturday in August and extend

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for 23 days.

3. Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(BC) Zones D-11, D-13 and D-15.

1. Area: As described in subsection 360(a)(~~4210~~)(A), (~~4412~~)(A) and (~~4614~~)(A), respectively.

2. Season: The archery season in zones D-11, D-13 and D-15 shall open on the first Saturday in September and extend for 23 days.

3. Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

4. Special Conditions: Hunters that possess a D-11, D-13, or D-15 tag may hunt in any, or all three of those zones.

(C) Zone D-12.

1. Area: As described in subsection 360(a)(~~4311~~)(A).

2. Season: The archery season in Zone D-12 shall open on the first Saturday in October and extend for 23 consecutive days.

3. Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Zones D-14, D-16, D-17 and D-19.

1. Area: As described in subsection 360(a)(~~4513~~)(A), (~~4715~~)(A), (~~4816~~)(A) and (~~4917~~)(A), respectively.

2. Season: The archery season in zones D-14, D-16, D-17 and D-19 shall open on the first Saturday in September and extend for 23 consecutive days.

3. Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(b) Archery Hunting With Area-specific Archery Tags. Deer may be taken only with archery equipment specified in Section 354, only during the archery seasons as follows:

(1) Zone C-1 Archery (Hunt Number A-1)

(A) Area: As described in subsection 360(a)(3)(A)1.

(B) Season: The archery season for Zone C-1 shall open on the third Saturday in August and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~500~~50-1,000.

(2) Zone C-4 Archery (Hunt Number A-2)

(A) Area: As described in subsection 360(a)(3)(A)4.

(B) Season: The archery season for Zone C-4 shall open on the last Saturday in August and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~1,500~~100-5,000.

(3) Zone X-1 Archery (Hunt Number A-3)

(A) Area: As described in subsection 360(b)(1)(A).

(B) Season: The archery season for Zone X-1 shall open on the third Saturday in August and extend for ~~46~~23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~225~~50-1,000.

(4) Zone X-2 Archery (Hunt Number A-4)

(A) Area: As described in subsection 360(b)(2)(A).

(B) Season: The archery season for Zone X-2 shall open on the third Saturday in August and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~25~~25-200.

(5) Zone X-3a Archery (Hunt Number A-5)

(A) Area: As described in subsection 360(b)(3)(A).

(B) Season: The archery season for Zone X-3a shall open on the third Saturday in August and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~59~~25-300.

(6) Zone X-3b Archery (Hunt Number A-6)

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- (A) Area: As described in subsection 360(b)(4)(A).
(B) Season: The archery season for Zone X-3b shall open on the third Saturday in August and extend for 23 consecutive days.
(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.
(D) Number of Tags: 9525-400.
(7) Zone X-4 Archery (Hunt Number A-7).
(A) Area: As described in subsection 360(b)(5)(A).
(B) Season: The archery season for Zone X-4 shall open on the third Saturday in August and extend for 23 consecutive days.
(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.
(D) Number of Tags: 8025-400.
(8) Zone X-5a Archery (Hunt Number A-8).
(A) Area: As described in subsection 360(b)(6)(A).
(B) Season: The archery season for Zone X-5a shall open on the third Saturday in August and extend for 23 consecutive days.
(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.
(D) Number of Tags: 1515-100.
(9) Zone X-5b Archery (Hunt Number A-9).
(A) Area: As described in subsection 360(b)(7)(A).
(B) Season: The archery season for Zone X-5b shall open on the third Saturday in August and extend for 23 consecutive days.
(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.
(D) Number of Tags: 3015-100.
(10) Zone X-6a Archery (Hunt Number A-11).
(A) Area: As described in subsection 360(b)(8)(A).
(B) Season: The archery season for Zone X-6a shall open on the third Saturday in August and extend for 23 consecutive days.
(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.
(D) Number of Tags: 14025-300.
(11) Zone X-6b Archery (Hunt Number A-12).
(A) Area: As described in subsection 360(b)(9)(A).
(B) Season: The archery season for Zone X-6b shall open on the third Saturday in August and extend for 23 consecutive days.
(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.
(D) Number of Tags: 6025-200.
(12) Zone X-7a Archery (Hunt Number A-13).
(A) Area: As described in subsection 360(b)(10)(A).
(B) Season: The archery season for Zone X-7a shall open on the third Saturday in August and extend for 23 consecutive days.
(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.
(D) Number of Tags: 4025-200.
(13) Zone X-7b Archery (Hunt Number A-14).
(A) Area: As described in subsection 360(b)(11)(A).
(B) Season: The archery season for Zone X-7b shall open on the third Saturday in August and extend for 23 consecutive days.
(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.
(D) Number of Tags: 2515-100.
(14) Zone X-8 Archery (Hunt Number A-15).
(A) Area: As described in subsection 360(b)(12)(A).
(B) Season: The archery season for Zone X-8 shall open on the third Saturday in August and extend for 23 consecutive days.
(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

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(D) Number of Tags: ~~50~~25-200.

(15) Zone X-9a Archery (Hunt Number A-16).

(A) Area: As described in subsection 360(b)(13)(A).

(B) Season: The archery season for Zone X-9a shall open on the third Saturday in August and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~350~~50-750.

(16) Zone X-9b Archery (Hunt Number A-17).

(A) Area: As described in subsection 360(b)(14)(A).

(B) Season: The archery season for Zone X-9b shall open on the third Saturday in August and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~300~~50-600.

(17) Zone X-9c Archery (Hunt Number A-18).

(A) Area: As described in subsection 360(b)(15)(A).

(B) Season: The archery season for Zone X-9c shall open on the third Saturday in August and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~350~~50-500.

(18) Zone X-10 Archery (Hunt Number A-19).

(A) Area: As described in subsection 360(b)(16)(A).

(B) Season: The archery season for Zone X-10 shall open on the third Saturday in August and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~120~~25-200.

(19) Zone X-12 Archery (Hunt Number A-20).

(A) Area: As described in subsection 360(b)(17)(A).

(B) Season: The archery season for Zone X-12 shall open on the third Saturday in August and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~95~~25-500.

(20) Anderson Flat Archery Buck Hunt (Hunt Number A-21).

(A) Area: In that portion of hunt Zone D-6 in Mariposa and Tuolumne counties lying within a line beginning at the intersection of Highway 140 and Bull Creek Road at Briceburg; north on Bull Creek Road (U.S. Forest Service Road 2S05) to Greeley Hill Road; west on Greeley Hill Road to Smith Station Road (County Route J20); north on Smith Station Road to Highway 120 (near Burch Meadow); east on Highway 120 to the Yosemite National Park Boundary (near Big Oak-Flat Ranger Station); southeast along the Yosemite National Park Boundary to Highway 140; west on Highway 140 to the Yosemite National Park Boundary; northwest along the Yosemite National Park Boundary to Highway 140 (at Redbud Campground); west on Highway 140 to the point of beginning.

(B) Season: The season for the Anderson Flat Archery Buck Hunt shall open on the second Saturday in November and extend for 14 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~25~~25-100.

(21) San Diego Archery Either-Sex Deer Hunt (Hunt Number A-22).

(A) Area: ~~All of San Diego County, excluding the U.S. Marine Corps Base, Camp Pendleton. That portion of San Diego County within Zone D-16 (see subsection 360(a)(15)(A)).~~

(B) Season: The season for the San Diego Archery Either-Sex Deer Hunt shall open on the first Saturday in September and extend for 44 consecutive days, and reopen on the first Saturday in December and extend through January 31.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: ~~1,000~~100-1,000.

(22) Los Angeles Archery Antlerless Deer Hunt (Hunt Number A-23).

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(A) Area: That portion of Los Angeles County within a line beginning at the intersection of the Los Angeles-Ventura County line and the Pacific Ocean coastline, north and east on the Los Angeles-Ventura County line to Highway 118, east on Highway 118 to Interstate 5, north and west on Interstate 5 to Highway 138, east and south on Highway 138 to the Los Angeles-San Bernardino County line, south and west on the Los Angeles-San Bernardino County line to the Los Angeles-Orange County line, west and south on the Los Angeles-Orange County line to the Pacific Ocean coastline, west and north on the Pacific Ocean coastline to the point of beginning. That portion of Los Angeles County within Zone D-11 (see subsection 360(a)(10)(A)).

(B) Season: The season for the Los Angeles Archery Antlerless Deer Hunt shall open on the fourth Saturday in September and extend through January 31.

(C) Bag and Possession Limit: One antlerless deer (see subsection 351(b)) per tag.

(D) Number of Tags: ~~4,500~~100-1,500.

(23) Monterey Archery Either-Sex Deer Hunt (Hunt Number A-24).

(A) Area: All of Monterey County, except Fort Ord Military Reservation.

(B) Season: The season for the Monterey Archery Either-Sex Deer Hunt shall open on the second Saturday in October and extend for 30 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: ~~400~~25-200.

(24) Lake Sonoma Archery Either-Sex Deer Hunt (Hunt Number A-25).

(A) Area: That portion of Sonoma County within the boundaries of the Lake Sonoma Area, U.S. Army Corps of Engineers (COE) property described as follows: Beginning at the intersection of Hot Springs Road and the COE boundary; east and south along the boundary line to the intersection with Brush Creek; west along the north bank of Brush Creek (shoreline) to the Dry Creek arm of Lake Sonoma; south along the shoreline of the Dry Creek arm to Smittle Creek; north along the COE property line to Dry Creek; east along the COE boundary across Cherry Creek, Skunk Creek, and Yorty Creek to the point of beginning.

(B) Season: The season for the Lake Sonoma Archery Either-Sex Deer Hunt shall be open on Saturdays, Sundays and Mondays only, beginning on the first Saturday in October and extending for 24 consecutive days.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(c)) per tag.

(D) Number of Tags: 2520-75.

(E) Special Conditions:

1. The use of dogs is prohibited.

2. Boats are required for all areas west of Cherry Creek (some 2/3 of the hunt area). Only cartop boats are allowed to launch from the Yorty Creek access.

(25) Bass Hill Archery Buck Hunt (Hunt Number A-26).

(A) Area: That portion of Lassen County within the area described as Zone X-6a (see subsection 360(b)(8)(A)).

(B) Season: The season for the Bass Hill Archery Buck Hunt shall open on the third Saturday in November and extend for 23 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: 6525-100.

(26) Devil's Garden Archery Buck Hunt (Hunt Number A-27).

(A) Area: That portion of Modoc County within a line beginning at the intersection of the Malin Road (Modoc County 114) and the California/Oregon state line; east along the state line to the Crowder Flat Road; south along the Crowder Flat Road to the Blue Mountain Road (Modoc County 136); west on the Blue Mountain Road to the Blue Mountain-Mowitz Butte-Ambrose Road; south on the Blue Mountain-Mowitz Butte-Ambrose Road to Highway 139; north on Highway 139 to the Malin Road; north on the Malin Road to the point of beginning.

(B) Season: The season for the Devil's Garden Archery Buck Hunt shall open on the fourth Saturday in October and extend for 16 consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~20~~20-75.

(27) Covelo Archery Buck Hunt (Hunt Number A-30).

(A) Area: That portion of Mendocino County within a line beginning at the intersection of Highway 101 and the Humboldt-Mendocino county line; east along the Humboldt-Mendocino county line to the Trinity-Mendocino county line; east along the Trinity-Mendocino county line to the Mendocino-Tehama county line; south on the Mendocino-Tehama

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county line to the Mendocino-Glenn county line; south on the Mendocino-Glenn county line to the Mendocino-Lake county line; west and south on the Mendocino-Lake county line to the Main Eel River; west and north on the Main Eel River to the Hearst-Willits Road; southwest on the Hearst-Willits Road to Commercial Avenue; west on Commercial Avenue to Highway 101; north on Highway 101 to the point of beginning.

(B) Season: The season for the Covelo Archery Buck Hunt shall open on the second Saturday in November and extend for sixteen consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: ~~2520~~-100.

(28) Los Angeles Archery Either-Sex Deer Hunt (Hunt Number A-31).

(A) Area: ~~That portion of Los Angeles County, within a line beginning at the Los Angeles-San Bernardino County line at the intersection of Mt. Baldy Road and Glendora Ridge Road; west on Glendora Ridge Road to Glendora Mountain Road; north on Glendora Mountain Road to East Fork Road; north and west on East Fork Road to Highway 39; north on Highway 39 to Rincon OHV route (Angeles National Forest Road 2N24, formerly known as Rincon-Red Box Road); west on Rincon OHV route to Highway 2 (Angeles Crest Highway); west on Highway 2 to Angeles Forest Highway; north on Angeles Forest Highway to Big Tujunga Canyon Road; west on Big Tujunga Canyon Road to Angeles National Forest Road 3N29; west on Angeles National Forest Road 3N29 to Little Tujunga Canyon Road; south on Little Tujunga Canyon Road to Osborne Street; south on Osborne Street to Interstate 210 (I-210); west on Interstate 210 to Highway 118; west on Highway 118 to the Los Angeles-Ventura County line; south and west along the Los Angeles-Ventura County line to the Pacific Ocean coastline; south and east along the Pacific Ocean coastline to the Los Angeles-Orange County line; north and east on the Los Angeles-Orange County line to the Los Angeles-San Bernardino county line; north and east on the Los Angeles-San Bernardino county line to the point of beginning.~~ That portion of Los Angeles County within Zone D-11 (see subsection 360(a)(10)(A)).

(B) Season: The season for the Los Angeles Archery Either-Sex Deer Hunt shall open on the fourth Saturday in September and extend through January 31.

(C) Bag and Possession Limit: One either-sex deer (see subsection 351(b)) per tag.

(D) Number of Tags: ~~500~~100-500.

(c) Archery Hunting with Archery Only Tags. Deer may be taken only with archery equipment specified in Section 354, during the archery seasons and general seasons as follows:

(1) Number of Archery Only Tags Permitted. A person may obtain an archery only tag using a one-deer tag application and a second archery only tag using a second deer tag application.

(2) Zones in Which Archery Only Tags are Valid. An archery only tag is valid for hunt G-10, and during the archery season and general season in all zones except C-1, C-4 and X-1 through X-12.

(3) Areas: As described in subsections 360(a) and (c).

(4) Seasons: The archery season and general seasons are provided in subsection 361(a) above and in subsections 360(a) and (c).

(d) Hunting Area Limitations. Archers not in possession of an archery only tag may hunt only in the zone, zones, or areas for which they have a general tag or an area-specific archery tag. (Refer to subsection 361(c)(2) for zones in which archery only tags are valid).

(e) Bag and Possession Limit. All bag and possession limits per zone are the same as those described in subsections 360(a), ~~(b)~~ and (c).

(f) Crossbow Prohibition. Crossbows may not be used during any archery season or during the general season when using an archery only tag.

NOTE

Authority: Sections 200, 202, 203, 220 and 4370, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207 and 4370, Fish and Game Code.

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4. 362. Nelson Bighorn Sheep.

Section 362, Title 14, CCR, is amended to read:

362. Nelson Bighorn Sheep.

(a) Areas:

(1) Zone 1--Marble/Clipper Mountains: That portion of San Bernardino County beginning at the intersection of Kelbaker Road and the National Trails Highway; north on Kelbaker Road to the junction with Interstate Highway 40; east on Interstate Highway 40 to the junction with unnamed road in NE1/4SW1/4, Section 3, Township 7N, Range 13E northwest of Middle Hills; southeast on unnamed road to the junction with pipeline road in NW1/4, Section 20, Township 7N, Range 14E; continue southeast on unnamed road to National Trails Highway; northeast on National Trails Highway to the junction with Danby Road; southeast on Danby Road to the junction with Atchison Topeka and Santa Fe Railroad; southwest on Atchison Topeka and Santa Fe Railroad to Cadiz Road; northwest on Cadiz Road to the intersection with National Trails Highway; southwest on National Trails Highway to junction with Kelbaker Road.

(2) Zone 2--Kelso Peak and Old Dad Mountains: That portion of San Bernardino County beginning at the intersection of Kelbaker Road and the Union Pacific Railroad in Kelso; southwest along the Union Pacific Railroad to intersection with unnamed road at Crucero; north on unnamed road to the junction with Rasor Road; northwest on Rasor Road to the junction with Interstate Highway 15; northeast on Interstate Highway 15 to the intersection with Cima Road; south on Cima Road to the intersection with the Union Pacific Railroad in Cima; southwest on the Union Pacific Railroad to the intersection with Kelbaker Road in Kelso.

(3) Zone 3--Clark and Kingston Mountain Ranges: That portion of San Bernardino and Inyo counties beginning at the intersection of Interstate Highway 15 and California State Highway 127 in Baker; north on California State Highway 127 to the junction with Old Spanish Gentry Road to Tecopa; southeast on Old Spanish Gentry Road to the junction with Furnace Creek Road; southeast on Furnace Creek Road to the junction with Mesquite Valley Road; north on Mesquite Valley Road to Old Spanish Trail Highway; north and east on Old Spanish Trail Highway to California/Nevada state line; southeast on California/Nevada state line to the intersection with Interstate Highway 15; southwest on Interstate Highway 15 to the junction with California State Highway 127.

(4) Zone 4--Orocopia Mountains: That portion of Riverside County beginning at the intersection of Interstate Highway 10 and Cottonwood Springs Road; east on Interstate Highway 10 to the junction with Red Cloud Mine Road; south on Red Cloud Mine Road to the junction with the Eagle Mountain Mining Railroad; southwest on the Eagle Mountain Mining Railroad to the junction with the Bradshaw Trail; southwest on the Bradshaw Trail to the intersection with the Coachella Canal; west along the Coachella Canal to the junction with Box Canyon Road; northeast on Box Canyon Road to the junction with Cottonwood Springs Road; north on Cottonwood Springs Road to the intersection with Interstate Highway 10.

(5) Zone 5--San Gorgonio Wilderness: That portion of Riverside and San Bernardino counties beginning at the intersection of Interstate Highway 10 and California State Highway 62, west on Interstate Highway 10 to the junction with California State Highway 30; north on California State Highway 30 to the junction with California State Highway 38; east and north on California State Highway 38 to the junction with Forest Service Route 1N01; east on Forest Service Route 1N01 to its joining with Pipes Road; east on Pipes Road to the junction with Pioneertown Road; southeast on Pioneertown Road to the junction with California State Highway 62; southwest on California State Highway 62 to the intersection with Interstate Highway 10.

(6) Zone 6--Sheep Hole Mountains: That portion of San Bernardino County beginning at the junction of California State Highway 62 and Ironage Road; northwest on Ironage Road to the intersection with Amboy Road; north on Amboy Road to the intersection with National Trails Highway; east on National Trails Highway to the junction with Saltus Road; southeast on Saltus Road to the junction with unnamed road in Saltus that runs through Cadiz Valley; southeast on unnamed road to the intersection with California State Highway 62; west on California State Highway 62 to the junction with Ironage Road.

(b) Seasons:

(1) Fund-raising Hunts: The holder of a fund-raising license tag issued pursuant to subsection 4902(d) of the Fish and Game Code may hunt:

(A) Zones 1 through 4, and 6: Beginning the first Saturday in November and extending through the first Sunday

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in February.

(B) Zone 5: Beginning the third Saturday in November and extending through the third Sunday in February.

(2) Except as provided in subsection 362(b)(1), the Nelson bighorn sheep season in the areas described in subsection 362(a) shall be defined as follows:

(A) Zones 1 through 4, and 6: The first Saturday in December and extend through the first Sunday in February.

(B) Zone 5: The third Saturday in December and extend through the third Sunday in February.

(3) Except as specifically provided in Section 362, the take of bighorn sheep is prohibited.

(c) Bag and possession Limit: One mature ram defined as follows: a male Nelson bighorn sheep (*Ovis canadensis nelsoni*) having at least one horn, the tip of which extends beyond a point in a straight line beginning at the front (anterior) edge of the horn base, and extending downward through the rear (posterior) edge of the visible portion of the eye and continuing downward through the horn. All reference points are based on viewing the ram directly from a 90 degree angle from which the head is facing. A diagram showing the correct viewing procedure shall be distributed by the department to each successful applicant.

(d) Number of License Tags:

two tags valid in Zone 1

~~three~~two tags valid in Zone 2

~~three~~one tags valid in Zone 3

one tag valid in Zone 4

one tag valid in Zone 5

two tags valid in Zone 6

one fund-raising license tag

(e) Distribution of License Tags:

(1) Fund-raising Nelson bighorn ram license tag: One fund-raising license tag for the taking of mature Nelson bighorn rams shall be sold for the purpose of raising funds to manage bighorn sheep. The department may designate a nonprofit organization to sell this fund-raising tag. Any resident or nonresident is eligible to buy the tag. The purchaser of a fund-raising license tag shall complete a required hunter orientation program conducted by the department and meet the hunter education requirements for a hunting license. The fund-raising license tag is defined as follows:

(A) Open-zone fund-raising license tag: This fund-raising license tag is valid in any of the areas described in subsection 362(a).

(2) General Nelson bighorn ram license tags: The application form (~~1999 BIG GAME DRAWING APPLICATION, LRB 1362~~, which is 2000 NELSON BIGHORN SHEEP DRAWING APPLICATION, LRB 1362, rev. 4/2000, incorporated by reference herein,) shall be made available to the public at license agents and regular offices of the department. Applicants must be California residents or nonresidents, at least 16 years of age, possessing a California hunting license valid during the bighorn ram season for which they are applying, and must not have been previously issued a bighorn license tag in California. Applicants must apply for only one designated zone. No person shall submit more than one application. Applicants shall submit the application with a nonrefundable processing fee of \$6.25 to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. (Or by mail to PO Box 989041, West Sacramento, CA 95798-9041). Applications must be received before the close of business on the first business day after June 1. Incomplete applications and applications submitted without the appropriate processing fee will not be included in the drawing. Successful applicants and a list of alternates for each zone shall be determined by drawing within 10 calendar days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. No more than one nonresident shall be selected to receive a general license tag. Unsuccessful applicants will not be notified. Successful applicants will be mailed notification as soon as practical. Upon receipt of the notification, the applicant shall submit the appropriate tag fee, either ~~\$247.00~~250.75 for a resident or \$500.00 for a nonresident, to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. The tag fee shall be received by the department by the close of the business day on the Monday following the second Saturday in July. Should the quota for each zone remain unfilled after that date, the alternate lists shall be used. Successful applicants shall be issued tags only after successfully completing the required hunter orientation program conducted by the department.

(f) Conditions:

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(1) Only persons possessing valid Nelson bighorn ram license tags are entitled to hunt bighorn sheep. Tags shall not be transferable and are valid only in the zone or zones specified.

(2) Individuals awarded a fund-raising license tag and all successful applicants for general license tags shall attend and successfully complete a mandatory hunter orientation program. Licensed guides employed by successful applicants and the fund-raising license tag buyers shall accompany their clients to this orientation program.

(3) All tags must be returned to the department within 10 days after the close of the season, even though the tagholder may not have killed a Nelson bighorn ram.

(4) Nelson bighorn rams shall only be taken between one-half hour before sunrise and one-half hour after sunset.

(5) Only methods specified in sections 353 and 354, Title 14, CCR, for taking bighorn sheep may be used.

(6) Each tagholder shall possess a spotting telescope capable of magnification of 15 power (15X), which is not affixed to a rifle, while hunting.

(7) Tags must be completed and attached to the carcass of a bighorn ram immediately after the animal is killed.

(8) Successful general tagholders shall present the head and edible portion of the carcass of a bighorn ram to the department's checking station within 48 hours after killing the animal. All successful tagholders shall notify the department's Bishop office by telephone at (760) 872-1171 or (760) 240-4295/1372 within 24 hours of killing the animal and arrange for the head and carcass to be examined.

(9) All successful bighorn sheep tagholders shall have their tags validated and make the horns of each ram available to the department to be permanently marked in the manner prescribed by the department for identification purposes within 48 hours of killing the animal. The purpose of the permanent marking shall be to identify Nelson bighorn rams which were legally taken and which may be transported and possessed outside the areas described in subsection 362(a).

(10) The department reserves the right to take and use any part of the tagholder's bighorn ram, except the horns, for biological analysis as long as no more than one pound of edible meat is removed.

(11) All tagholders will be notified by mail as to whether they will be required to report to the department before hunting and upon completion of hunting. The notification shall contain procedures for reporting, including appropriate methods of contacting the department.

(12) The tagholder shall surrender his tag to an employee of the Department of Fish and Game for any or all of the following reasons:

(A) Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code or any regulations of the commission.

(B) Any act on the part of the tagholder which endangers the person or property of others.

The decision of the Department of Fish and Game in such respects shall be final and binding upon the tagholder.

NOTE

Authority: Sections 200, 202, 203, 220, 1050 and 4902, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 1050, 3950 and 4902, Fish and Game Code.

5. 363. Pronghorn Antelope.

Section 363, Title 14, CCR, is amended to read:

363. Pronghorn Antelope.

The Lava Beds National Monument and Federal and State Game Refuges lying within the hunt boundary are closed to pronghorn antelope hunting, except for the state's Hayden Hill (1S) and Blacks Mountain (1F) game refuges in Lassen County and the Clear Lake National Wildlife Refuge in Modoc County. Refer to subsection 363(b)(5) for special conditions for permission to enter and hunt pronghorn antelope in the Clear Lake National Wildlife Refuge.

(a) Zone 1--Mount Dome:

(1) Area: That portion of Siskiyou County within a line beginning at the junction of Interstate 5 and the California-Oregon state line; east along the California-Oregon state line to the Ainsworth Corners-Lava Beds National Monument Road; south along the Ainsworth Corners-Lava Beds National Monument Road to the Mammoth Crater-Medicine Lake Road; southwest along the Mammoth Crater-Medicine Lake Road to the Medicine Lake-Telephone Flat

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Road; east and south along the Medicine Lake-Telephone Flat Road to the Telephone Flat-Bartle Road; southwest along the Telephone Flat-Bartle Road to Highway 89; west along Highway 89 to Interstate 5; north along Interstate 5 to the California-Oregon state line to the point of beginning.

(2) Seasons:

(A) The general season shall open on the Saturday following the third Wednesday in August and continue for nine consecutive days.

(B) The archery only season shall open 14 days prior to the general season and continue for nine consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags:

(A) General Season: ~~3~~10-60 buck tags and ~~200-20~~ doe tags.

(B) Archery Only Season: ~~3~~1-10 buck tags and ~~one~~0-3 doe tags.

(b) Zone 2--Clear Lake:

(1) Area: Those portions of Modoc and Siskiyou counties within a line beginning at the junction of the Lava Beds National Monument Road and the California-Oregon state line at Ainsworth Corners; east along the California-Oregon state line to the Crowder Flat Road; south along the Crowder Flat Road to Modoc County Road 73; south along Modoc County Road 73 to Modoc County Road 136; west along Modoc County Road 136 to the Blue Mountain-Mowitz Road; west and south along the Blue Mountain-Mowitz Road to the Deadhorse Flat-Badger Well Road; southwest along the Deadhorse Flat-Badger Well Road to the Badger Well-Browns Well Road; south along the Badger Well-Browns Well Road to the Sorholus Tank-Hackamore Road; southwest along the Sorholus Tank-Hackamore Road to Highway 139; southeast along Highway 139 to Modoc County Road 91; south along Modoc County Road 91 to the Mud Lake-Mud Springs Road; west along the Mud Lake-Mud Springs Road to the North Main Road; southwest along the North Main Road to the Long Bell-Iodine Prairie Road at Long Bell Forest Service Station; northwest along the Long Bell-Iodine Prairie Road to the Bartle-Telephone Flat Road; north along the Bartle-Telephone Flat Road to the Telephone Flat-Medicine Lake Road; north and west along the Telephone Flat-Medicine Lake Road to the Medicine Lake-Mammoth Crater Road; northeast along the Medicine Lake-Mammoth Crater Road to the Lava Beds National Monument-Ainsworth Corners Road; north along the Lava Beds National Monument-Ainsworth Corners Road to the California-Oregon state line to the point of beginning.

(2) Seasons:

(A) The general season shall open on the Saturday following the third Wednesday in August and continue for nine consecutive days.

(B) The archery only season shall open 14 days prior to the general season and continue for nine consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags:

(A) General Season: ~~3~~420-80 buck tags and ~~460-25~~ doe tags.

(B) Archery Only Season: ~~2~~1-10 buck tags and ~~one~~0-3 doe tags.

(5) Special Conditions: The special regulations regarding the Peninsula "U" portion of the Clear Lake National Wildlife Refuge are summarized as follows:

(A) The area will be open on weekends and holidays only during the general season.

(B) Permission to enter this area must be obtained at the gate entrance located on the Clear Lake Road. Hunters for this area will be selected by public drawing. Persons selected for pronghorn antelope tags for Zone 2 (Clear Lake) may apply for this drawing by submitting an application upon receipt of their license tag to the Department of Fish and Game, 601 Locust Street, Redding, CA 96001. Applicants may apply as a party of two. Applications shall consist of the following: a standard U. S. Postal Service postcard with the applicant's tag number, name, address, city, zip code, area code, telephone number, and the notation "Application for Pronghorn Antelope Hunt Access Permit, Clear Lake Peninsula." Applications must reach the Redding office before the close of the business day on the second Friday in August. Successful applicants will be notified. A two-party application will not be split. The specific number of hunters will be determined each year by the Department. No more than five hunters will be allowed on the area at any one time unless a party of two is drawn for the fifth place. If the fifth place is the first member of a party, then no more than six hunters will be allowed on the area at any time.

(C) The gate entrance will be open from 6:00 a.m. to one hour after sunset.

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(D) The fence near the gate entrance constitutes the south boundary of the area.

(E) The specific number of pronghorn antelope to be taken from this area is determined by the number of pronghorn antelope present. This area will be closed once this number is reached.

(c) Zone 3--Likely Tables:

(1) Area: Those portions of Modoc and Lassen counties within a line beginning at the junction of the Crowder Flat Road and the California-Oregon state line; east along the California-Oregon state line to the crest of the Warner Mountains; south along the crest of the Warner Mountains to the Summit Trail at Pepperdine Camp; south along the Summit Trail to the South Warner Road near Patterson Forest Service Station; west along the South Warner Road to the Long Valley-Clarks Valley Road; south along the Long Valley-Clarks Valley Road to the Clarks Valley-Madeline Road; west along the Clarks Valley-Madeline Road to Highway 395 at the town of Madeline; north along Highway 395 to the Madeline-Adin Road; northwest along the Madeline-Adin Road to the Hunsinger Draw-Sweagert Flat Road; east and north along the Hunsinger Draw-Sweagert Flat Road to the Sweagert Flat-Hunters Ridge Road; north and west along the Sweagert Flat-Hunters Ridge Road to Highway 299 near Lower Rush Creek Recreation Site; north along Highway 299 to the Canby Bridge-Cottonwood Flat Road; northwest along the Canby Bridge-Cottonwood Flat Road to the Cottonwood Flat-Happy Camp Road; northwest along the Cottonwood Flat-Happy Camp Road to Modoc County Road 91; north along Modoc County Road 91 to Highway 139; north along Highway 139 to the Hackamore-Sorholus Tank Road; northeast along the Hackamore-Sorholus Tank Road to the Browns Well-Badger Well Road; north along the Browns Well-Badger Well Road to the Badger Well-Deadhorse Flat Road; northeast and east along the Badger Well-Deadhorse Flat Road to the Mowitz-Blue Mountain Road; north and east along the Mowitz-Blue Mountain Road to Modoc County Road 136; east along Modoc County Road 136 to Modoc County Road 73; north along Modoc County Road 73 to the Crowder Flat Road; north along the Crowder Flat Road to the California-Oregon state line to the point of beginning.

(2) Seasons:

(A) Period One of the general season shall open on the Saturday following the third Wednesday in August and continue for nine consecutive days. Period Two of the general season shall open on the first Saturday in September and continue for nine consecutive days.

(B) The archery only season shall open 14 days prior to the earliest general season and continue for nine consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags:

(A) General Season: Period One: 5525-150 buck tags and 320-50 doe tags. Period Two: 5425-130 buck tags and 320-50 doe tags.

(B) Archery Only Season: 92-20 buck tags and three0-7 doe tags.

(d) Zone 4--Lassen:

(1) Area: Those portions of Lassen, Plumas and Shasta counties within a line beginning at the junction of Highway 36 and the Juniper Lake Road in the town of Chester; north along the Juniper Lake Road to the Lassen National Park boundary; north and west along the Lassen National Park boundary to Highway 89; north along Highway 89 to U.S. Forest Service Road 22 near the Hat Creek Ranger Station; east along U.S. Forest Service Road 22 to U.S. Forest Service Road 35N06; east and north along U.S. Forest Service Road 35N06 to the State Game Refuge 1S boundary; northwest along the State Game Refuge 1S boundary to the Coyote Canyon-Dixie Valley Road; northwest along the Coyote Canyon-Dixie Valley Road to the Dixie Valley-Boyd Hill Road; northwest along the Dixie Valley-Boyd Hill Road to the Snag Hill-Hayden Hill Road; northeast and north along the Snag Hill-Hayden Hill Road to Highway 139; southeast on Highway 139 to the Willow Creek-Hunsinger Flat Road; northeast and northwest along the Willow Creek-Hunsinger Flat Road to the Adin-Madeline Road; southeast along the Adin-Madeline Road to Highway 395 at the town of Madeline; south along Highway 395 to the Madeline-Clarks Valley Road; east along the Madeline-Clarks Valley Road to the Clarks Valley-Tuledad Road; east and southeast along the Clarks Valley-Tuledad Road to the California-Nevada state line; south along the California-Nevada state line to the Lassen-Sierra county line; west along the Lassen-Sierra county line to the Lassen-Plumas county line; north and west along the Lassen-Plumas county line to Highway 36; west along Highway 36 to the Juniper Lake Road to the point of beginning.

(2) Seasons:

(A) Period One of the general season shall open on the Saturday following the third Wednesday in August and continue for nine consecutive days. Period Two of the general season shall open on the first Saturday in September

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and continue for nine consecutive days.

(B) The archery only season shall open 14 days prior to the earliest general season and continue for nine consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags:

(A) General Season: Period One: 5725-150 buck tags and 320-50 doe tags. Period Two: 5825-150 buck tags and 320-50 doe tags.

(B) Archery Only Season: 92-20 buck tags and three0-7 doe tags.

(e) Zone 5--Big Valley:

(1) Area: Those portions of Modoc, Lassen, Shasta and Siskiyou counties within a line beginning at the intersection of Highways 299 and 89; north and northwest along Highway 89 to the Bartle-Telephone Flat Road; northeast along the Bartle-Telephone Flat Road to the Iodine Prairie-Long Bell Road; southeast along the Iodine Prairie-Long Bell Road to the North Main Road at Long Bell Forest Service Station; northeast along the North Main Road and the Mud Springs-Mud Lake Road to Modoc County Road 91; south along Modoc County Road 91 to the Happy Camp-Cottonwood Flat Road; southeast along the Happy Camp-Cottonwood Flat Road to the Cottonwood Flat-Canby Bridge Road; southeast along the Cottonwood Flat-Canby Bridge Road to Highway 299; south along Highway 299 to the Hunters Ridge-Sweagert Flat Road near Lower Rush Creek Recreation Site; east and south along the Hunters Ridge-Sweagert Flat Road to the Sweagert Flat-Hunsinger Draw Road; south and west along the Sweagert Flat-Hunsinger Draw Road to the Adin-Madeline Road; southeast along the Adin-Madeline Road to the Hunsinger Flat-Willow Creek Road; southeast and southwest along the Hunsinger Flat-Willow Creek Road to Highway 139; northwest along Highway 139 to the Hayden Hill-Snag Hill Road; south and southwest along the Hayden Hill-Snag Hill Road to the Boyd Hill-Dixie Valley Road; southeast along the Boyd Hill-Dixie Valley Road to the Dixie Valley-Coyote Canyon Road; southeast along the Dixie Valley-Coyote Canyon Road to the State Game Refuge 1S boundary; southeast along the State Game Refuge 1S boundary to U.S. Forest Service Road 35N06; south and west along U.S. Forest Service Road 35N06 to U.S. Forest Service Road 22; west along U.S. Forest Service Road 22 to Highway 89 near the Hat Creek Ranger Station; north along Highway 89 to Highway 299 to the point of beginning.

(2) Seasons:

(A) The general season shall open on the Saturday following the third Wednesday in August and continue for nine consecutive days.

(B) The archery only season shall open 14 days prior to the general season and continue for nine consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags:

(A) General Season: 2510-150 buck tags and 460-50 doe tags.

(B) Archery Only Season: 21-15 buck tags and one0-5 doe tags.

(f) Zone 6--Surprise Valley:

(1) Area: Those portions of Modoc and Lassen counties within a line beginning at the intersection of the crest of the Warner Mountains and the California-Oregon state line; east along the California-Oregon state line to the California-Nevada state line; south along the California-Nevada state line to the Tuledad-Clarks Valley Road; west and northwest along the Tuledad-Clarks Valley Road to the Clarks Valley-Long Valley Road; north on the Clarks Valley-Long Valley Road to the South Warner Road; east along the South Warner Road to the Summit Trail near Patterson Guard Station; north along the Summit Trail to the crest of the Warner Mountains at Pepperdine Camp; north along the crest of the Warner Mountains to the California-Oregon state line to the point of beginning.

(2) Seasons:

(A) The general season shall open on the Saturday following the third Wednesday in August and continue for nine consecutive days.

(B) The archery only season shall open 14 days prior to the general season and continue for nine consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags:

(A) General Season: 405-20 buck tags and 70-7 doe tags.

(B) Archery Only Season: 41-5 buck tags.

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(g) Carrizo Hunt:

(1) Area: Those portions of San Luis Obispo, Kern, and Santa Barbara counties within a line beginning at the junction of Highway 101 and Highway 58 in San Luis Obispo County; south on Highway 101 to Highway 166; east on Highway 166 to Highway 33 at Maricopa in Kern County; north on Highway 33 to Highway 58; west on Highway 58 to the point of beginning.

(2) Season: The season shall open on the last Saturday in September and continue for nine consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags: ~~Five~~1-5 buck tags.

(5) Special Conditions: Tagholders for the Carrizo Hunt shall attend a hunt orientation meeting before the opening of the season specified on the tag.

(h) Ash Creek Junior Pronghorn Antelope Hunt:

(1) Area: Those lands owned and managed by the department as the Ash Creek Wildlife Management Area.

(2) Season: The season shall open on the Saturday following the third Wednesday in August and continue for four consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags: ~~51-10~~ either-sex tags.

(5) Special Conditions: Only persons possessing valid junior hunting licenses and junior hunt license tags may hunt during the junior pronghorn antelope hunt season and in the area specified on the tag. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting; and tagholders shall attend an orientation meeting the day before the opening day of the season.

(i) Honey Lake Junior Pronghorn Antelope Hunt:

(1) Area: That portion of Lassen County, including the Fleming and Dakin units of Honey Lake Wildlife Area, within a line beginning at the junction of Highway 395 and Lassen County Road A3 near Buntingville; northeast along County Road A3 to Mapes Lane (County Road 305); east and north along Mapes Lane to its junction with Highway 395 approximately three miles east of Litchfield; east on Highway 395 to the junction of the Wendel-Flanigan Road (County Road 320); east and south on the Wendel-Flanigan Road to the Nevada state line; south on the Nevada state line to the Western Pacific-Union Pacific Railroad tracks near Herlong; west on the Western Pacific-Union Pacific Railroad tracks to the North Herlong Access Road (County Road A25); west and south along the north Herlong Access Road (County Road A25) to its junction with Highway 395; north and west on Highway 395 to the point of beginning.

(2) Season: The season shall open on the Saturday following the third Wednesday in August and continue for four consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags: ~~21-10~~ either-sex tags.

(5) Special Conditions: Only persons possessing valid junior hunting licenses and junior hunt license tags may hunt during the junior pronghorn antelope hunt season and in the area specified on the tag. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting; and tagholders shall attend an orientation meeting the day before the opening day of the season.

(j) Fund-Raising Hunt:

(1) Area: Those portions of Lassen, Modoc, Plumas, Shasta, and Siskiyou counties described as zones 1 through 6 in subsections 363(a) through (f).

(2) Season: The season for the Fund-Raising Hunt shall open on the Saturday before the first Wednesday in August and continue for 51 consecutive days.

(3) Bag and Possession Limit: One pronghorn antelope in a license year.

(4) Number of License Tags: ~~Four~~1-6 buck tags.

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Proposed Pronghorn Antelope Tag Allocation, 2000						
NUMBER OF TAGS						
Hunt Area	Archery-Only Season		General Season			
			Period 1		Period 2	
	Buck	Doe	Buck	Doe	Buck	Doe
Zone 1	1-10	0-3	10-60	0-20	0	0
Zone 2	1-10	0-3	20-80	0-25	0	0
Zone 3	2-20	0-7	25-150	0-50	25-130	0-50
Zone 4	2-20	0-7	25-150	0-50	25-150	0-50
Zone 5	1-15	0-5	10-150	0-50	0	0
Zone 6	1-5	0	5-20	0-7	0	0
Carrizo	-	-	1-5	0	0	0
Ash Creek Junior Hunt	-		1-10 Either-Sex		0	
Honey Lake Junior Hunt	-		1-10 Either-Sex		0	
Fund-Raising Hunt			1-6 Buck			

(k) Distribution of License Tags:

(1) The pronghorn antelope license tags shall be issued by drawing. Application forms (49992000 RESIDENT ANTELOPE DRAWING APPLICATION, FG-1363b (5/99), which is LR 1363, rev. 4/2000, incorporated by reference herein) shall be made available to the public at license agents and regular department offices. Each applicant must be a California resident, at least 12 years of age, and possess a California hunting license valid during the pronghorn antelope season for which they are applying. Applicants for buck pronghorn antelope license tags must not have been issued a buck pronghorn antelope license tag during the previous 10 years. Applicants may apply for doe and junior hunt license tags every year. Applicants for the junior pronghorn antelope hunts must be California residents possessing a junior hunting license valid during the pronghorn antelope season for which they are applying. No person shall submit more than one application for a pronghorn antelope license tag. No more than two persons shall apply together as a party. To be considered as a party, both persons must apply on the same application for the same tag choice. Incomplete applications and applications submitted without the appropriate processing fee will not be included in the drawing.

(2) Applicants shall submit the application with a nonrefundable processing fee of \$6.25 to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. Applications must be received before 5:00 p.m. on the first business day after June 1. Successful applicants and a list of alternates for each hunt shall be determined by drawing within 10 calendar days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. In the event a party application is drawn for the last tag available for a hunt, the party will be split and the party leader (first person listed) as indicated on the application form shall be awarded the pronghorn antelope license tag. The party member shall become the first alternate for that hunt. Unsuccessful applicants will not be notified. Successful applicants and alternates will be mailed notification as soon as practical. Upon receipt of the notification the applicant or alternate shall submit an \$87-7589.00 tag fee to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816 (Or by mail to PO Box 989041, West Sacramento, CA 95798-9041). The tag fee shall be received by the department by the close of the business day on the Monday following the second Saturday in July. Should the quota for each zone remain unfilled after that date, the alternate list shall be used. In the event only one pronghorn antelope license tag is available to an alternate, party applications will be split and the

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alternate tag shall be awarded to the party leader as indicated on the application form. Undistributed tags will be issued after the drawing. Any tags unclaimed by successful applicants after that date shall be awarded to paid alternates for that zone, on an individual basis, in the order drawn. Any remaining tags may be issued to paid alternates for other zones.

(3) **Fund-raising License Tags:** Fund-raising license tags for the taking of buck pronghorn antelope shall be offered for sale to raise funds for the management of pronghorn antelope. Any resident or nonresident is eligible to buy one of the fund-raising license tags. Bidders for and purchasers of fund-raising tags are exempt from the 10-year waiting period to purchase a buck pronghorn antelope fund-raising tag. The sale price of a fund-raising license tag includes the fee for processing and issuing a hunting license. The purchaser shall be issued the fund-raising license tag only after meeting the hunter education requirements for a hunting license.

(l) **Conditions:**

(1) Only persons possessing valid pronghorn antelope license tags are entitled to hunt pronghorn antelope during these hunts. Tags shall not be transferable and are valid only in the area, season, and period specified on the tag.

(2) Pronghorn antelope license tags do not give the tagholders the right of entry onto privately-owned lands.

(3) Buck pronghorn antelope are defined as pronghorn antelope with horns longer than the ears. Doe pronghorn antelope are defined as pronghorn antelope with horns shorter than the ears. Either-sex pronghorn antelope are defined as buck or doe pronghorn antelope.

(4) Shooting time shall be from one-half hour before sunrise to one-half hour after sunset.

(5) **Method of take:**

(A) The holder of any archery-only pronghorn antelope license tag may only take pronghorn antelope using archery equipment, as defined in Section 354 of these regulations.

(B) The holder of a general season, fund-raising hunt season, or junior hunt season license tag may take pronghorn antelope using legal firearms and archery equipment as described in sections 353 and 354 of these regulations.

(6) Successful tagholders must return the mail-in portion, and unsuccessful tagholders must return both the mail-in and tag portions of the tag to the department within one week after the close of the pronghorn antelope season.

(7) The holder of a pronghorn antelope license tag, immediately after killing a pronghorn antelope, shall fill out both parts of the tag and mark permanently the date of kill. The tag portion shall be immediately attached to a horn of buck pronghorn antelope or to an ear of doe pronghorn antelope and kept attached for 15 days after the close of the open season.

(8) Any person taking pronghorn antelope shall retain that portion of the head, which bears the horns during the open season and for 15 days thereafter, and shall produce it upon the demand of any officer authorized to enforce the provisions of these regulations.

(9) Pronghorn antelope meat held 15 days after the last day of the pronghorn antelope season must be stamped in accordance with Section 3081 of the Fish and Game Code and Section 375 of these regulations.

(10) No person shall at any time capture or destroy any pronghorn antelope and detach or remove from the carcass only the head, hide or horns; nor shall any person at any time leave through carelessness or neglect any pronghorn antelope which is in his possession or any portion of the flesh thereof usually eaten by humans, to go needlessly to waste.

(11) The tagholder shall surrender his license tag to an employee of the Department of Fish and Game for any of the following reasons:

(A) Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of this commission.

(B) Any act on the part of the tagholder which endangers the person or property of others. The decision of the Department of Fish and Game in such respects shall be final and binding upon the tagholder.

(12) Prior to the acceptance or issuance of a pronghorn antelope license tag, all tagholders shall consent in writing to the terms and conditions set forth on the license tag.

NOTE

Authority: Sections 219, 220, 331, 1050 and 10502, Fish and Game Code. Reference: Sections 331, 713, 1050, 10500 and 10502, Fish and Game Code.

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6. 364. Elk.

Section 364, Title 14, CCR, is amended to read:

364. Elk.

(a) Siskiyou Roosevelt Elk Hunt:

(1) Area: In that portion of Siskiyou County beginning at the junction of Interstate Highway 5 with the California-Oregon state line; east along the state line to Highway 97; southwest along Highway 97 to Siskiyou County Road A-12; west along Road A-12 to Interstate 5; north along Interstate 5 to the point of beginning.

(2) Season: The season shall open on the Wednesday preceding the second Saturday in September and continue for 12 consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of License Tags: 25 either-sex tags.

(b) Shasta Rocky Mountain Elk Hunt:

(1) Area:

In that portion of Shasta County beginning at the junction of Highway 299 and the Big Bend Road; north along the Big Bend Road to the Pit River at the town of Big Bend; east along the Pit River to Highway 89 at Lake Britton; south on Highway 89 to Highway 299; west on Highway 299 to the point of beginning.

(2) Season: The season shall open on the second Saturday in September and continue for 16 consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of License Tags: One bull tag and four antlerless tags.

(c) Del Norte Roosevelt Elk Hunt:

(1) Area: Those portions of Del Norte County owned or leased by the Simpson Timber Company and the Stimson Redwood Company within a line beginning at the intersection of Highway 101 and the California-Oregon state line; south along Highway 101 to North Bank Road; southeast along North Bank Road to High Divide Road; northeast along High Divide Road to North Fork Smith River/Wimer Road; north along North Fork Smith River/Wimer Road to the California Oregon state line; west along the California-Oregon state line to the point of beginning.

(2) Season: The season shall open on the ~~first Saturday in September~~ last Wednesday in August and continue for ~~nineteen~~ consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of License Tags: ~~five~~ ten bull tags and ~~ten~~ five antlerless tags.

(5) Special Conditions: ~~All tagholders for the Del Norte elk hunt will be required to attend a mandatory orientation meeting at a designated checking station on the Friday preceding the opening of the elk season.~~ All tagholders for the Del Norte elk hunt will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(d) Marble Mountains Roosevelt Elk Hunt

(1) Area: In that portion of Siskiyou County beginning at the intersection of Interstate Highway 5 and the California-Oregon state line; west along the state line to the Del Norte county line; south along the Del Norte county line to the intersection of the Siskiyou-Humboldt county lines; east along the Siskiyou-Humboldt county lines to their intersection with the Trinity county line; east along the Siskiyou-Trinity county line to Highway 3 at Scott Mountain; north and east on Highway 3 to Interstate Highway 5 in the city of Yreka; north on Interstate Highway 5 to the point of beginning.

(2) Season: The season shall open on the Wednesday preceding the second Saturday in September and continue for 12 consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of License Tags: 30 either-sex tags.

(e) Klamath Roosevelt Elk Hunt:

(1) Area: Those portions of Humboldt and Del Norte counties owned or leased by the Simpson Timber Company, Arcata, within a line beginning at the intersection of Highway 101 and the Klamath River; south on Highway 101 to South Klamath Beach Road; west on South Klamath Beach Road to the Redwood National Park boundary; southwest and south along the Redwood National Park boundary to Highway 101; south on Highway 101 to the Redwood National Park boundary; southeast along the Redwood National Park boundary to the Bald Hills Road; southeast along

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the Bald Hills Road to the Klamath River; northwest along the Klamath River to the point of beginning.

(2) Season: The season shall open on the first ~~Saturday~~Wednesday in September and continue for ~~nineteen~~ consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of License Tags: ~~5030~~ either-sex tags.

(5) Special Conditions: ~~All tagholders for the Klamath Roosevelt Elk Hunt will be required to attend a mandatory orientation meeting at a designated checking station on the Friday preceding the opening of the elk season. will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.~~

(f) Big Lagoon Roosevelt Elk Hunt:

(1) Area: In that portion of Humboldt County owned or leased by the Simpson Timber Company, Arcata, within a line beginning at the intersection of the Crannell Road and the A-Line Road; north on the A-Line Road to the intersection with the A-10 Road; north on the A-10 Road along the eastern boundary of the Simpson Timber Company property line; north along the Simpson Timber Company property line to the boundary with Redwood National Park; south and east along the western boundary of Redwood National Park to the M-Line Road; south and east along the M-Line Road to the intersection with the O-Line Road; south and east along the O-Line Road to the intersection with the O-4 Road; south and east along the O-4 Road to the O-K Tie Road; south along the O-K Tie Road to the K and K Road; south on the K and K Road to the intersection of Highway 299; west along Highway 299 to Essex Lane; north on Essex Lane to the intersection with Timmons Lane; east and north on Timmons Lane; Timmons Lane changes to Railroad Grade North; north on Railroad Grade North to the intersection with the M-Line Road; west along the M-Line Road to the intersection with the A-Line road to point of beginning.

(2) Season: The season shall open the last Wednesday in August and continue for ten consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of License Tags: 25 either-sex tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(fg) Owens Valley Tule Elk Hunt:

(1) Area:

(A) Bishop Zone: In that portion of Inyo County beginning at the junction of Highway 395 and Highway 6 in the town of Bishop; north and east along Highway 6 to the junction of Silver Canyon Road; east along Silver Canyon Road to the White Mountain Road (Forest Service Road 4S01); south along the White Mountain Road to Highway 168 at Westgard Pass; south and west along Highway 168 to the junction of Highway 395; north on Highway 395 to the point of beginning.

(B) Lone Pine Zone: In that portion of Inyo County beginning at the junction of Highway 395 and Mazourka Canyon Road; east and then north on Mazourka Canyon Road to the Inyo National Forest Boundary at the junction of the southern boundary of Township 12S and the northern boundary of Township 13S; east along the southern boundary of Township 12S to Saline Valley Road; south on Saline Valley Road to Highway 190; north and then southwest on Highway 190 to the junction of Highway 395 at Olancho; north on Highway 395 to the point of beginning.

(C) Independence Zone: In that portion of Inyo County beginning at the junction of Highway 395 and Aberdeen Station Road; east on Aberdeen Station Road to its terminus at the southern boundary of Section 5, Township 11S, Range 35E; east along the southern boundary of sections 5, 4, 3, and 2, Township 11S, Range 35E to the Papoose Flat Road at Papoose Flat; south and east on Papoose Flat Road to Mazourka Canyon Road; south and then west on Mazourka Canyon Road to Highway 395; north on Highway 395 to the point of beginning.

(D) Tinemaha Zone: In that portion of Inyo County beginning at the junction of Highway 395 and Highway 168 in the town of Big Pine; north and east along Highway 168 to the junction of the Death Valley Road; south and east along the Death Valley Road to the junction of the Papoose Flat Road; south along the Papoose Flat Road to the southern boundary of Section 2, Township 11S, Range 35E; west along the southern boundaries of sections 2, 3, 4, and 5 to the terminus of the Aberdeen Station Road in Section 5, Township 11S, Range 35E; south and west along the Aberdeen Station Road to Highway 395; north along Highway 395 to the point of beginning.

(E) The Owens Valley fund-raising license tag shall be valid in any zone described in subsection 364(eg)(A), (B), (C) and (D).

(2) Seasons:

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(A) For Period One, the season for the Bishop, Lone Pine, Independence, and Tinemaha zones shall open on the first Saturday in November and extend for nine consecutive days.

(B) For Period Two, the season for the Bishop, Lone Pine, Independence, and Tinemaha zones shall open on the ~~fourth~~ third Saturday in November and extend for nine consecutive days.

(C) For Period Three, the season for the Bishop, Lone Pine, Independence, and Tinemaha zones shall open on the first Saturday in December and extend for nine consecutive days.

(GD) Fund-raising Hunt: The Owens Valley Fund-raising Hunt shall open on the last Saturday in October and extend for 30 consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of Tags:

(A) Period One: Bishop Zone - one bull tag. Lone Pine Zone - two bull tags and four antlerless tags. Independence Zone - one bull tag. Tinemaha Zone - ~~three~~ four bull tags and ~~five~~ ten antlerless tags.

(B) Period Two: Lone Pine Zone - two bull tags and four antlerless tags. Tinemaha Zone - ~~three~~ four bull tags and ~~five~~ ten antlerless tags.

(C) Period Three: Tinemaha Zone - four bull tags and ten antlerless tags.

(GD) Fund-raising Hunt: One bull tag.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(gh) Cache Creek Tule Elk Hunt:

(1) Area: Those portions of Lake, Colusa and Yolo counties within the following line: beginning at the junction of Highway 20 and Highway 16; south on Highway 16 to Reiff-Rayhouse Road; west on Reiff-Rayhouse Road to Morgan Valley Road; west on Morgan Valley Road to Highway 53; north on Highway 53 to Highway 20; east on Highway 20 to the north fork of Cache Creek; north on the north fork of Cache Creek to Indian Valley Reservoir; east on the south shore of Indian Valley Reservoir to Walker Ridge-Indian Valley Reservoir Access Road; east on Walker Ridge-Indian Valley Reservoir Access Road to Walker Ridge Road; south on Walker Ridge Road to Highway 20; east on Highway 20 to the point of beginning.

~~(2) Season: The season for the Cache Creek Tule Elk Hunt shall open on the second Wednesday in October and extend for 12 consecutive days.~~

(A) The season for bull elk shall open on the second Saturday in October and continue for 16 consecutive days.

(B) The season for antlerless elk shall open on the third Saturday in October and continue for 16 consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of Tags: Two bull tags and two antlerless tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(hi) Grizzly Island Tule Elk Hunt:

(1) Area: Those lands owned and managed by the department as the Grizzly Island Wildlife Area.

(2) Seasons:

(A) For Period One, the season for antlerless elk shall open on the Tuesday after the second Saturday in August and continue for four consecutive days, whereas the season for bulls and spike bulls shall open on the Thursday after the second Saturday in August and continue for four consecutive days.

(B) For Period Two, the season for antlerless elk shall open on the Tuesday after the third Saturday in August and continue for four consecutive days, whereas the season for bulls and spike bulls shall open on the Thursday after the third Saturday in August and continue for four consecutive days.

(C) For Period Three, the season for antlerless elk shall open on the Tuesday after the fourth Saturday in August and continue for four consecutive days, whereas the season for bulls and spike bulls shall open on the Thursday after the first Saturday in September and continue for four consecutive days.

(D) For Period Four, the season for antlerless elk shall open on the Tuesday after the second Saturday in September and continue for four consecutive days.

(E) For Period Five, the season for antlerless elk shall open on the Tuesday after the third Saturday in September and continue for four consecutive days.

(EF) The season for the fund-raising hunt shall open on the ~~second~~ first Saturday in August and continue for 30

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consecutive days, with advance reservations required by contacting the Grizzly Island Wildlife Area by telephone at (707) 425-3828.

(3) Bag and Possession Limit: One elk per season.

(4) Number of Tags:

(A) Period One: ~~one bull tag, two~~ three spike bull tags, and ~~four~~ five antlerless tags.

(B) Period Two: one bull tag, ~~two~~ three spike bull tags, and ~~four~~ five antlerless tags.

(C) Period Three: one bull tag, two spike bull tags, and ~~four~~ five antlerless tags.

(D) Period Four: ~~four~~ five antlerless tags.

(E) Period Five: five antlerless tags.

(EF) Fund-raising Hunt: two bull tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(ij) La Panza Tule Elk Hunt:

(1) Area: In those portions of San Luis Obispo, Kern, and Santa Barbara counties within a line beginning at the junction of Highway 101 and Highway 58 in San Luis Obispo County; south on Highway 101 to Highway 166; east on Highway 166 to Highway 33 at Maricopa in Kern County; north on Highway 33 to Highway 58; west on Highway 58 to the point of beginning.

(2) Seasons:

(A) For Period One the season shall open on the ~~third~~ second Saturday in October and extend for ~~46~~ 23 consecutive days.

(B) For Period Two the season shall open on the second Saturday in November and extend for ~~46~~ 23 consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of Tags:

(A) Period One: six bull tags and six antlerless tags.

(B) Period Two: six bull tags and six antlerless tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(jk) Fort Hunter Liggett Tule Elk Hunt:

(1) Area: That portion of Monterey County lying within the exterior boundaries of Fort Hunter Liggett, except as restricted by the Commanding Officer.

(2) Seasons: ~~Season dates are subject to further restriction by the Commanding Officer. Due to military operations, season dates for the following periods are subject to further restriction or may be rescheduled between November 1 and December 31 by the Commanding Officer.~~

(A) For Period One, the season shall open on the ~~Wednesday before the second Saturday in November and continue for five consecutive days~~ second Thursday in November and continue for five consecutive days.

(B) For Period Two, the season shall open on the Wednesday before the last Saturday in November and continue for five consecutive days.

(C) For Period Three, the season shall open on the ~~Friday before the Third Saturday in December and continue for 17 consecutive days~~ third Saturday in December and continue through January 1, excluding December 24 and 25.

(3) Bag and Possession Limit: One elk per season.

(4) Number of Tags:

(A) Period One: 10 antlerless tags (five military and five general public).

(B) Period Two: 10 antlerless tags (five military and five general public.)

(C) Period Three: ~~Six~~ Ten bull tags (~~three~~ five military and ~~three~~ five general public) and four spike bull tags (two military and two general public).

(5) Special Conditions:

(A) All tagholders will be required to attend a mandatory hunter orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(B) Tagholders shall be required to purchase an annual hunting pass available from Fort Hunter Liggett.

(C) Season dates and hunt areas are subject to restriction by the Commanding Officer of Fort Hunter Liggett based on military training.

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(kl) Distribution of License Tags:

(1) Three fund-raising license tags for the taking of elk bulls shall be offered for sale to raise funds for the management of elk. The department may designate a nonprofit organization or organizations to sell the fund-raising tags. Any resident or nonresident is eligible to buy one of the license tags. The purchaser of fund-raising tags shall complete required hunter orientation programs conducted by the department and meet the hunter safety requirements for a hunting license.

(2) Application forms for elk tags (~~4999~~2000 RESIDENT ELK DRAWING APPLICATION, ~~FG 1364b (5/99)~~, which is LRB 1364, rev. 4/2000, incorporated by reference herein) shall be made available to the public at license agents and regular department offices ~~that sell hunting licenses~~. Each applicant must be a California resident at least 12 years of age and possess a California hunting license valid during the elk season for which he/she is applying. No person shall submit more than one application for an elk license tag. No more than two persons shall apply together as a party. To be considered as a party, both persons must apply on the same application for the same tag choice. Incomplete applications and applications submitted without the appropriate processing fee will not be included in the drawing.

(3) The elk license tags shall be issued by drawing. Applicants shall submit the application with a nonrefundable \$6.25 processing fee to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816 (Or by mail to PO Box 989041, West Sacramento, CA 95798-9041). Applications must be received before 5:00 p.m. on the first business day after June 1. In the event a party is drawn for the last tag available for a hunt, the party will be split and the party leader (first person listed) as indicated on the application form shall be awarded the elk tag. The party member shall become the first alternate for that hunt. Successful applicants and a list of alternates for each hunt will be determined by drawing within 10 calendar days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. Unsuccessful applicants will not be notified. Successful applicants and alternates will be mailed notification as soon as practical. Upon receipt of the notification, the applicant or alternate shall send a ~~\$262-25266.25~~ tag fee to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. The tag fee shall be received by the department by the close of the business day on the Monday following the second Saturday in July. Any tags unclaimed by successful applicants after that date shall be awarded to paid alternates for that hunt, on an individual basis, in the order drawn. Any remaining tags may be issued to paid alternates for other zones.

(lm) Definitions:

(1) Bull elk: Any elk with at least one antler which is exposed and visible above the hair line.

(2) Spike bull: A bull elk having no more than one point on each antler. An antler point is a projection of the antler at least one inch long and longer than the width of its base.

(3) Antlerless elk: Any elk, with the exception of spotted calves, lacking antlers which are exposed above the hair line.

(4) Either-sex elk: For the purposes of these regulations, either-sex is defined as bull elk, as described in Section 364~~(lm)~~(1), or antlerless elk as, described in Section 364~~(lm)~~(3).

(mn) Method of Take: Only methods for taking elk as defined in sections 353 and 354 may be used.

(no) Tagholder Responsibilities:

(1) All tagholders must return their license tags to the Department of Fish and Game within one week after the close of the elk season, even though the tagholder may not have killed an elk.

(2) License tags must be attached to the antler of an antlered elk, or to the ear of antlerless elk immediately after killing.

(3) Persons authorized to validate or countersign elk tags are listed in Section 372. Elk tags must be countersigned before transporting such elk, except for the purpose of taking it to the nearest person authorized to countersign the license tag on the route being followed from the point where the elk is taken.

(4) Only persons possessing valid elk license tags are entitled to take elk. Tags are not transferable and are valid only for the area and period specified.

(5) Tagholders shall not have the right of entry onto privately owned lands against the will or consent of the owner or person in lawful charge thereof.

(6) No tagholder shall take or possess any elk or parts thereof governed by the regulations except herein provided.

(7) The department reserves the right to use any part of the tagholder's elk for biological analysis as long as the

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amount of edible meat is not appreciably decreased.

(8) Any person taking an elk which has a collar or other marking device attached to it shall provide the department with such marking device within 10 days of taking the elk.

(op) The use of dogs to take or attempt to take elk is prohibited.

(pq) The tagholder shall surrender his tag to an employee of the Department of Fish and Game for any or all of the following reasons:

(1) Any act on the part of the tagholder which violates any of the provisions of the Fish and Game Code, or any regulations of the Commission made pursuant thereto.

(2) Any act on the part of the tagholder which endangers the person or property of others. The decision of the Department of Fish and Game shall be final.

(qr) Elk may be taken on Santa Rosa Island pursuant to a permit issued by the department. For methods of take, see subsection (tn) above.

NOTE

Authority: Sections 200, 202, 203, 332, 1050 and 1572, Fish and Game Code. Reference: Sections 203, 203.1, 332, 713, 1050, 1570-1572, and 3951, Fish and Game Code.

7. 365. Bear.

Section 365, Title 14, CCR, is amended to read:

365. Bear.

Except as provided in Section 366, bear may be taken only as follows: (Note: See subsection 265(c)(1) for restrictions on the use of dogs.

(a) Areas:

(1) Northern California: In the counties of Del Norte, Humboldt, Plumas, Shasta, Siskiyou, Tehama and Trinity; that portion of Lassen and Modoc counties west of the following line: Highway 395 at the Sierra-Lassen county line north to the junction of Highway 36; west on Highway 36 to the junction of Highway 139; Highway 139 to Highway 299; north on Highway 299 to County Road 87; west on County Road 87 to Lookout-Hackamore Road; north on Lookout-Hackamore Road to Highway 139; north on Highway 139 to the Modoc-Siskiyou county line; north on the Modoc-Siskiyou county line to the Oregon border.

(2) Central California: In the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lake, Mendocino, Nevada, Placer, Sacramento, Sierra, Sutter, Yolo and Yuba; and those portions of Napa and Sonoma counties northeast of Highway 128.

(3) Southern Sierra: That portion of Kern County west of Highway 14 and east of the following line: Beginning at the intersection of Highway 99 and the Kern-Tulare county line; south along Highway 99 to Highway 166; west and south on Highway 166 to the Kern-Santa Barbara county line; and those portions of Fresno, Madera, Mariposa, Merced, Stanislaus, Tulare and Tuolumne counties east of Highway 99.

(4) Southern California: In the counties of Los Angeles, Santa Barbara and Ventura; that portion of Riverside County north of Interstate 10 and west of Highway 62; and that portion of San Bernardino County south and west of the following line: Beginning at the intersection of Highway 18 and the Los Angeles-San Bernardino county line; east along Highway 18 to Highway 247; southeast along Highway 247 to Highway 62; southwest along Highway 62 to the Riverside-San Bernardino county line.

(5) Those portions of Inyo and Mono counties west of Highway 395; and that portion of Madera County within the following line: Beginning at the junction of the Fresno-Madera-Mono county lines; north and west along the Madera-Mono county line to the boundary of the Inyo-Sierra National Forest; south along the Inyo-Sierra National Forest boundary to the Fresno-Madera county line; north and east on the Fresno-Madera county line to the point of beginning.

(b) Seasons: Except in the areas designated as deer X zone hunts in subsection 360(b), the bear season shall open on the opening day of the general deer season as described in subsection 360(a) and extend until the last Sunday in December in the areas described in subsections 365(a)(1), (2), (3), (4) and (5) above. In those areas designated as deer hunting X zones, the bear season shall open on the second Saturday in October and extend for 79 consecutive days. The bear season shall be closed when the department determines that 1,500 bears have been taken pursuant to the reporting requirement in Section 367. The department shall notify the commission, the public via the news media

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and bear tag holders via the U.S. mail and the news media when implementing this closure.

(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) Bait: No feed, bait or other materials capable of attracting a bear to a feeding area shall be placed or used for the purpose of taking or pursuing a bear. No bear shall be taken over such bait. No person may take a bear within a 400-yard radius of a garbage dump or bait.

~~(f) No more than 18,000 bear tags shall be issued pursuant to Section 367.~~

NOTE

Authority cited: Sections 200, 202, and 203, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, and 207, Fish and Game Code.

8. 367. Bear License Tags.

Section 367, Title 14, CCR, is amended to read:

367. Bear License Tags.

(a) Application for Bear License Tags:

(1) With the exception of permits and tags issued pursuant to section 4181 of the Fish and Game Code, all bear license tag applications shall be submitted on forms provided by the department.

(2) The department may require that the specified fee provided for in section 4751 of the Fish and Game Code for such bear license tags be paid as a prerequisite to obtaining a bear license tag application.

(3) The department shall charge a nonrefundable \$2 processing fee for each bear tag application.

(4) Only one bear license tag application may be submitted to the department during any one license year. Any person who submits more than one bear license tag application may be denied bear license tags for the current license year.

(b) Distribution of bear tags: ~~All applicants for bear tags shall submit their bear tag application form (1998 BEAR TAG APPLICATION, LRB 1365, which is incorporated by reference herein) to the Department of Fish and Game, 3214 "S" Street, Sacramento, CA 95816 (Or by mail to PO Box 949035, West Sacramento, CA 95798-9035). Tags will be issued on a first-come, first-served basis up to a quota of 18,000. Applications for bear tags (2000/2001 CALIFORNIA RESIDENT BEAR TAG APPLICATION, LRB 1365A, rev. 4/2000; and 2000/2001 NONRESIDENT BEAR TAG APPLICATION, LRB 1365B, rev. 4/2000, incorporated by reference herein) shall be available to the public at license agents and regular offices of the department. Tags will be issued at regular department offices.~~

(c) Use of Guides: Any holder of a bear license tag who utilizes the services of a guide or guides shall verify that the guide is in possession of a valid guide's license and shall place the guide's license number on the bear license tag in the space provided.

(d) Use of Dogs: Any holder of a bear license tag who utilizes dogs to take bear shall so indicate on his bear license tag in the space provided.

(e) Validation of Bear Tags: Only Department of Fish and Game employees may validate bear tags (This provision supersedes section 4755 of the Fish and Game Code). Bear tags must be countersigned before transporting such bear except for the purpose of taking it to the nearest person authorized to countersign the license tag, on the route being followed from the point where the bear is taken.

(f) Return of Bear License Tags:

(1) Every person who takes a bear shall immediately return the report card portion of the bear license tag, after having the tag countersigned as required in (e) above. The tag may be presented to a department office/officer or returned through the United States Mail.

(2) Every person who is unsuccessful in taking bear shall return the report card portion of the bear license tags by February 1 of the current license year. The tag may be presented to a department office/officer or returned through the United States Mail.

NOTE

Authority cited: Sections 200, 202, 203, 219 and 1050, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 1050 and 4750-4756, Fish and Game Code

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9. 371. Procedures for Application for and Distribution of Deer Tags and Permits.

Section 371, Title 14, CCR, is amended to read:

371. Deer Tag Application and Distribution Procedures.

(a) Distribution of License Tags:

(1) Deer tags for X zones, additional hunts, and area-specific archery hunts shall be distributed by drawing unless otherwise authorized. Applicants shall submit their deer tag application to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, California 95816 (Or by mail to PO Box 949035, West Sacramento, CA 95798-9035). Applications must be received by the department by 5:00 p.m. on the first business day after June 1. Successful applicants will be selected by drawing within 10 calendar days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible. Successful and unsuccessful applicants will be notified by mail.

(2) Except as noted in subsection 371(e) below, deer tags for A, B, C, and D zones and leftover drawing tags shall be issued upon request until each tag quota fills. If, on any given day, the number of applications received for any zone or hunt exceeds the number of available tags, the department may conduct a drawing for that zone or hunt.

(b) Application Forms: Except for permits and deer tags issued pursuant to sections 4181.5, 4188, and 4334 of the Fish and Game Code, application forms for deer tags (~~CALIFORNIA RESIDENT ONE-DEER TAG APPLICATION, LRB 1371A; CALIFORNIA RESIDENT SECOND-DEER TAG APPLICATION, LRB 1371B; CALIFORNIA NONRESIDENT ONE-DEER TAG APPLICATION, LRB 1371C; CALIFORNIA NONRESIDENT SECOND-DEER TAG APPLICATION, LRB 1371D~~; 2000/2001 CALIFORNIA RESIDENT ONE-DEER TAG APPLICATION, LRB 1371A, rev. 4/2000; 2000/2001 CALIFORNIA NONRESIDENT ONE-DEER TAG APPLICATION, LRB 1371B, rev. 4/2000; 2000/2001 CALIFORNIA RESIDENT SECOND-DEER TAG APPLICATION, LRB 1371C, rev. 4/2000; 2000/2001 CALIFORNIA NONRESIDENT SECOND-DEER TAG APPLICATION, LRB 1371D, rev. 4/2000, incorporated by reference herein) shall be made available to the public at license agents and regular offices of the department.

(c) Application Procedures:

(1) Applicants must be at least 12 years of age and possess a California resident or nonresident hunting license valid for the deer hunting season for which they are applying, except applicants for additional junior deer hunts, who must possess a California junior hunting license.

(2) No more than six persons may apply together as a party. To be considered as a party, all applications must be stapled together with the party leader's application on top and mailed in one envelope. All party members' applications must show the same tag choices in the same order of preference, the total number of persons in the party, and the party leader's name and identification number. All party members shall be awarded tags according to the choices listed on the party leader's application. Incorrect or incomplete party applications will be separated and awarded tags on an individual basis.

(3) Incomplete, incorrect, or ineligible applications will be rejected.

(d) Application Fee: The department shall require that the specified fee for a deer tag be paid as a prerequisite to obtaining a deer tag application. In addition to the tag fee, the department shall also charge a nonrefundable \$2.00 processing fee for each deer tag application.

(e) Application Restrictions:

(1) One-Deer Tag Application:

(A) A person may use a one-deer tag application to apply for an X zone, additional hunt, or area-specific archery hunt tag issued by drawing as specified in subsection 371(d)(1) above.

(B) A person may use a one-deer tag application to apply for an A, B, C, or D zone tag or archery-only tag issued upon request.

(C) A person may use a one-deer tag application to apply for any X zone, additional hunt, or area-specific archery hunt tag remaining on the first business day after July 1. Applications must be submitted to the department's License and Revenue Branch in Sacramento, except applications for area-specific archery hunts A-22 and A-23, which may be submitted in person to the department's Long Beach or San Diego offices.

(2) Second-Deer Tag Application:

(A) A person may use a second-deer tag application to apply for an A or B zone tag or archery-only tag issued upon request.

(B) A person may use a second-deer tag application to apply for any area-specific archery tag remaining on the first business day following July 1. Applications must be submitted to the License and Revenue Branch in Sacramento,

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except applications for area-specific archery hunts A-22 and A-23, which may be submitted in person to the department's Long Beach or San Diego offices.

(C) A person may use a second-deer tag application to apply for any C or D zone tag or additional hunt tag, except an additional junior hunt tag, remaining on the first business day following September 1. Applications may be submitted before that date to the License and Revenue Branch in Sacramento.

(D) A person in possession of a valid junior hunting license, who has not used a one-deer tag application to apply for an additional junior hunt, may use a second-deer tag application to apply for an additional junior hunt tag issued by drawing as specified in subsection 371(d)(1) above. A junior hunter may not submit more than one application for additional junior hunts.

(E) No person shall submit more than one one-deer tag application and one second-deer tag application to the department during any one license year. Any person in violation of this subsection may be denied deer tags for the current and following license year.

(f) Deer Tag Exchange Fee: The department shall charge a nonrefundable \$5.75 processing fee for exchanging a deer tag for a different zone or hunt.

NOTE

Authority: Sections 200, 202, 203, 220 and 1050, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 1050 and 4330-4333, Fish and Game Code.

10. 375. Deer, Elk, Antelope and Bear Meat, Possession of After the Close of the Season.

Section 375, Title 14, CCR, is repealed:

375. Deer, Elk, Antelope and Bear Meat, Possession of After the Close of the Season.

~~(a) Each person requesting a permit to keep deer, elk, antelope, or bear meat after the close of the season shall furnish proof that such meat was legally taken during the open season. This proof shall be furnished to the department or any person designated and authorized by the Commission to issue such permits as provided by Section 3084 of the Fish and Game Code.~~

~~(b) Deer, elk, antelope, or bear meat which is packaged and held in storage lockers shall be marked on the fold of the outside wrapper of the package by a rubber stamp furnished by the department, or in lieu of the stamp furnished by the department, a bonded locker plant authorized by the department to issue permits under this section may substitute its own stamp if it contains the name of the locker plant and the species of meat in the package. Such locker plants may use sealing tape in lieu of a stamp if the sealing tape contains the name of the locker plant and the number of the game meat stamp issued to the plant by the department. Meat which is unpackaged shall be marked by a rubber stamp and vegetable ink when possible. If it is impossible to stamp the meat by the above method, self-locking seals may be used. Each quarter or portion should be marked when using self-locking seals. Ganned meat shall be marked by a decalcomania stamp which shall extend from the can up and onto the top of the cover or lid.~~

~~(c) A permit fee of \$1 shall be paid for each deer, elk, antelope or bear carcass by each person applying for and receiving such permit.~~

~~(d) All deer, elk, antelope or bear meat held under the provisions of such permit shall be available at all times for inspection by any person authorized to enforce the provisions of the fish and game laws of California. Deer, elk, antelope or bear meat held under permit as provided by Sections 3081, 3083, 3084, 3085 and 3086 may be possessed at any time.~~

NOTE

Authority cited: Sections 200, 202, 203, 3080, and 3081, Fish and Game Code. Reference: Sections 200-203.1, 206, 207, 211-222, 3080, and 3081, Fish and Game Code.

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11. **465.5. Use of Traps.**

Section 465.5, Title 14, CCR, is amended to read:

465.5. Use of Traps.

(a) **Traps Defined.** Traps are defined to include padded-jaw leg-hold, steel-jawed leg-hold, and conibear traps, snares, dead-falls, cage traps and other devices designed to confine, hold, grasp, grip, clamp or crush animals' bodies or body parts.

(b) **Affected Mammals Defined.** For purposes of this section, furbearing mammals, game mammals, nongame mammals, and protected mammals are those mammals so defined by statute on January 1, 1997, in sections 3950, 4000, 4150 and 4700 of the Fish and Game Code.

(c) **Prohibition on Trapping for the Purposes of Recreation or Commerce in Fur.** It is unlawful for any person to trap for the purposes of recreation or commerce in fur any furbearing mammal or nongame mammal with any body-gripping trap. A body-gripping trap is one that grips the mammal's body or body part, including, but not limited to, steel-jawed leg-hold traps, padded-jaw leg-hold traps, conibear traps, and snares. Cage and box traps, nets, suitcase-type live beaver traps, and common rat and mouse traps shall not be considered body-gripping traps and may be used to trap for the purposes of recreation or commerce in fur any furbearing or nongame mammal.

(d) **Prohibition on Exchange of Raw Fur.** It is unlawful for any person to buy, sell, barter, or otherwise exchange for profit, or to offer to buy, sell, barter, or otherwise exchange for profit, the raw fur, as defined by Section 4005 of the Fish and Game Code, of any furbearing mammal or nongame mammal that was trapped in this state, with a body-gripping trap as described in subsection (c) above.

(e) **Prohibition on Use of Steel-jawed Leg-hold Traps by Individuals.** It is unlawful for any person to use or authorize the use of any steel-jawed leg-hold trap, padded or otherwise, to capture any game mammal, furbearing mammal, nongame mammal, protected mammal, or any dog or cat.

(1) **Exception for Extraordinary Case to Protect Human Health or Safety.** The prohibition in subsection (e) does not apply to federal, state, county, or municipal government employees or their duly authorized agents in the extraordinary case where the otherwise prohibited padded-jaw leg-hold trap is the only method available to protect human health or safety.

(A) **Leg-hold Trap Requirements.** Leg-hold traps used to implement subsection (e)(1) must be padded, commercially manufactured, and equipped as provided in subsections (A)1. through (A)5. below.

1. **Anchor Chains.** Anchor chains must be attached to the center of the padded trap, rather than the side.

2. **Chain Swivels.** Anchor chains must have a double swivel mechanism attached as follows: One swivel is required where the chain attaches to the center of the trap. The second swivel may be located at any point along the chain, but it must be functional at all times.

3. **Shock Absorbing Device.** A shock absorbing device such as a spring must be in the anchor chain.

4. **Tension Device.** Padded leg-hold traps must be equipped with a commercially manufactured pan tension adjusting device.

5. **Trap Pads.** Trap pads must be replaced with new pads when worn and maintained in good condition.

(f) **Use of Non-Body-Gripping Traps for Purposes of Recreation or Commerce in Fur.** Any person who utilizes non-body-gripping traps for the take of furbearing mammals and nongame mammals for purposes of recreation or commerce in fur must comply with the provisions of subsections (g)(1) through (3) below.

(1) **Trap Number Requirement.** Any person who traps furbearing mammals or nongame mammals shall obtain a trap number issued by and registered with the department. All traps, before being put into use, shall bear only the current registered trap number or numbers of the person using, or in possession of those traps. This number shall be stamped clearly on the trap or on a metal tag attached to the chain of the trap or to any part of the trap.

(g) **Use of Conibear Traps, Snares, Cage and Box Traps, Nets, Suitcase-type Live Beaver Traps and Common Rat and Mouse Traps for Purposes Unrelated to Recreation or Commerce in Fur.** Conibear traps, snares, cage and box traps, nets, suitcase-type live beaver traps and common rat and mouse traps may be used by individuals to take authorized mammals for purposes unrelated to recreation or commerce in fur, including, but not limited to, the protection of property, in accordance with subsections (1) through (5) below and the trap number requirements of subsection (f)(1) above. The prohibitions of subsections (c) and (d) above shall apply to any furbearing or nongame mammal taken by a conibear trap or snare pursuant to this subsection (g).

(1) **Immediate Dispatch or Release.** All furbearing and nongame mammals that are legal to trap must be

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immediately killed or released. Unless released, trapped animals shall be killed by shooting where local ordinances, landowners, and safety permit.

(2) **Trap Visitation Requirement.** All traps shall be visited at least once daily by the owner of the traps or his/her designee. Such designee shall carry on his/her person written authorization, as owner's representative, to check traps. In the event that an unforeseen medical emergency prevents the owner of the traps from visiting traps another person may, with written authorization from the owner, check traps as required. The designee and the person who issues the authorization to check traps shall comply with all provisions of Section 465.5. Each time traps are checked all trapped animals shall be removed.

(3) **Trap Placement Requirement.** Traps may not be set within 150 yards of any structure used as a permanent or temporary residence, unless such traps are set by a person controlling such property or by a person who has and is carrying with him written consent of the landowner to so place the trap or traps.

(4) **Placement of Conibear Traps.** Traps of the conibear-type with a jaw opening larger than 8" x 8" may be used only in sets where the trap is wholly or partially submerged in water or is:

(A) Within 100 feet of permanent water.

(B) Within 100 feet of seasonally flooded marshes, pastures, agricultural lands or floodways when standing or running water is present.

(C) Within the riparian vegetation zone, characterized by, but not limited to, willow, cottonwood, sycamore, salt cedar, cattail, bulrush and rushes, when found within the area defined in section 463(a) where the take of beaver is permitted.

(5) **Zones Prohibited to the Use of Conibear-type Traps and Snares.** Conibear-type traps and snares, except those totally sub-merged, and deadfall traps are prohibited in the following zones.

(A) Zone 1: Beginning at Interstate 5 and Highway 89, east on Highway 89 to Harris Springs Road near Bartle, north on Harris Springs Road (primary U.S. Forest Service Road 15) to Powder Hill Road (primary U.S. Forest Service Road 49), northeast on Powder Hill Road to Road 42N56, east on Road 42N56 to the Siskiyou/Modoc county line, north on the Siskiyou/Modoc county line to the boundary of the Lava Beds National Monument, north along the eastern boundary of the Lava Beds National Monument, then west then south along the western boundary of the Lava Beds National Monument to Road 46N21, west along Road 46N21 over Gold Digger Pass to the western boundary of the Modoc National Forest, south along the western boundary of the Modoc National Forest to the boundary of the Shasta National Forest, west along the northern boundary of the Shasta National Forest to Highway 97, southwest on highway 97 to Interstate 5, northwest on Interstate 5 to Old Highway 99, northwest on Old Highway 99 to Stewart Springs Road, southwest on Stewart Springs Road to the Yreka Ditch, west along the Yreka ditch to the Gazelle/Callahan Road, southwest on the Gazelle/Callahan Road to Highway 3, south on Highway 3 to Ramshorn Road, northeast on Ramshorn Road to Castle Creek Road, east on Castle Creek Road to Interstate 5, north on Interstate 5 to the point of beginning.

(B) Zone 2: Beginning in Tehama County at the intersection of Highway 36 and the western boundary of the Lassen National Forest, south along the western boundary of the Lassen National Forest to the boundary of the Plumas National Forest, south along the western boundary of the Plumas National Forest to the boundary of the Tahoe National Forest, south along the western boundary of the Tahoe National Forest, to the boundary of the Eldorado National Forest, south along the western boundary of the Eldorado National Forest to the boundary of the Stanislaus National Forest, south along the western boundary of the Stanislaus National Forest to the boundary of the Sierra National Forest, south along the western boundary of the Sierra National Forest to the boundary of the Sequoia National Forest, south along the western boundary of the Sequoia National Forest to Highway 245, southwest on Highway 245 to Road 168, southwest on Road 168 to County Road J40, west on County Road J40 to Henderson Road, northwest on Henderson Road to Lincoln Avenue, west on Lincoln Avenue to Highway 145, north on Highway 145 to Avenue 7, west on Avenue 7 to Road 21, north on Road 21 to Avenue 12, west on Avenue 12 to Road 16, north on Road 16 to Avenue 18 1/2, west on Avenue 18 1/2 to Road 9, north on Road 9 to Highway 152, west on Highway 152 to Highway 59, north on Highway 59 to Highway 99, northwest on Highway 99 to Highway 140, west on Highway 140 to Highway 33, north on Highway 33 to Interstate 5, north on Interstate 5 to County Road J4, west on County Road J4 to County Road J2, north on County Road J2 to Highway 4, west on Highway 4 to Lone Tree Way, west on Lone Tree Way to James Donlon Boulevard, west on James Donlon Boulevard to Somersville Road, south on Somersville Road to Nortonville Road, north on Nortonville Road to Kirker Pass Road, southwest on Kirker Pass Road to Clayton Road, southeast on Clayton Road to Mitchell Canyon Road, south on Mitchell Canyon Road to the boundary of Mount Diablo State Park, south along the western boundary of Mount Diablo State Park to Mt. Diablo Scenic Boulevard, south on Mt. Diablo Scenic Boulevard to Blackhawk Road, southeast on Blackhawk Road to Camino Tassajara, west on Camino Tassajara to Dougherty Road, south on Dougherty Road to Interstate 580, west on Interstate 580 to Interstate 680, south on Interstate 680 to Highway

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84, northeast on Highway 84 to Holmes Street, south on Holmes Street to Wetmore Road, east on Wetmore Road to Arroyo Road, south on Arroyo Road to Del Valle Regional Park, southeast along the western boundary of Del Valle Regional Park to Arroyo Del Valle Creek, southeast on Arroyo Del Valle Creek to the Alameda/Santa Clara county line, east on Alameda/Santa Clara county line to San Antonio Valley Road, south on San Antonio Valley Road to Del Puerto Canyon Road, east on Del Puerto Canyon Road to the Santa Clara/Stanislaus county line, south along the Santa Clara/Stanislaus county line to the Santa Clara/Merced county line, south along the Santa Clara/Merced county line to the San Benito/Merced county line, south along the San Benito/Merced county line to Little Panoche Road, south on Little Panoche Road to Panoche Road, east on Panoche Road to New Idria Road, south along New Idria Road to Clear Creek Road, southwest on Clear Creek Road to Coalinga Road, southeast on Coalinga Road to Coalinga-Mineral Springs Road, south on Coalinga-Mineral Springs Road to Highway 198, east on Highway 198 to Parkfield Grade, south on Parkfield Grade to Vineyard Canyon Road, west on Vineyard Canyon Road to Highway 101, north on Highway 101 to Bradley Road, north on Bradley Road to Sargents Road, north on Sargents Road to Pancho Rico Road, west on Pancho Rico Road to Cattleman's Road, north on Cattleman's Road to Highway 198, west on Highway 198 to Highway 101, north on Highway 101 to County Road G13, northeast on County Road G13 to Highway 25 north on Highway 25 to Browns Valley Road, north on Browns Valley Road to Santa Anita Road, northwest on Santa Anita Road to Santa Ana Valley Road, north on Santa Ana Valley Road to Fairview Road, north on Fairview Road to Highway 156, north on Highway 156 to Highway 152, southwest on Highway 152 to County Road G7, southwest on County Road G7 to Highway 25, west on Highway 25 to Highway 101, south on Highway 101 to the San Benito/Monterey county line, south on the San Benito/Monterey county line to Highway 146, west on Highway 146 to Highway 101, south on Highway 101 to Paraiso Springs Road, south on Paraiso Springs Road to County Road G17, south on County Road G17 to County Road 16, northeast on County Road 16 to Central Avenue, southeast on Central Avenue to Highway 101, south on Highway 101 to County Road G14, south on County Road G14 to Milpitas Road, west on Milpitas Road to the boundary of Fort Hunter Liggett, south along the western boundary of Fort Hunter Liggett to the Nacimiento River, southeast along the Nacimiento River to Nacimiento Reservoir, southeast along the western boundary of Nacimiento Reservoir to Chimney Rock Road, south on Chimney Rock Road to Klau Mine Road, south on Klau Mine Road to Adelaida Road, east on Adelaida Road to Vineyard Drive, southeast on Vineyard Drive to Highway 101, south on Highway 101 to Highway 41, east on Highway 41 to Highway 229, south on Highway 229 to Creston O'Donovan Road southeast on Creston O'Donovan Road to Highway 58, east on Highway 58 to the boundary of the Los Padres National Forest, south and east along the eastern boundary of the Los Padres National Forest to Highway 33, south on Highway 33 to Quatal Canyon Road, east on Quatal Canyon Road to Cerro Noroeste Road, east on Cerro Noroeste Road to Cuddy Valley Road, east on Cuddy Valley Road to Interstate 5, north on Interstate 5 to Wheeler Ridge Road, east on Wheeler Ridge Road to Laval Road, east on Laval Road to Rancho Road, north on Rancho Road to Sycamore Road, east on Sycamore Road to Tejon Highway, north on Tejon Highway to Highway 223, northeast on Highway 223 to Highway 58, east on Highway 58 to Caliente Bodfish Road, north on Caliente Bodfish Road to Highway 155, northeast then west on Highway 155 to the eastern boundary of the Sequoia National Forest, north and east along the southern boundary of the Sequoia National Forest to the Dome Land Wilderness, north along the eastern boundary of the Dome Land Wilderness to the boundary of the Inyo National Forest, north along the eastern boundary of the Inyo National Forest west of Highway 395 to the intersection of the Inyo National Forest and Highway 395 near Sherwin Summit in Mono County, north on Highway 395 to the California/Nevada state line, north on the California/Nevada state line to Highway 395 in Sierra County, north on Highway 395 to Long Valley Road, south on Long Valley Road to the boundary of the Toiyabe National Forest, west along the Toiyabe National Forest boundary to the Tahoe National Forest boundary, west then south then west then north along the Tahoe National Forest boundary to the Plumas National Forest boundary, north then east then north along the eastern boundary of the Plumas National Forest to the Lassen National Forest boundary, north along the eastern boundary of the Lassen National Forest to the northern boundary of the Lassen National Forest, west along the northern boundary of the Lassen National Forest to the western boundary of the Lassen National Forest, south along the western boundary of the Lassen National Forest to the point of beginning.

(h) **Statutory Penalty for Violation of Provisions.** Violation of Section 3003.1 or 3003.2 of the Fish and Game Code, or any rule or regulation, including this Section 465.5, adopted pursuant thereto, is punishable by a fine of not less than three hundred dollars (\$300) or more than two thousand dollars (\$2,000), or by imprisonment in the county jail for not more than one year, or by both that fine and imprisonment.

NOTE

Authority cited: Sections 200, 202, 203, 219, 240, 3003.1, 4005 and 4009.5, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 3003.1, 4004, 4005, 4009.5, 4152 and 4180, Fish and Game Code.

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12. 554. Cooperative Deer Hunting Areas

Section 554, Title 14, CCR, is amended to read:

554. Cooperative Deer Hunting Areas.

To encourage the protection and enhancement of critical deer habitat, to provide added protection to landowners from depredations of trespassers and to provide greater access for the public to hunt on privately owned or controlled lands, the department may establish cooperative hunting areas and issue permits for the take of deer as specified subject to the following conditions:

(a) **Definition and Scope.** A cooperative deer hunting area is an area of private land located within critical deer habitat as determined by the department in deer quota zones (see Section 360) which require public drawings. The cooperative hunting area shall encompass not less than a total of 5,000 acres, except that such area may consist of neighboring lands not less than 640 acres in size under the control of one or more owners.

(b) **Application Process.** Application forms are available from the department's headquarters and regional offices. The applicant for a cooperative deer hunting area permit shall be ~~the~~ an owner/~~fee title holder~~ of said land. The completed application form and a completed one deer tag application for the appropriate deer zone shall be submitted to one of the following offices of the Department of Fish and Game:

Region 1, 601 Locust Street, Redding 96001 (916) 225-2300

Region 2, 1701 Nimbus Road, Rancho Cordova 95670 (916) 355-0978/358-2900

Region 3, 7329 Silverado Trail, Box 47, Yountville 94599 (707) 944-2011/5500

Region 4, 1234 East Shaw Avenue, Fresno 93710 (209) 222-3761/243-4005

Region 5, ~~245 West Broadway, Long Beach 90802 (213) 590-5132~~ 4949 View Ridge Avenue, San Diego 92123

(858) 467-4201

Region 6, 4775 Bird Farm Road, Chino Hills 91709 (909) 597-9823

The completed applications must be received prior to the first Friday in August. No individual may submit more than one cooperative deer hunting area application or deer tag application per deer season nor may there be more than two cooperative deer hunting area applicants for a given parcel of land. The department shall review the cooperative deer hunting application, verify the content thereof and certify that the lands consist of critical deer habitat prior to the issuance of a cooperative deer hunting area permit and deer tag.

Only those applications that are filled out completely will be accepted. Incomplete applications will be returned within 15 days of receipt by the department. There shall be no fee for a cooperative hunting area permit.

(c) A deer tag issued pursuant to the provisions of this section is valid only during the open deer season for the deer zone specified on the tag and may only be used on the lands specified in the landowner's application.

(d) All provisions of the Fish and Game Code relating to the take of birds and mammals shall be a condition of all permits and tags issued pursuant to this section.

(e) Any permit or tag issued pursuant to Section 554 may be cancelled or suspended at any time by the commission for cause after notice and opportunity to be heard, or without a hearing upon conviction of a violation of this regulation by a court of competent jurisdiction.

NOTE

Authority cited: Section 1572, Fish and Game Code. Reference: Sections 1570-1572, Fish and Game Code.

13. 555. Cooperative Elk Hunting Areas

Section 555, Title 14, CCR, is added to read:

555. Cooperative Elk Hunting Areas.

To encourage protection and enhancement of elk habitat and provide eligible landowners an opportunity for limited elk hunting on their lands, the department may establish cooperative elk hunting areas and issue license tags to allow the take of elk as specified in Section 364, and subject to the following conditions:

(a) Definition and Scope. A cooperative elk hunting area is an area of private land located within the boundary of an area open to public elk hunting (as identified in Section 364). Minimum size of a cooperative elk hunting area shall be 5,000 acres, except that contiguous parcels of at least 640 acres in size may be combined to comprise a cooperative elk hunting area. Within an area open to public elk hunting, the number of cooperative elk hunting license tags issued

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shall not exceed 20 percent of the number of public license tags for the corresponding public hunt and shall be of the same designation (i.e. antlerless, spike bull, bull or either-sex) as the public license tags. If the number of applicants exceeds the number of cooperative elk hunting license tags available, the department will issue license tags by random drawing from the pool of qualified applicants.

(b) Application Process. Application forms are available from the department's headquarters and regional offices. A person (as defined by Fish and Game Code Section 67) owning at least 640 acres within a cooperative elk hunting area shall be eligible to apply for a cooperative elk hunting area permit. Applicants shall designate one individual eligible to receive one elk license tag under this subsection. Such individuals shall be California residents at least 12 years of age and possess a valid California hunting license. No person may submit more than one cooperative elk hunting area application per year nor may there be more than one application submitted for a given parcel of at least 640 acres. In no case shall an individual be awarded more than one elk license tag per year.

(1) Completed application forms shall include payment of the elk license tag fee by check, money order, or credit card authorization in the amount specified by Section 364.

(2) Applications and elk license tag fees shall be submitted to the department's regional office nearest the proposed cooperative elk hunting area. Department of Fish and Game regional offices are located as follows:

Region 1, 601 Locust Street, Redding 96001 (530) 225-2300

Region 2, 1701 Nimbus Road, Rancho Cordova 95670 (916) 358-2900

Region 3, 7329 Silverado Trail, Box 47, Yountville 94599 (707) 944-5500

Region 4, 1234 East Shaw Avenue, Fresno 93710 (559) 243-4005

Region 5, 4949 View Crest Avenue, San Diego 92123 (858) 467-4201

Region 6, 4775 Bird Farm Road, Chino Hills 91709 (909) 597-9823

(3) Completed applications must be received prior to the first Friday in August. Only those applications that are filled out completely will be accepted. The Department will evaluate applications to determine if the specified parcels are of sufficient size within the boundary of a public elk hunt area, and contain important elk habitat. Rejected applications and those that are incomplete will be returned within 15 days of receipt by the department. If the number of accepted applications exceeds the license tags available, the department will determine successful applicants and a list of alternates by conducting a random drawing from the pool of qualified applicants as soon as possible after the first Friday in August. License tag fees will be returned to applicants who do not receive an elk license tag under the provisions of this section.

(c) An elk license tag issued pursuant to the provisions of this section is valid only during the general elk season in which the cooperative elk hunting area occurs and shall only be used on land specified in the landowner's application. License tags are not transferable.

(d) All provisions of the Fish and Game Code and Title 14, CCR, relating to the take of birds and mammals shall be conditions of all license tags issued pursuant to this section.

(e) Any permit issued pursuant to Section 555 may be canceled or suspended at any time by the commission for cause after notice and opportunity to be heard, or without a hearing upon conviction of a violation of this regulation by a court of competent jurisdiction.

NOTE

Authority cited: Section 1572, Fish and Game Code. Reference: Sections 67 and 1570-1572, Fish and Game Code.